



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN, CONNECTICUT
February 4, 2013**

Regular Meeting A Regular Meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building, on Monday, February 4, 2013 at 7 p.m.

Present Mayor Daniel T. Drew, Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Robert P. Santangelo Hope P. Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah A. Kleckowski; Corporation Counsel Daniel B. Ryan, Sergeant-at-Arms Police Chief William McKenna, and Council Clerk Marie O. Norwood.

Also Present Hartford Courant Reporter Shawn Beals, Middletown Press Reporter Jim Salemi, and forty members of the public

Meeting Called to Order Mayor Drew calls the meeting to order at 7:07 p.m. and asks Captain Timbro to lead the public in the Pledge of Allegiance.

Call of Meeting Read The Call of Meeting was read and accepted. Mayor Drew declares the Call a Legal Call and the Meeting a Legal Meeting.

Motion to Amend Agenda Councilman Serra moves to amend the agenda by Substituting Agenda Item 5-3 by adding the names of Council Members Bartolotta, Salafia, and Kleckowski; he states it was his mistake not to ask the individuals to sign on to the resolution and he apologizes. He moves to substitute Agenda Item 12, Mayor's Appointments; add Agenda Item 9I, Grant Confirmation and Approval for School Readiness in conjunction with Agenda Item 11-14; add Agenda Item 9J, Mattabassett Update by Guy Russo, Director of Water and Sewer; add Agenda Item 11-15, Approving the Memorandum of Understanding between the City of Middletown and the Middletown Board of Education; he so moves. His motion is seconded by Councilman Pessina. The Chair calls for discussion; hearing none, he calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Agenda Item 3
Description

Presentations

Agenda Item 3-1

Motion Councilman Daley is recognized by the Chair. The Chair asks the coaches and players of the Xavier Football Team to come forward and stand before the dais. Councilman Daley reads the resolution honoring the Xavier High School Football Team. He states he is pleased to present you with this and moves it for approval; Councilman Serra seconds the motion.

Vote The Chair states, without objection, the matter is approved by acclamation.

Discussion Councilman Daley states Sean Marinan achieved great success with Xavier football and the father of Xavier football is out in the hall, Larry McHugh. It is great that he is here to witness this and congratulations to you all; it is a remarkable achievement. Sean Marinan, Head Coach, thanks the Council on behalf of the School and the Football Team and he thanks the Mayor, Council and Council Clerk Norwood for putting this together. He states it is the third time hopes they can continue for years to come. It is an unbelievable experience to stand here to accept this honor one more year. This does not get old. From everyone, thank you very much. Councilman Serra states if I may, being a former athlete and this is a fantastic feat and it is incredible, he asks how they are motivated. Coach Marinan states similar to most coaching staffs and they do a lot of demonstrations. We have learned from the best and we couldn't do it without them. Councilman Serra states they are strong and tall and he is certain they have pride for the job they have done.

Resolution No.
File Name

13-13
ccxavier2012

Description
(Approved)

Honoring Xavier High School Football team on its third Class LL State Championship Title.

WHEREAS, Xavier High School won the CIAC Class LL Championship, beating Norwich Free Academy 48-14; and

WHEREAS, the Xavier Football Team won its third consecutive Class LL Championship Title, the first team in Connecticut and school history to achieve this athletic success; and

WHEREAS, the Falcons beat undefeated Staples of Westport with a score of 42 to 7 in 2011 and undefeated Trumbull, in 2010; and

WHEREAS, the Falcons finished their season with 12 wins and one loss; and

WHEREAS, Coach Sean Marinan along with coaching staff, Andy Guyon, Don Crescimanno, Mark Congdon, Dave Sterling, Dick Nobile, Greg Jaskot, Kyle St. George, Joe Lentini, Bob Guyon, Ed Bartolotta and Greg Ferry worked with their team to bring out their best in each game which led to their third State Title; and

WHEREAS, the Falcons had 260 rushing yards with an overall gain of 408 yards during the game; the Xavier defense held their opponent to a total of only 63 yards; and

WHEREAS, Xavier Falcons Football Team Tim Boyle(captain), Kris Luster.(captain), DeAngelo Berry, Casey Blank, Mark Bucior, John Corracio, Zack Creeron, Kevin Dean, Jordan Delsesto, Rider Doolittle, Jonah Dorsey, Miquel dos Santos, Dan Drabinski, Obi Etuka, McNeil Finnegan, Justin Fitzpatrick, Austin Guptel, Ben Lisle, Matt Manzione, Andrew Masse, Charlton Ortega, Jake Rocamora, Max Schumann, James Sullivan, Max Tylki, Chris Anderson, Nick Bisio, Riley Byrne, Joe Carbone, Cooper Clarkin, Colin Cunningham, Peter Dovidaitis, Earle Dupuis, Michael Epright, Joe Felton, Garrett Fernstrom, David Field, William Garrity, Nate Gonzalez, David Horvath, Derek Jones, Andrew Meoli, Vincent Neri, Noah Palo, Tim Pearson, Bobby Rose, Kevin Tobias, Thomas Vanacore, Ricky Verre, Brian Watson, Kyler Wesner, John Almquist, Robert Baldo, Matt Blanchard, Jesse Bonner, Chidi Broderick, Cole Bruni, Troy Christian, Jacob Corrone, Domenic Dedomenico, Mark Delvecchio, Joe Depaolo-Boisvert, Jake Dobos, Shorney Douet, Ted Duarte, Paul Garrity, Andrew Griglun, Tanner Kern, Connor Kuziak, Eric Lee, Edwin Luster, Paul Marinan, Colin Morris, Matt Murphy, Ricky Murphy, Michael O'Rourke, Anthony Parcesepe, Julian Periera, Anthony Plochocki, Joe Prifitera, Mitch Rodd, Mike Scherer, Ian Scott, Christian Sienko, John Sullivan, Cole Thorburn, and Andrew Verre will be remembered for their extraordinary play during the 2012 Football Season.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we congratulate the Xavier Falcon Football Team for the successful season culminating in being named the Class LL Champions for the third consecutive year, an achievement rarely earned in High School Football; and

BE IT FURTHER RESOLVED: That we extend our best wishes from Middletown Citizens to the Players, Cheerleaders, and Student Body for continued success on the playing field and in the classroom.

Agenda Item 3-2

Motion Councilman Santangelo is recognized and reads the resolution honoring retiree, Deborah Gill; He congratulates her on her retirement. Ms Gill thanks the Council. Councilman Santangelo moves it for approval and Councilman Serra seconds the motion.

Vote The Chair states it is approved by acclamation if there are no objections. He declares the matter approved.

Discussion Councilman Serra states he may be the only one around who was here when she was appointed and she did a yeoman's job and she always helped us with the budget and congratulates her. Councilwoman Salafia states she has worked with Deb in the last 28 years and states she can now run for Council, too.

Resolution No.
File Name
Description
(Approved)

14-13
cggill2013
Congratulating Deborah Gill on her retirement from City service.

Whereas, Deborah M. Gill began working for the City of Middletown in February, 1988 with the Tax Collector's Office as Tax Clerk; and

Whereas, Deb was promoted to Administrative Secretary in the Arts Department in 1990; she transferred to the Tax Assessors Office in 1992 and in 1998 was promoted to an Assessment Aide/Technician; and

Whereas, in 2006, Deb was promoted to Assistant Assessor; she also served as Acting Deputy Director from 2008 – 2009; and

Whereas, she has worked diligently for the City of Middletown for twenty-four years and is retiring from service in the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank Deborah Gill for her twenty-four years of service to the City of Middletown and we offer our congratulations and our best wishes to her for a happy, healthy retirement; and

Be It Further Resolved: That we wish her good luck in all his future endeavors.

Agenda Item 3-3

Motion Councilwoman Kasper is recognized. She reads the resolution honoring James Lane and moves it for approval. Councilman Daley Seconds the motion

Discussion There is no discussion

Vote The Chair states, without objection, the resolution approved.

Resolution No. 15-13
File Name cclane2013
Description Congratulating James Lane on his retirement from City service.
(Approved)

WHEREAS, James Lane began working for the City of Middletown in November, 1982; and

WHEREAS, Jim began City service as a Laborer; he was promoted to Skilled Laborer and then to Truck Driver; in 1986, he was promoted to Light Equipment Operator; and

WHEREAS, Jim was promoted to Assistant Superintendent of Sanitation in September, 1998; and

WHEREAS, Jim has worked diligently for the Public Works Department and is retiring after over thirty years of service to the City of Middletown.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That, on behalf of the citizens of Middletown, we thank James Lane for his service to the City of Middletown and its citizens; and

BE IT FURTHER RESOLVED: That we wish him good luck in all his future endeavors.

Agenda Item 3-4

Motion Councilwoman Bartolotta asks Tim Lynch, Deputy City Attorney, to come forward. She reads the resolution and moves it for approval. Councilman Serra seconds the motion

Discussion Councilwoman Bartolotta congratulates Attorney Lynch. Attorney Lynch Tim thanks the Council. Councilman Serra states in 1987 I voted for Tim Lynch and for those years his professionalism has stood out. It is not the easiest job to stand and answer questions before the Council. The Mayor thanks him and your skill has served Middletown for many years and we wish you the best.

Vote The Chair states the matter is approved by acclamation.

Resolution No. 16-13
File Name ccLynch2013
Description Congratulating Timothy Lynch on his retirement from City Service.
(Approved)

Whereas, Timothy Lynch began working for the City of Middletown in October, 1987 as the Assistant City Attorney; and

Whereas, he was promoted to Deputy City Attorney in 1989; he worked as the Acting City Attorney, appointed at the time of retirement of the City Attorney; and

Whereas, Tim has worked with eight Mayors and eight Common Councils during his tenure in the office of City Attorney; and

Whereas, Tim has labored on behalf of the City of Middletown's Legal Office for over 26 years and is retiring from service to the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank Timothy Lynch for his years of service to the City of Middletown and we offer our congratulations and our best wishes to him for a happy, healthy retirement; and

Be It Further Resolved: That we wish him good luck in all his future endeavors.

Agenda Item 3-5

Motion Councilwoman Kasper reads and moves for approval agenda item 3-5 congratulating Debra Milardo, Personnel Director on her retirement. Councilman Serra seconds the motion.

Vote The Chair states, without objection, the matter is approved by acclamation.

Resolution No. 17-13
File Name ccmilardodebra2013
Description Congratulating Debra Milardo on her retirement from City service.
(Approved)

Whereas, Debra Milardo began working for the City of Middletown in November, 1997 as the Administrative Aide to the Mayor; and

Whereas, Debra was appointed acting Director of Personnel in November, 2001 and was confirmed as the Director of Personnel in January, 2002; and

Whereas, she has dedicated her time to the Personnel Department and the employees of the City of Middletown for over ten years and is retiring after 15 years of service in the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank Debra Milardo for her years of service to the City of

Middletown and we offer our congratulations and our best wishes to her for a happy, healthy retirement; and

Be It Further Resolved: That we wish her good luck in all her future endeavors.

Agenda Item **3-6**

Motion Councilman Berch reads and moves for approval agenda item 3-6, congratulating John Milardo upon his retirement. Councilman Faulkner seconds the motion.

Discussion Councilman Berch remarks that Mr. Milardo has been instrumental for the upkeep of the parks and as a point of personal privilege, he would like to comment. He is a steam fitter and his brothers and sister thank Mr. Milardo as one of the organizers for the fundraiser for the families of the Kleen Energy tragedy. He had a major part for healing and recognizing the tragedy. He thanks him dearly for that and he hopes he has good luck in his retirement.

Vote The Chair states the matter is approved by acclamation.

Resolution No. 18-13
File Name ccmilardojohn2013
Description Congratulating John Milardo on his retirement from City service.
(Approved)

Whereas, John Milardo began working for the City of Middletown in September, 1971 as a Laborer; and

Whereas, John worked in various positions including Park Maintainer I and Park Maintainer II; he was promoted to Maintenance Mechanic II in 1979; and

Whereas, he was promoted to Park Superintendent in 1982, managing and supervising the City's parks and facilities for use by members of the public; and

Whereas, John has dedicated his efforts on behalf of the Parks and Recreation Department and is retiring after 41 years of service to the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank John Milardo for his years of service to the City of Middletown and we offer our congratulations and our best wishes to him for a happy, healthy retirement; and

Be It Further Resolved: That we wish him good luck in all his future endeavors.

Agenda Item **3-7**

Motion Councilman Serra asks if John Parker is present; he is not. Councilman Serra reads the resolution into the record and moves it for approval. Councilman Faulkner seconds the motion.

Discussion Councilman Serra states he has known John for over 40 years; he was a student of his at Vinal. His professionalism and his tirelessness on behalf of the City is noted; he was a good employee and wishes him good luck in the future.

Vote The Chair states the matter is approved by acclamation.

Resolution No. 19-13
File Name ccparker2012
Description Congratulating John Parker on his retirement from City service.
(Approved)

Whereas, John C. Parker began working for the City of Middletown in February, 1989 with the Public Works Department; and

Whereas, John was hired as the Assistant Building Official to carry out building inspections in the City; John was promoted to Chief Building Official in June, 1996; and

Whereas, John has worked tirelessly for over 24 years and is retiring from service to the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank John Parker for twenty-four years of service to the City of Middletown and we offer our congratulations and our best wishes to him for a happy, healthy retirement; and

Be It Further Resolved: That we wish him good luck in all his future endeavors.

Agenda Item **3-8**

Motion Councilman Pessina states Raymond could not be here and reads the resolution into the record. He moves it for approval and his motion is seconded by Councilman Serra.

Vote The Chair states, without objection, the resolution is approved by acclamation.

Resolution No. 20-13
File Name ccsantostefano2012
Description (Approved) **Congratulating Raymond Santostefano on his retirement from City Service.**

Whereas, Raymond Santostefano began working for the City of Middletown as a Laborer in August, 1977 with the Department; and

Whereas, Ray was promoted to Tradesman and then to Assistant Engineering Aide, in November, 1978; he moved to the Health Department in August, 1983 when he was promoted to the Housing Code Officer; while in the Health Department, he was promoted to Chief Housing Code Enforcement Officer in 1990 and again, in 1998 he was promoted to the Health Department's Office Manager as well as the Chief Housing Code Enforcement Officer; and

Whereas, in 2007 Ray was confirmed as the Parks and Recreation Director and during his this period, became the Acting Director of the Senior Center; and

Whereas, Ray is retiring from the City of Middletown after 35 years of service.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank Raymond Santostefano for his thirty-five years of dedicated service to the City of Middletown and we offer our congratulations and our best wishes to him for a happy, healthy retirement; and

Be It Further Resolved: That we wish him good luck in all his future endeavors.

Agenda Item 4
Description **Approval of Minutes**

The Chair asks for a motion to approve the minutes of the regular Common Council meeting of January 7, 2013 at 7 p.m. meeting; Special Meetings of January 7, 2013 at 6 p.m., and January 10, 2013 at 7 p.m. The minutes of the meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and there is a second by Councilman Berch. Councilwoman Salafia has a correct on item 7 of the regular meeting of January 7, 2013; she did not second the motion; Councilwoman Kleckowski seconds the motion. The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes with twelve affirmative votes and notes the minutes are corrected. He calls for the vote on the minutes. Councilman Pessina abstains from the vote of the meeting of January 7, 2013 at 6 and 7 p.m.; Councilman Daley and Councilwoman Salafia abstain from the vote of the meeting held on January 10, 2013 at 7 p.m. The Chair asks if there is any further discussion; hearing none, he calls for the vote. The Chair states the minutes are approved unanimously with the noted abstentions.

Agenda Item 5-1
Description **Public Hearing on Appointment**

Public Hearing Opens The Chair opens the public hearing on the appointment of Captain M. Timbro as Deputy Chief of Police at 7:34 p.m.

Police Chief McKenna comes forward and states he is thankful to be here and thanks the Council or allowing that. It has been a long wait and has been worth the wait and the decision to remain internal was a positive decision for the department and the City. Internal growth opportunities will be made available. He will keep the City's best interest in mind. He praises the City government for allowing me and the Mayor to make the decision without political bullion. He appreciates the support of the Council, Public Safety Commission, and the Mayor. Tonight I am asking for your support for Deputy Chief Timbro. He was asked to step in and he is a valuable asset to me, the department, and the City. His ability to make decisions in the department and his creative thinking along with Laura Gionfriddo to present to the Mayor and Council a realistic budget. His thinking has allowed us to do more with less. He attempts to resolve efficiency issues and the knowledge of labor and negotiation and there is much more. Many of the people here have been witness to the work of the candidate first hand. He urges you to support the Mayor's and my decision to allow us to prove it is a decision in the best interests of Middletown. Mike takes his job very seriously and he will represent the department in a positive light in his new role as Deputy Chief and I would be proud to call him Deputy Chief. He would not have made it through the first year smoothly without his input during the last 15 months. He thanks the Mayor and thanks the Council for their support. This is the right decision for the City. We had two great candidates and he is the selection and he is a local kid. If you have not seen his product as yet, you will be amazed when you do.

The Chair recognizes the Chief for his stewardship of the department and the job that he does.

Earle Roberts was happy to hear that all twelve Council members have signed on to this and he is glad to hear that. He remembers Michael when he was a little shorter. He will make a fine candidate for the job. The people in that business are watched pretty closely and he has an issue in the position in the changing of the standards. I think that is wrong. We don't do that with our doctors and lawyers. We have credentials and standards and he hopes that the standards that are taken away, the individuals should be given time to earn those degrees. There is nothing personal with the individual.

Sean Moriarity, Police Captain, states he was the other candidate; he was disappointed and he had the unique opportunity to watch Mike's career to be his supervisor, then supervised by him, then supervising him and now being supervised by him. He is behind the selection.

The Chair states he had two excellent candidates and Captain Moriarity just showed his integrity and thanks him for his service and dedication to the Department and the City.

Guy Russo states he has known the candidate for 40 years and he has had a long run watching Mike and his family. His father served on this body but the dedication of Mike and his family and his tenure of 18 years, he has had a ring side seat and he is now the dean of Directors, the oldest serving director. You will hear from his fellow officers what a great officer he is, but what you don't hear on the administrative side and he works with him and what he gets back is how adept he is as an administrator. It is a balance. The candidate before you is great and he wishes him the best and he will serve the City well.

Paul Maturo, Lieutenant, Police Department for 23 years. He listened to Mike's qualifications and no one has brought up the fact of this man's heart and he has witnessed it for the last two years. There are degrees we can get and that is one class this man has that no one can question. That man acts from his heart 24/7, 365; he has my support and he hopes he has the Council's.

Public Hearing Closes

The Chair asks for other members of public wishing to speak. Seeing none, he closes the public hearing at 7:46 p.m.

Agenda Item 5-2 Description

Interview and Questions to Candidate/Appointee

The Chair asks the candidate to come forward. Capt. Timbro thanks the Mayor and Chief and the Council and thanks the show of support from his coworkers, civilian and sworn, and other City workers here to support me and last but not least my family. Chief McKenna asked me if I would prepare a statement and I said no. He thanks everyone who came up and said those kind words. I am honored to be the candidate for this position. I am born and raised in Middletown. This appointment to the Deputy Chief, it is not about me but the police department. There has been instability in the department for a few years and you are aware of that. I have said it before, but the men and women, sworn and civilian, make the department run despite the instability at the top. That is why this is for the department and with Chief McKenna's lead and the command staff and that is his first agenda to get that in place and this is another step in that direction. As that stability is formed and they work together as a team, it will make the City better and the department better. If not for the men and women there, the department would not run and it is testimony to them that it has run so smoothly. Thank you and all who are here to support me tonight.

The Chair recognizes Councilwoman Salafia; she responds she has no questions. The Chair recognizes Councilman Bibisi who asks Captain Timbro, over the last nine months, you came to Finance and Government meetings and I was impressed with your financial skills. You came forward and did a futuristic picture of, for example, the ammo and asked us to buy three years at this year's price. Your skills in that area has saved us thousands of dollars. I will support you and you have a wonderful Director and I would be proud to vote for you. Captain Timbro responds that observation was from Officer Scripo and they are in charge and he brought it to our attention and told us it would increase 40% the first of this year and gave us enough heads up to go ahead and make that purchase. It is the men and women that do it and communication is important and that is an example for the communication that comes through the department.

The Chair states Councilman Bibisi and Councilman Pessina are former deputy chiefs of the department; he thanks them for their service as well.

Councilman Timbro asks if Captain Timbro is ready. He asks what do you believe your strengths are and what are your goals and why do you want to be deputy. Captain Timbro states one of my strengths is what you see is what you get. If I do the homework and it is how things are, I will tell you how things are. I

will tell you what it is and I will not tell you what you want to hear. In that regard and in this business that's one of the most important things you need from anyone in this job. Eighteen years in the department, he has been through just about every division; he has been through the rank and he brings a lot of experience of the department and the City and why things have been done the way they are done. Every department is unique and that experience in working with the Clerk and Department and the knowledge of the City is a huge asset. My goals are to see the department have some stability and move forward to the next level. I look forward to lead the department in the direction it goes. The Department is a great department and he would not trade them with anyone, but he looks forward to the stability at the top. I sought the position because we haven't had a deputy for at least 5 years. I sought the position because I love the City and the department and I want to try to make a difference from the perspective of someone who just wants to do the right thing for the town, department and citizens. That is one of the main reasons. I could have stayed where I was as a Lieutenant and Shift Commander and I could work all the overtime I wanted, but I wanted to do something more and something more for the City and I have enjoyed doing the job for the last 15 months.

Councilwoman Bartolotta congratulates Captain Timbro and says Councilman Serra stole part of my question. She asks how you see the department and it hasn't been whole for some time. Captain Timbro states as I said at the Personnel Review commission meeting, it will not be hard to turn the culture in a different direction. There has not been stability at the top; it has been in the intermediate level and that has been going great and from the top we have not had direction. Communication is huge and the officers feeling like they have been hurt and taking it into consideration and their knowing that the leadership at the top cares is huge. There is a lot of work to do as far as updating the rules and regulations; going over policies and procedures so everyone knows what is expected of them. Those are the major things. Councilwoman Bartolotta states she will support you this evening.

Councilman Pessina states in 1995 he made Lieutenant and you were appointed by Councilman Serra when he was Mayor. As I moved up in rank, everything you did and I was watching you both and was happy when they named Billy and I watched you grow with every position you had. You were dedicated and what I did not know until sitting on Public Safety is what a financial mind you have. You are really smart in what you do. I have seen it since the Chief took over as you guided him and he has guided you. The things you explained to Councilwoman Bartolotta was leadership. What you said about having the love of your community, I know you got it and you have to have the love of your officers and they may not agree with you but you move forward with what is best for the department. When I left the Department in 2006, I knew there would be good hands to turn this over to and did not think in his wildest dreams that Bill McKenna and you would take over those ranks. You have my wholehearted support and don't forget about community policing.

Councilman Faulkner congratulates Captain Timbro on the nomination. One of the things he talks to the Chief about was the diversity of the department and affirmative action laws. He didn't see diversity training, but you have been here for a while. What can you bring to the table to train and provide for the new officers. We are bringing some from other towns and some new ones, what can you bring to the table as far as that is concerned. Captain Timbro states Middletown is very diverse and he has grown up here and in this line of work, you have to be a special person. You have to be smart and learn the laws and hold your own when necessary and above all you have to have genuine concern for all people and the community. You cannot perform the job unless you genuinely care for the people. It goes beyond cultural differences and skin color. I think by example that is how I operate and we do have diversity training. Now that we are adding several officers from other communities, I am sure we will be having more of that training. The biggest thing is leading by example and getting the message out there and we have to know that. Councilman Faulkner states he appreciates your comments. Would you say our community policing has gone well over the past 5 – 6 years. Captain Timbro can speak to the last 15 months; I think one of his goals is community policing and not only what he thinks it is and what he thinks it is but getting the officers involved by attending the community meetings that take place and getting the line officer involved. They are on the street doing the community policing and the last year and half it has improved from where it was. We have been proactive as a department and he has seen it develop. As a department as a whole, we would like to see it more at the line level and more input from the officers on the street.

Councilman Santangelo states he has watched you at Public Safety; he pays attention to what the police officers do and what you have done. What has impressed him is the trainings you have done and the work as a police officer. You have worn many caps. What has impressed him is watching you at Public Safety and your knowledge with budget and overtime and you can explain it in simple terms for all of us to understand. I know you will do a great job; I have seen you work with the Chief. One of the greatest assets I have seen is your

sense of humor and the ability to laugh at yourself. I appreciate that very much. I will support this appointment.

Councilman Berch states the Chief mentioned growth potential; you both oversee officers and your vested interest reflect values of the City and its visitors and those are attributes. We paid for a lot of your training and we have an invested interest in you. We don't want to see you work in another town and have benefit another town. He read his resume and he didn't know how much training he had and he was impressed. How will you bestow the beliefs of the City to follow a similar path and fill leadership roles going forward. Captain Timbro responds leading by example is huge. From growing up, do as I say and not as I do when you are growing up but in this job, you have to be tough on the outside but on the inside genuinely care. To do the job here you have to care about it. I think we have a leg up and are ahead of the game to show by example how to do that and be involved in your community. You are involved by spending 2/3's of your day here and when you do community policing you have to care because it is your job to. To stress community policing and being involved and if you don't live here, you will be involved there as well, but when you are a police officer you are involved in the community where you work and if you are involved you will advance your career. Getting the message out there to be involved is important. Councilman Berch states he never thought about this and was impressed with your resume and your commitment with the community and he supports you fully.

The Chair asks if there are other members of the council who wish to address questions to the candidate; seeing none, the Chair closes the interview.

Agenda Item 5-3

Motion The Chair calls on Councilwoman Kasper for agenda item 5-3; Councilwoman Kasper reads and moves the confirmation of the appointed candidate, Michael Timbro as Deputy Chief of Police, for approval. Her motion is seconded by Councilman Pessina.

Discussion Councilman Serra states he was fortunate when he was Mayor to hire not only the Chief but Deputy Chief Timbro. To see them grow in the department, it was gratifying. He will support this candidate this evening not only for that, but for me the old standard, residency. I firmly believe in promotion from within. His resume is incredible and the awards he received are unbelievable. Then his budgetary work is unbelievable. The person who does our main budget construction supports this individual and the leaders in Finance, for what he has done and the former police budget analyst and present council member, Councilwoman Kasper is impressed by you in this area. What was mentioned here about culture and he has been involved with the Council since the late 1970's and it has been some years since there was a sense of camaraderie as shown in the Police Department and that comes from leadership. We will start with promotions from within and he will wholeheartedly support your candidacy.

Councilman Daley states he didn't ask questions because of your credentials; I have seen your growth and you are a known quantity. He is proud to support your appointment tonight and congratulate you and wish you the best and the two things that impressed me tonight is the show of support from your fellow officers and colleagues in the City and in particular Captain Moriarity; it was a class act. And your acknowledgment of Officer Scripo and I have not seen this team action in the Department in many years. He is optimistic for the department and the City of Middletown and they are the beneficiaries of this. He wishes you the best and his fellow officers.

Councilman Faulkner states he and his colleagues on some of the committees would like to get the department stabilized and get the culture more positive and a better working relationship and this is a big step toward that. I support the Chief and he supports you and officers I respect also support you, so I will support you as well.

Vote The Chair, seeing no further discussion, calls for the vote; it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously. He congratulates the Deputy Chief who receives a standing ovation.

Resolution No.
File Name
Description

21-13
peTimbroConfirmationDepPoliceChief
Approving the appointment of Michael Timbro as Deputy Chief of Police with benefits as defined by the Personnel Rules for exempt, nonbargaining unit Directors effective upon Council approval.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That Michael Timbro shall be confirmed to the position of Deputy Chief of Police with benefits as defined by the Personnel Rules for exempt, non-bargaining unit Directors at salary Grade 21, Step 6 (\$58.30 per hr.) effective upon Council approval. Resume attached.

Be It Further Resolved: That Michael Timbro shall rollover all current accrued vacation, personal leave, sick and compensatory time into his new position. Benefits assigned through the exempt, non-bargaining unit Directors shall become effective upon appointment to the position of Deputy Chief of Police and shall be pro-rated. In the event that Michael Timbro is involuntarily separated from City service, for any reason, prior to attaining 20 years of credited service for retirement purposes, he shall be credited with 20 years of service for pension purposes. Upon his reaching the actual date of 20 years of service based on his longevity date of April 3, 1995 his pension calculations shall revert to his normal longevity date. The advancement of his longevity date shall be granted and he will remain credited for 20 years of service.

Financial Impact: Upon achieving actual 20 year longevity date, financial impact shall be negated.

Public Hearing Opens

The Chair opens the public hearing on all other agenda items at 8:24 p.m.

Earle Roberts comes forward. To address agenda item 11-1.

Noted for the Record

Councilman Serra leaves his seat in the Chamber at 8:25 p.m.

He states the people who utilize the area and for all those discussions we need to straighten out Routes 17 and 9; that should be done first. On agenda item 11-2, the parking garage, when are we going to learn to be involved with mass transit and do what other States are doing. We have a director we pay a healthy salary to and he should be proposing some of these things. He discusses the appropriation requests under 8-1 and 8-2 for \$450,000 and he hopes the appointment of the new deputy gets looked into and the reasons he reads a shortfall; he asks what does shortfall mean. He hopes the issues were addressed and Workers' Compensation. He would like to know why is it an issue. On 11-4, he would have liked to see a cost and expenditure balance sheet. In the area of 11-13, merging Legal and Personnel, his vote would be to privatize as much of the services as needed. Get a grip on this. On 11-9 for LoCIP for things in the building. He knows there are issues for infrastructure that LoCIP is intended for and there is issues with the public watersheds and public safety issues and we should do a study to spend the money for those types of uses. We have bigger issues with the watersheds and roads.

Ken McClellan addresses agenda item 11-12, the merging of Personnel into Legal. I spoke about this at Finance and Government meeting and during that time that there are companies that operate like this and that is not the way most companies work in this country. He applauds the Mayor for saving money and reducing the number you have to directly supervise and there are 15 recommendations and a number of logical and sensible ones, but doesn't think merging Legal and Personnel is one of them. One of the justifications is Personnel is governed by laws and that is not the extent of the department. They do training, promotions, performance evaluations; by the same logic Water and Sewer, Public Works, Fire and Police and the Council and Mayor, your actions are all governed by laws and the same logic can be used that the Council and Mayor should also be in the Legal Department. It doesn't make sense. When he was saying cities are run like a business, but was told they are not but I believe it is. The customers are the citizens and stakeholders and shareholders to see the City run efficiently and in a cost effect manner and if they don't like it will vote with their feet. If they don't like it they leave. You need the right people in the right job and that is the training of human resource department and should be a separate department reporting to the mayor and not the city attorney. It is the wrong place to save money. Please think about it before you do this.

Public Hearing Closes

The Chair asks if there are other members of the public wishing to speak; seeing none, he closes the public hearing on agenda items at 8:33 p.m.

The Chair asks the Council Clerk to read the appropriation requests and the Certification of Funds from the Finance Director:

Appropriation Notice

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, FEBRUARY 4, 2013 AT 7:00 p.m.** to consider and act upon the following appropriation requests:

Police Department \$250,000, Account No. 1000-18000-51357-0180,
Replacement Overtime, General Fund.

Police Department \$200,000, Account No. 1000-18000-51340-0180, Overtime,
General Fund.

Special Accounts \$30,000, Account 1000-27000-55403, Demolition Portland Planning,
Cons. & Dev. Street, General Fund.

Planning, Cons. & Dev \$10,000, Account No. 1000-27000-55404, International
Lubricants Relocation, General Fund.

Water Department \$32,753, Account No. 5000-60000-57240 and 5000-60000-
57320, Interest and Principal, Water Fund Balance.

Sanitation/Public Works \$42,500, Account No. 2020-40000-51110, Salaries and Wages, Full-time Permanent, Sanitation Fund.

Fire Department \$40,000, Account 2040-50000-xxxxx-xxxx, Hazardous Suits and Supplies, Fire CNR Fund.

Any and all persons interested may appear and be heard.

ATTEST:
DANIEL T. DREW
Mayor

Certificate of Finance Director

To: His Honor Mayor Daniel T. Drew
and Members of the Common Council
From: Finance
Date: January 30, 2013
RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on February 4, 2013 are available as follows:

General Fund	\$490,000
Water Fund	\$ 32,753
Sanitation Fund	\$ 30,000
Fire CNR Fund	\$40,000

Respectfully submitted,
Carl Erlacher
Director of Finance

Appropriation Request 8-1

Motion Councilman Santangelo reads and moves for approval the Police Department request for \$250,000; Councilman Faulkner seconds the motion.

Discussion There is no discussion

Vote The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Police Department \$250,000, Account No. 1000-18000-51357-0180, Replacement Overtime, (Approved) General Fund.

Appropriation Request 8-2

Motion Councilwoman Kasper reads and moves for approval the Police Department's \$200,000 appropriation request. The motion is seconded by Councilman Pessina.

Discussion There is no discussion.

Vote The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair declares the matter passes unanimously with twelve affirmative votes.

Police Department \$200,000, Account No. 1000-18000-51340-0180, Overtime, General (Approved) Fund.

Appropriation Request 8-3

Motion Councilman Daley reads and moves for approval the Special Accounts/Planning Conservation and Development \$30,000 appropriation request for the demolition of a house on Portland Street. Councilman Faulkner seconds the motion.

Discussion Councilman Bibisi states this is the third house they are taking down and with the demolition of this house, he will so no future problems there. This house is the worse he has seen.

Vote The Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Special Accounts \$30,000, Account 1000-27000-55403, Demolition Portland Street,

Planning, Cons. & Dev
(Approved)

General Fund.

Appropriation Request **8-4**

- Motion Councilman Faulkner reads and moves for approval \$10,000 for the Planning, Conservation and Development Department. His motion is seconded by Councilman Santangelo.
- Discussion Councilman Pessina states Director Warner didn't have a clear plan as to what is going to happen with the relocation on when this will go into effect and he said it was the start of the process. We have been cautioned by the Finance Director about our appropriation requests. We should not be doing this tonight. There is about \$60,000 in the Economic Development Fund and this should come out of that. This is the first time in a long time that they are coming to the general fund and I don't believe it's in the taxpayers' best interest that this should come from the general fund. It should come from the economic development fund and if they need more money they should come to us at that point. In this case it is not needed and he will not support this. Councilman Klattenberg wants to follow up with what Councilman Pessina said; Director Erlacher made it clear to us there has been a consistent pattern releasing money from the general fund and he asked for caution. This evening we have \$250,000 and \$200,000 and \$30,000 Finance and Government Operations supported it and for this one we asked Mr. Warner how he was balancing the funds and he said it was up to the Council to decide. He agrees with Councilman Pessina and it would be prudent to rely on the economic development fund and not the general fund without a clear reason why the general fund is being used. I would reject this and ask that it come back at a time it is needed.
- Point of Information Councilman Serra states to the Chair of the Economic Development Commission relative to his opinion on this. Councilman Daley responds it is unusual and it will pay for relocation costs and it is unusual for us to have a manufacturer relocating to Middletown from out-of-state. It is unprecedented in that respect and taking money from the Economic Development fund or the General fund, the Economic Development fund has \$50,000 or \$60,000 and that is relatively low and there were many years we would routinely budget money for this fund and we have not done that in recent years because it has generated funds. We have other sources that get replenished and in this case this money would not be repaid and would not generate money for the fund. What I would say because it is a reimbursement type of program based on expenses they incur and expend, there is no risk that it is going to be spent right away and it is up to the Council to reject and send it back to the Economic Development Commission and have them look at it, but I think it is something worthy of doing. Councilman Serra asks if this is a deal breaker if it doesn't happen tonight; Councilman Daley responds it is one of the reasons to go back to Economic Development, to get an update on where things are.
- Councilwoman Kasper states she is a member of Finance and Government Operations and the director did make us aware that we should be careful with expenditures in the next six months. He also stated that they are getting two years of free rent and that is \$120,000 and the City is doing hazardous cleanup and she is not opposed to this, but it should come from the Economic Development fund and if someone comes forward later, we can review that funding. Councilman Faulkner asks if there is an agreement there and has our attorney looked at it. Councilman Daley responds no. Councilman Serra states there is that type of agreement, but the feeling is to vote it down and bring it back. The Chair states he would like to offer comments.
- Councilman Daley states when Councilwoman Kasper was speaking and said that this was unprecedented, what has not been done is attracting a manufacturer from out-of-state. I have recalled doing economic development assistance from the general fund and the largest we do is tax abatement which comes from the general fund. More specifically with the development of the Inn at Middletown, there was significant infusion of money from the general fund. It is not totally unprecedented. We can look at it but in all likelihood we would look to have money added to the Economic Development fund through the budget process or come back for future assistance to business. He will support this.
- Councilman Serra states to clarify, if this will stop the individual from coming here, he will support it this evening. That makes a difference. Councilman Pessina states Director Warner's presentation was less than stellar; when we asked questions, he did not have a clear direction but he alluded to the fact that if it didn't go through tonight, it was going to back to Economic Development. That is not the message he got. Councilman Berch states with Director Warner we addressed \$200,000 and he stated it would take time to pay off the amount. There was no language stating that the jobs were for the citizens of Middletown.

The Chair states what is going on is, it is a company they have negotiated with since April, 2012. Several members of the Council met with members at Economic Development and they are bringing 25 jobs to the City and that could increase and it is not definitive and will not speak to this as a deal breaker except to tell you was that we were matching a deal made from another municipality. They are interested in Middletown and we are working closely with them and working with the State and they are moving a manufacturing firm from Virginia and they are a right to work State. As far as coming from the general fund, he wasn't here during that and he can tell you is that it is coming from there, when this question came up Mr. Warner stated the fund was lower than what he would like and this was his suggestion. He hopes it clarifies the question and you have the ability to do what you like, but I urge you to support it to smooth the path for this company.

Vote The Chair asks if there is any further discussion; seeing none, the vote is called. It is four aye votes by Council Members Serra, Daley, Santangelo and Bibisi; six nay votes by Council Members Klattenberg, Bartolotta, Kasper, Pessina, Salafia, and Kleckowski; and two abstentions by Council Members Faulkner and Berch. The Chair states the matter fails with four in favor, six opposed and two abstentions.

Planning, Cons. & Dev **\$10,000, Account No. 1000-27000-55404, International Lubricants Relocation, General Fund.**
(Failed/Defeated)

Appropriation Request 8-5

Motion Councilman Santangelo reads and moves for approval the Water Department appropriation request. His motion is seconded by Councilman Faulkner.

Discussion There is no discussion.

Vote The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Water Department **\$32,753, Account No. 5000-60000-57240 and 5000-60000-57320, Interest and Principal, Water Fund Balance.**
(Approved)

Appropriation Request 8-6

Motion Councilman Berch reads and moves for approval the request for the Public Works Sanitation. The motion is seconded by Councilman Faulkner.

Discussion There is no discussion

Vote The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Sanitation/Public Works **\$42,500, Account No. 2020-40000-51110, Salaries and Wages, Full-time Permanent, Sanitation Fund.**
(Approved)

Appropriation Request 8-7

Motion Councilman Serra reads and moves for approval the Fire Department request; Councilman Pessina seconds the motion.

Discussion The Chair asks for discussion; seeing none calls for the vote.

Vote The vote is called and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Fire Department **\$40,000, Account request 2040-50300-79629-00000-0000-2013, Hazardous Suits and Supplies, Fire CNR Fund.**
(Approved)

Meeting Recesses The Chair entertains a motion for a ten minute recess. Councilman Serra moves it for approval and his motion is seconded by Councilman Berch. The vote is called and it is unanimous to approve with twelve aye votes. The Chair declares the meeting recessed at 8:58p.m.

Meeting Reconvenes The Chair calls the meeting to order at 9:12 p.m.

Noted for the Record

Councilman Bibisi is absent from the chamber at 9:12 p.m.

Agenda Item Description 9

Reports and Grant Confirmation Approvals

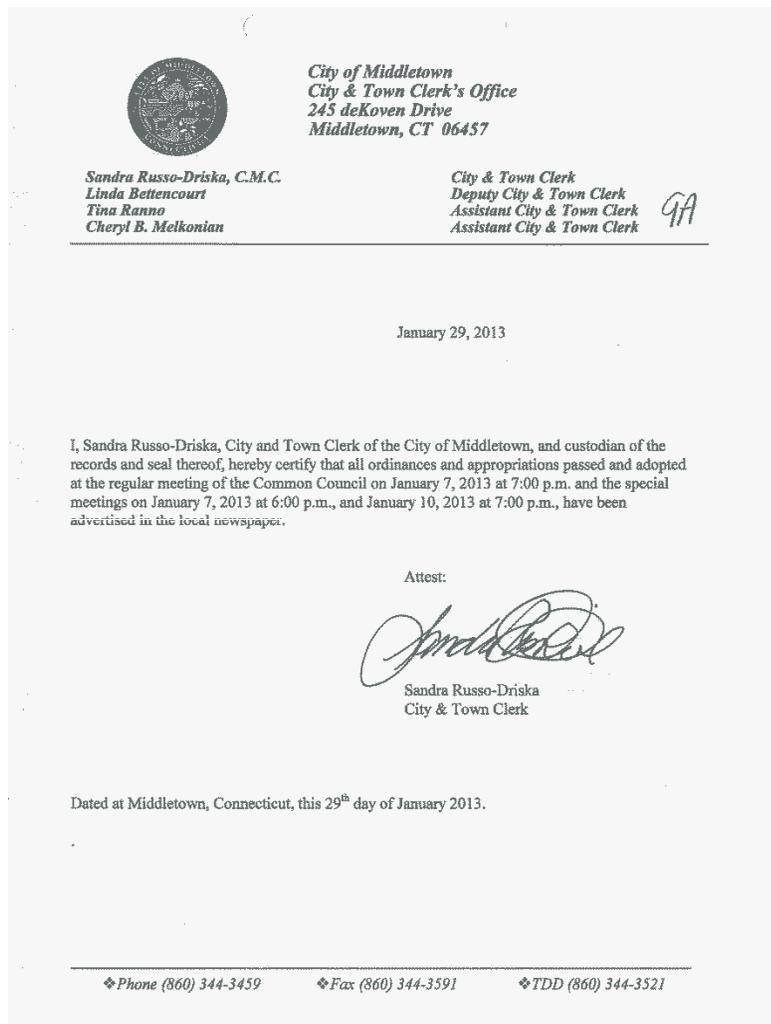
Motion Councilman Serra reads and moves for approval agenda items 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, 9I, and 9J; Councilwoman Kasper seconds the motion.

Discussion Councilman Klattenberg states 9G is the report from the Eckersley-Hall Building Committee and he wants to thank Joe and the Mayor because we were successful in receiving an award for over \$172,000 of an historic grant for the exterior and it goes a long way. The Chair thanks Councilman Klattenberg and Councilman Pessina as well as Joe Samolis, who is former archeologist who guided us through the process to get the \$172,000 grant. Councilman Klattenberg would like to report the Public Works Department staff is doing a phenomenal job removing the rugs and tiles to expose the original flooring and ceiling.

Vote The Chair calls for the vote. It is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair state the matter passes with 12 aye votes. Councilman Berch is recognized and states Councilman Bibisi has excused himself. The Chair corrects the vote and states the matter passes with eleven affirmative votes.

Agenda Item Description (Approved)

**9A
Town Clerk's Certificate**



Agenda Item Description (Approved)

**9B
Monthly Reports**

**Finance Department Transfer Report to Jan. 23, 2013
Public Works Monthly Report with Bldg Permits, Nov., 2012
Public Works Monthly Report with Bldg Permits, Dec., 2012**

Agenda Item Description (Approved)

**9C
Grant Confirmation and Approval**

Name of Grant: As Listed Below
Amount \$463,952.81
Code: 2450-33000-
Grant Period: **From:** 7/1/2012 **To:** 6/30/2012
Type of
Amount Loaned from General \$0.00
Department Administering Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this 760 - Bielefield-Family School Connection \$186,000; 769 - Middletown Teen Theater \$1,075; 841 - Special Ed Medicaid \$3,870.72; 842 - Family Resource Center-Macdonough (\$4,787); 850 - Family Resource Center-Farm Hill (\$4,787); 852 - Universal Service Fund \$40; 876 - Hartford Symphony Donations \$330; 880 - Primary Mental Health Program (\$1,163); 700 - Food Services Receipts \$174,574.08; 801 - Retirees/Cobra Insurance \$86,964.70; 803 - Workers' Compensation \$3,395.31; 804 - Preschool Program Fees \$7,594; 807 - Aetna Classified \$91.50; 809 - Maintenance/Rentals \$9,295; 893 - Fingerprinting Receipts \$709.50; 901 - Keigwin Parent Fees-SIA \$300; 902 - Student Activities-W.W.M.S. \$450 Total Special Programs Through 12/17/2012 \$9,196,603.62 ADDITIONS \$463,952.81 Total Special Programs Through 1/15/2013 \$9,660,556.43

Requested by: Patricia Charles, ED.D.

**Agenda Item
Description
(Approved)**

9D

Grant Confirmation and Approval

Name of Grant: Russell Library State Grant

Amount \$1,278.00

Code: 3155-07000-52198

Grant Period: **From: To:**

Type of State

Amount Loaned from General \$0.00

Department Administering Russell Library

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the

Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this The funds are State Aide to go directly to the Russell Library.

Requested by: Art Meyers, Director

**Agenda Item
Description
(Approved)**

9E

Grant Confirmation and Approval

Name of Grant: Clean Energy Grant

Amount \$4,000.00

Code: 3033-22000-52139

Grant Period: **From: To:**

Type of State

Amount Loaned from General \$0.00

Department Administering Clean Energy Task Force/Public Works

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the

Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this As outlined by CEFIA this grant will support City efforts to promote solar PV in Middletown for residents, nonprofits, and commercial businesses, including but not limited to improvements to the permitting process; education and training; technology; financial incentives, and/or other resources to expand solar city-wide.

Requested by: Ronald P. Klattenberg, Chair

**Agenda Item
Description
(Accepted)**

9F

Communication

Letter, State 100th District Representative, Matthew Lesser

Agenda Item Description **9G Report Eckersley-Hall Building Committee**
 (Accepted)

Agenda Item Description **9H Emergency Purchase Planning, Conservation, and Development for demolition of 30 Portland Street**
 (Approved)

Agenda Item Description (Approved) **9I Grant Confirmation and Approval**
Name of Grant: 2013 Arts Catalyze Placemaking (ACP)
Amount \$4,000.00
Code: 3730-33000-
Grant Period: **From:** 1/1/2013 **To:** 12/31/20
Type of State
Amount Loaned from General \$0.00
Department Administering Mayor's Office/BOE/School Readiness Council

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this The School Readiness Council was recently awarded a 2013 Arts Catalyze Placemaking (ACP) grant and will use the funds to enrich the School Readiness preschool programs with various forms of the arts.

Requested by: Daniel T. Drew

Agenda Item Description **9J Report Mattabassett Update – Director Guy Russo, Water and Sewer Department**
 (Accepted)

Agenda Item Description **10 Payment of Bills**

Motion Councilman Serra moves to approve payment of all bills that have been properly approved. Councilman Berch seconds the motion.

Discussion There is no discussion.

Vote The vote is called. It is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Agenda Item Description **11 Resolutions and Ordinances**

Agenda Item **11-1**

Motion Councilman Daley reads and moves for approval agenda item 11-1, the Middletown Redevelopment Commission and approving the members of the Commission; Councilman Serra seconds the motion.

Discussion Councilman Klattenberg states during the questions and answer period, he asked Director Warner about the Commission being formed and it was unclear to me in the wording of the resolution how the committee would use the existing planning documents that have been prepared and it was my understanding from his answers that they are going to be embarking on an outreach program to answer the questions presented in the resolution and many of them are detailed. This is an opportunity to define Middletown and his concern is that there will be one less employee in the Planning Department and they don't have anyone to try to sift and coordinate this into a planning document and he did say that there was consideration to hire a facilitator to put together the information found by this committee and it raises another question on the role they will play.

Motion to Amend Councilman Klattenberg proposes to amend the resolution because the Council should play a role on how the commission will be formulated and their charge and pull the information together. I am suggesting item 4, after (j) in item 3,

reading: "A consultant would be hired to assist the Commission in facilitating community outreach, advise on economic potential of the riverfront and prepare a plan that incorporates the results of the answers to the questions from 3A to 3J." I think they need that expertise to help move this along. Councilman Serra seconds the motion.

The Mayor will defer to Councilman Daley before he shares his thoughts. Councilman Daley states what I would suggest is that you add if deemed necessary by the commission that the commission be authorized to hire a consultant. You should give the commission the time to meet and decide how things will work. We have various reports and studies about planning for that area. Earle Roberts made a reference dealing with Route 17. I spent ten years on the committee interfacing with DOT. There has been a lot of work done. My understanding is that it is a two-fold process to collect and synthesize the information gathered from the past and also allows for broader community input. We will not go back to square one and that would be inefficient. I would suggest that a lot of what you said formulating outreach and that is good and enhances the resolution. Leave it open on a consultant.

The Chair agrees with most of what Councilman Daley said and he disagrees with Councilman Klattenberg that we need a consultant right now. This is what we pay a director \$120,000 and a deputy director and it will not take away from the day to day process and he has been part of the planning from the beginning. If the commission decides they need a consultant, the professional services ordinance can be used to do that. I would like the commission to get going with its work and determine what it needs.

Councilman Serra asks if the Councilman will take the advice of Councilman Daley. Councilman Klattenberg states yes. Councilman Daley states Bill Warner has actually prepared a presentation that he gave at the Jonah Center and he talks about the next steps so he has already thought about this process and he will be able to provide a great deal of assistance to us. We have used consultants in the past and other projects and while we may find we might need assistance, I think we should try to get it going.

Councilman Serra asks if it is a friendly amendment; the Chair states no official motion was made or seconded. Councilman Serra states it was and he asks through the Chair if Councilman Klattenberg accepts Councilman Daley's addition. Councilman Klattenberg responds he added if necessary. The Chair asks if it supersedes the ordinance for professional services. Councilman Daley states the only method available for the City for contracting is using the professional services.

Councilwoman Kasper states I do think the commission will need a consultant and she has gone on line and did a lot of research and those using a consultant did boost their revenue and we should not be a penny saved and a pound foolish.

Councilwoman Bartolotta asks at the end of this commission when it comes up with the answers will this come to this body. The Chair states it will come if it involves economic incentives or local legislation or changing traffic patterns and zoning goes to Planning and Zoning and this group will make recommendations to the groups needed to take action. Councilwoman Bartolotta states this committee will air everything and bring it to the necessary bodies. The Chair states yes; with our membership to Mattabassett and the construction we will be doing, we will now have a definitive concrete way to develop the riverfront. To do it right, we are forming this group. They will put it together in a cogent cohesive plan. Councilwoman Bartolotta states any recommendations made, we can hire someone ourselves to go over the recommendations. The Chair states the Council can't hire from the floor. Councilwoman Bartolotta states if we wanted to have a professional outlet in this regard when final recommendations are made to us. . . The Chair responds the Council can appropriate money and hire a consultant through the professional consultant ordinance.

Councilman Faulkner thinks that is the point he wanted to make. I felt there was a lot of specificity for the task force and the scope. Do we mean to have them do the whole enchilada. The Chair responds yes. Councilman Faulkner asks how long will this take. The Chair responds as long as it takes to get the job done. Councilman Faulkner states he hopes they will have some milestones here; we have been pursued on things to vote on and how do we make our decisions if we do not hear from this group. The Chair replies that is why we need to get this group together; they have significant scope of experience and can set their own milestones. We are giving them a charge and they will do the work.

Councilwoman Salafia states we should hire consultants if and she would have liked to see an RFP go out and elicit ideas from the outside world. The last two task forces we had, you had an outside staff person for the Efficiency in Government and the Water and Sewer Department. Asking these people who have other jobs, they should have separate staff or a consultant assisting the

process to make it easier on the people who are on this. It would be to our benefit to have the staff consultant to mold the work.

Councilman Berch applauds the efforts with regard of the task force and it is within their purview and the community involvement is imperative. His honor stated that the task force will be around until the job is done. We have a waterfront we want to see smartly developed and it is not the first time the City has approached this plan. The community involvement is extremely paramount and this is a once in a century opportunity and what he is trying to achieve is smartly done.

Councilman Klattenberg states Councilman Berch and Councilwoman Salafia had very good points. I am very familiar working on task forces and building committees and the time it takes and look at the questions and they may take a lot of time to answer them properly. Looking at question i, that is a task force all in itself. Councilman Berch responds Baltimore, Chicago. Councilman Klattenberg states the point he is making it is in the best interest to have someone working with them.

Councilman Pessina states he will support this and Councilman Klattenberg's suggestion, but I like the addition that Councilman Daley put in that it being necessary. If it is a truly good committee, they will come to the realization they will need it and the biggest impediment is the State DOT with Route 9, that will need to be looked at and as the task force gets going and getting the right consultant, maybe we can get the State to look at this. Before a viable plan is done, that highway is going to have to be corrected.

Councilman Santangelo states he will go back to what he thought he heard that Councilman Daley had the right idea. He said he would hire one when necessary. They have to hire someone they need and not just anyone. We should leave it alone and let the committee do its work.

Councilman Faulkner states he feels comfortable with this and echoes Councilman Santangelo's sentiments. What comes to mind is what the Mayor says the City does a master plan and it is already established that we know how to do these things and he is comfortable moving forward with this.

Councilman Daley states there have been consultants involved in this and they have spent lots of money and he was on the advisory committee and they had an engineer and it went on for ten years. Where the rubber meets the road is dealing with the government entities. If we need a consultant we want a tightly defined use for the consultant. We hired consultants for the parking advisory committee and then hired a Parking Director and it changed and a new Director and a change again. Councilman Daley states you need to let the commission get together and decide how to approach the work. Give us the courtesy on how we do this.

Councilwoman Bartolotta states two things; she requests that this commission periodically give updates and she moves the motion. Corporation Counsel weighs in stating procedurally you have the underlying motion and Councilman Klattenberg's amendment seconded by Councilman Serra and somewhat modified by Councilman Daley that the consultant will be retained only if deemed necessary by the commission. We have to vote on the motion to amend first.

The Chair reminds the Council three agenda items ago the Council voted against a \$10,000 request that would bring in a company and jobs and some of you are dying to throw money at a consultant and he urges austerity in this case and let the committee do its work.

The vote on the amendment is called; it is ten aye votes by Council Members Serra, Klattenberg Bartolotta, Daley, Kasper, Faulkner, Pessina, Salafia, Berch, and Kleckowski; and one nay vote by Councilman Santangelo. The Chair states the amendment passes.

Councilman Serra states, to clarify, I think we were miscalculating all this, that this committee will recommend that it is the Chair, Mayor, and Finance Director that will hire the consultant.

Vote

The Chair asks if there is further discussion on the amended motion; hearing none, he calls for the vote. It passes unanimously with eleven aye votes. The Chair declares the matter passes unanimously with eleven affirmative votes. Councilman Bibisi is absent.

Resolution No.
File Name
Description

22-13
ccrevisedMiddletownRiverfrontRedevelopmentcommission
Approving the creation of the Middletown Riverfront Redevelopment commission (MRRC) with the task of providing a proposed plan for implementation based on the areas of interest as stated in the resolution and approving the members of the commission: Gerald Daley, as Chair;

Joseph Bibisi, Vice Chair; Larry McHugh; Mike DiPiro; Richard Pelletier; Daniel Russo; Joe Carta; Elaine Bank; Wendy Sheil; Jamie Mills; and Sheila Stoane.

(Approved)

WHEREAS, the City of Middletown now has an unprecedented opportunity to develop a riverfront that will affect quality of life and commerce for generations to come; and

WHEREAS, the City of Middletown recognizes the need for broad input in the development potential of the South Cove area of our riverfront; and

WHEREAS, the City of Middletown recognizes that any potential riverfront development must complement rather than compete with our historic Main Street and downtown business corridor; and

WHEREAS, the Common Council of the City of Middletown has authorized the creation of a building committee to oversee the construction of a force main and pump station and then the demolition of the existing sewage treatment plant on River Road; and

WHEREAS, the City of Middletown is committed to establishing and maintaining a planned course of development which sets forth priorities for entertainment, economic development and establishes guidelines for zoning and land use; and

WHEREAS, this plan of development must take into account the perspectives of residents, businesses, and other stakeholders, previous planning efforts, local ordinances, real estate market conditions, and interaction with the State of Connecticut Department of Transportation.

NOW, THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That

1. A riverfront planning task force shall be established consisting of the following members: (1) Councilman and Economic Development Committee Chairman Gerald E. Daley as Chairman; (2) Councilman and Economic Development Committee member Joseph Bibisi as Vice Chairman; (3) the President of the Middlesex County Chamber of Commerce Larry McHugh; (4) Chairman of the Downtown Business District Mike DiPiro; (5) Planning and Zoning Commission Chairman Richard Pelletier; (6) Planning and Zoning Commission member Daniel Russo; (7) Inland Wetlands and Watercourses Agency Chairman Joe Carta; (8) Middletown Garden Club Elaine Bank; (9) Middletown Harbor Improvement Agency Wendy Sheil; (10) Jamie Mills, resident; (11) Shelia Stoane, Conservation Commission and staffed by Director of Planning and Conservation Development William Warner.
2. The task force shall be known as the *Middletown Riverfront Redevelopment Commission (MRRC)*.
3. The task force shall report on the following questions with a proposed plan for implementation:
 - a. What shall be included in future riverfront development?
 - b. Should the City of Middletown incorporate a quasi-public, not-for-profit riverfront development corporation?
 - c. What types of zones/land use issues should be considered and/or implemented and how will those affect economic development goals identified by the task force?
 - d. What, if any, changes to existing highway patterns will be required to responsibly develop riverfront property and how can Middletown best interact with DOT to ensure efficacious planning?
 - e. What level of site control should the City have over parcels with potential for development? Should the City identify parcels of land for acquisition to guarantee a specific end use?
 - f. Which recreational features should be included to complement the overall plan of development and lead to enhanced quality of life, including but not limited to: an outdoor amphitheater, walking trails, open space, a boat ramp/docks, water features, plantings, a boardwalk, a boathouse, a banquet conference facility, hotel(s), and any others considered by the committee or offered by the public.
 - g. Should the City seek conveyance of State land adjacent to the South Cove area or parcels of contiguous land and what should be done with such space as it relates to the South Cove development?
 - h. Should the South Cove development be tied in to further development at Harbor Park and what is the most effective way to link riverfront development to Main Street?
 - i. What are other successful models for riverfront development throughout the United States of America and which features from those would work appropriately for Middletown?
 - j. Any other questions identified as appropriate by the Task Force.
4. If deemed necessary by the commission, a consultant would be hired to assist the Commission in facilitating community outreach, advise on economic potential of the riverfront and prepare a plan that incorporates the results of the answers to the questions from 3A to 3J and that the commission is authorized to hire a consultant.

Agenda Item 11-2

Motion Councilman Serra reads and moves for approval agenda item 11-2; his motion is seconded by Councilman Klattenberg.

Discussion Councilman Pessina states a member of the public alluded that part of the money we should look for bus transportation, but I stand corrected that there was intermodal money we have to utilize for transportation purposes. Councilman Daley states there is certain money allocated for the transit district. Councilman Pessina asks if it is part of this. Councilman Daley responds no.

Vote The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes. Councilman Bibisi is absent.

Resolution No. 23-13

File Name pkparkinggaragecontgractstatejanuary2013
Description Authorizing the Mayor to sign the agreement entitled “Agreement Between the State of Connecticut and the City of Middletown for the Development of Contract Plans, Specifications and Estimates for Parking Garage in Central Business District Utilizing the Federal Funds Under the High Priority Projects Program” to utilize funding from the Federal Safe, Accountable, Flexible & Efficient Transportation Equity Act given to the City and administered through the State Department of Transportation.

(Approved)

Whereas, the City of Middletown was the recipient of the **Federal Safe, Accountable, Flexible & Efficient Transportation Equity Act of 2005** for \$8,000,000 for the construction of a new parking garage in downtown Middletown;

Whereas, the architectural agreement between URS of Rocky Hill, the officially and formally selected architectural firm and the City of Middletown is now complete, approved by legal counsel, risk management and the State Department of Transportation and ready for formal execution;

Whereas, federal and state administrative requirements are such that a formal accompanying agreement must be signed and executed between the **City of Middletown and the State of Connecticut** for the **Development of Contract Plans, Specifications and Estimates for the Parking Garage in the Central Business District**;

THEREFORE BE IT RESOLVED, that Mayor Daniel T. Drew, of the City of Middletown, Connecticut is hereby authorized to sign the Agreement entitled “Agreement Between the State of Connecticut and the City of Middletown for the Development of Contract Plans, Specifications and Estimates for Parking Garage in Central Business District utilizing Federal Funds Under the High Priority Projects Program.”

Agenda Item 11-3

Motion Councilman Faulkner reads and moves for approval agenda item 11-3 regarding an amendment to the 2010 CDBG Entitlement Plan; his motion is seconded by Councilman Pessina.

Discussion The Chair asks if there is any discussion; seeing none, he calls for the vote.

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair declares the matter passes unanimously with eleven affirmative votes. Councilman Bibisi is absent.

Resolution No. 24-13
File Name pcd_cdbgamendment_Nehemiah
Description Approving the amendment to the 2010 CDBG Entitlement Plan, changing the 2010 Nehemiah Housing 25-27 Ferry Street from the National Objective from Low/Moderate Income Housing to Slum and Blight Elimination and authorizing the Mayor to sign and submit the amendment to the U. S. Department of Housing and Community Development.

(Approved)

WHEREAS, the City of Middletown receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing & Urban Development (HUD) as an entitlement community; and

WHEREAS, the final rule was published on January 5, 1995 in the Federal Register for the Consolidated Submission for Community Planning & Development Programs; and

WHEREAS, the City of Middletown allocated \$35,000 of 2010 CDBG fund to assist with the demolition of a two-family house at 25-27 Ferry Street for the purpose of allowing Habitat for Humanity to construct affordable housing; and,

WHEREAS, the structure has been demolished, the funds expended, but as of January 2013 no housing has been constructed at the site; and,

WHEREAS, HUD requires projects to be completed in a timely fashion and meet one of the five national objects;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the 2010 Nehemiah Housing 25-27 Ferry Street project be amendment to change the National Objective from Low/Moderate Income Housing to Slum and Blight Elimination;

AND BE IT FURTHER RESOLVED: That the Mayor is authorized to sign and submit to the U.S. Department of Housing and Community Development any necessary amendments to Consolidated Plan and Annual Action Plan to reflect above changes.

FINANCIAL IMPACT: This amendment allows the City to not hat to repay HUD \$35,000 for not completing the housing in a timely manner and justifies the project on another eligible basis.

Agenda item 11-4

Motion Councilman Daley reads and moves for approval agenda item 11-4; his motion is seconded by Councilwoman Bartolotta.

Discussion There is no discussion

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes. Councilman Bibisi is absent.

Resolution No. 25-13
File Name pcdLongHillEstate-CTUnderwriters2013
Description Approving the lease for the second floor at the Long Hill Estate, Wadsworth Mansion to the Connecticut Underwriters Insurance Company and Authorizing the Long Hill Estate Authority to sign the Lease Agreement as presented to the Council.

(Approved)

WHEREAS, at the January 14, 2013 meeting of the Economic Development Committee (EDC), the Committee voted unanimously to approve the proposed lease with Connecticut Underwriters Insurance Company to lease the second floor at 421 Wadsworth Street for professional office space; and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Council authorized the Authority to sign all documents necessary to lease the second floor of 421 Wadsworth Street to Connecticut Underwriters Insurance Company as specified in the lease terms.

FISCAL IMPACT: There is no impact on the General Fund. The income from the lease is paid to the Long Hill Estate Authority.

Agenda Item 11-5

Motion Councilman Klattenberg reads and moves for approval agenda item 11-5; his motion is seconded by Councilman Faulkner.

Discussion The Chair calls for discussion; seeing none, he calls for the vote.

Vote The Vote is called and it is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair declares the matter passes unanimously with eleven affirmative votes.

Resolution No. 26-13
File Name pcdChamberSBDC2013-revised
Description Approving the amending of resolution 216-12 approved on December 3, 2012 for the transfer of \$25,000 for the Middletown Small Business Development Center, with said transfer coming from the Economic Development fund Reinvest Balance instead of the Economic Development Restaurant Lease Balance.

(Approved)

WHEREAS, the Common Council passed Resolution 216-12 to fund the Middletown Small Business Development Center.

WHEREAS, Resolution 216-12 needs to be corrected to show the transfer \$25,000 from the Economic Development Fund Reinvest Balance.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That Resolution 216-12 be corrected to show the sum of \$25,000 be transferred from the Economic Development Fund Reinvest Balance to the Middletown Small Business Development Center line item 4330-14000-99200-0000-35175-0000-000.

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign all documents to effectuate this agreement.

FISCAL IMPACT –The money comes from the Economic Development Fund and will have no impact on the General Fund.

Agenda Item 11-6

Motion Councilman Berch reads and moves agenda item 11-6 for approval and his motion is seconded by Councilman Klattenberg.

Discussion There is no discussion.

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. Councilman Bibisi is absent from the meeting. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 27-13
File Name pcd311Westfieldsteasement
Description Approving a permanent access easement for driveway access at 311 Westfield Street over a portion of City-owned property.

(Approved)

WHEREAS, at the January 14, 2013 meeting of the Economic Development Committee (EDC), the Committee voted unanimously to recommend a permanent access easement over a portion of property on Westfield Street from the City of Middletown for a driveway at 311 Westfield Street; and

WHEREAS, the Planning and Zoning Commission, at their January 9, 2013 meeting approved the request for a permanent access easement for a driveway over a portion of property on Westfield Street from the City of Middletown.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Council authorizes the granting of a permanent access easement for a driveway at 311 Westfield Street over a portion of property on Westfield Street from the City of Middletown.

FISCAL IMPACT: There is no impact on the General Fund.

Agenda Item 11-7

Motion Councilman Daley reads and moves for approval agenda item 11-7; his motion is seconded by Councilman Serra.

Discussion Councilman Daley states we had this opportunity to welcome Allen’s Abatement Services in Middletown and the owner is with us tonight and for the benefit of those that might be watching and the Council members, Allen’s Abatement Services is an organization of Side Street to Main Street and it is a success story. They provide services like asbestos abatement, lead abatement and are licensed with the State of Connecticut and Larry McHugh came to the Economic Development Committee meeting and supported this. It is a great example of the Side Street to Main Street Program. Hopefully it will be a unanimous approval to be a Middletown business.

Vote The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes. The Chair welcomes Ms Allen to Middletown.

Resolution No. 28-13
File Name pcdRemingtonAllensAbatement
Description Approving the lease of 8,000 sq. ft. at 180 Johnson Street to Allen’s Abatement Services, LLC and authorizing the Mayor to sign the lease between the City and Allen’s Abatement Services, LLC.

(Approved) **WHEREAS**, at the February 4, 2013 Special Meeting of the Economic Development Committee, the committee membership voted unanimously to approve leasing of eight thousand (8,000) square feet of space at 180 Johnson Street to Allen’s Abatement Services, LLC with an affirmative recommendations for the Common Council’s consideration.

WHEREAS, the Planning and Zoning Commission, at their January 23, 2013 meeting approved the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into a lease agreement with Allen’s Abatement Services, LLC at 180 Johnson Street.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That the Mayor is hereby authorized to sign all documents necessary to implement the lease for Allen’s Abatement Services, LLC at 180 Johnson Street.

FINANCIAL IMPACT –It is important to secure additional revenue to run the Remington Rand building and pay back the \$225,000 operating cost loan from the general fund. The will be no impact on the general fund other than increasing the value of a city asset.

Agenda Item 11-8

Motion Councilman Klattenberg reads and moves for approval agenda item 11-8; his motion is seconded by Councilman Faulkner.

Discussion There is no discussion.

Vote The Chair calls for the vote. It is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair declares the matter passes unanimously with 11 affirmative votes.

Resolution No. 29-13
File Name TClerk’sofficefeb2013reserveaccttransfer
Description Approving a \$5,000 Transfer from the Reserve Account, Line Item 1000-27000-59000-into the Town clerk’s budget as follows: \$1,500, General Administration, Line Item 1000-04000-52110; \$2,000 into Elections, Line Item 1000-04000-52195; and \$1,500 into Contractual, Line Item 1000-04000-55185.

(Approved) **Whereas**, the Town Clerk’s Office transferred all available monies within their budget to cover the added elections’ costs of 2012; and

Whereas, the Finance & Government Operations Committee, at their January 3, 2013 meeting, approved the transfer of \$5,000.00 from the Reserve Account #1000-270000-59000-00000-0000-0000

into the Town Clerk's Office to cover the additional expenses from the dual senatorial primaries, presidential election, and additional administration costs associated with such elections.

Now, Therefore, Be It Resolved by the Common Council of the City of Middletown: That \$1,500 shall be deposited in the General Administration line item, 1000-04000-52110-0000-00000-0000-000; \$2,000.00, into the Elections line item #1000-04000-52195-0000-00000-0000-000; and \$1,500.00 into the Contractual Line item #1000-04000-55185-0000-00000-0000-000.

Agenda Item 11-9

Motion Councilman Berch reads and moves for approval agenda item 11-9; his motion is seconded by Councilman Pessina.

Discussion There is no discussion.

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair declares the Matter passes unanimously with 11 affirmative votes.

Resolution No. 30-13
File Name pwlocipappforrenovationsanddoorsmunicipalbuilding
Description Approving authorizing the Mayor to apply for a \$20,000 grant from the State of Connecticut Local Capital Improvement Program for renovation to several offices including new walls and wiring and the replacement of office doors throughout the Municipal Building to allow for improved security; and approving a new Capital Improvement Line Item 3560-22000-57030-0000-30179-2013 in the amount of \$20,000.

(Approved)

Be It Resolved By The Common Council of the City of Middletown: That Mayor Daniel T. Drew be authorized to sign an application to the State of Connecticut for \$20,000 from the Local Capital Improvement Program (LoCIP) for the renovation of several offices including new walls and wiring needed and the replacement of office doors throughout the Municipal Building to improve security; and

Be it Further Resolved: That a new Capital Improvement line item, Account #3560-22000-57030-0000-30179-2013-000, Municipal Building Renovations & Door Replacements 2013, in the amount of \$20,000 be approved.

Financial Impact: Using LoCIP Grant Funds for this system will not affect the general fund budget and security measures are needed in the municipal building.

Agenda Item 11-10

Motion Councilman Faulkner reads and moves for approval agenda item 11-10; Councilman Serra seconds the motion.

Discussion There is no discussion

Vote The Chair calls for the vote. It is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 31-13
File Name pwwestpoplarrrd
Description Approving a new street in the subdivision of Poplar Estates and approving the name, West Poplar Road.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN: That a new street name of West Poplar Road be established in subdivision of Poplar Estates.

Agenda Item 11-11

Motion Councilwoman Bartolotta reads and moves for approval agenda item 11-11; her motion is seconded by Councilman Santangelo.

Discussion There is No discussion.

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Ordinance No. 03-13
File Name sec74-39
Description Approving the amendments to Section 74-39. Survivorship benefits. of Chapter 74 of the Middletown Code of Ordinances to add the word "current" before spouse in subparagraphs A. and B. of the section.

(Approved)

Be it ordained by the Common Council of the City of Middletown: That Section 74-39, Survivorship benefits, of Chapter 74 of the Middletown Code of Ordinances be amended to read as follows:

A. In the event of the death of any male or female member of the retirement system subsequent to the effective date of his or her retirement in accordance with the provisions of this article, and provided such member shall have completed at least 10 years of service as an employee of the City of Middletown, the Retirement Board shall pay to the **current** spouse of such member until death or remarriage, whichever shall first occur, a pension equal to ½ of the pension which the deceased member was receiving at the time of his or her death. To receive such pension benefits, the spouse must have been married to the deceased member for at least three years before his or her death. If the deceased member leaves no spouse, or if the spouse dies or remarries, the Retirement Board shall pay a benefit totaling ½ of the deceased member's pension to the then living children of the deceased member, if any, share and share alike, provided no payment shall be made to any child after the attainment of his 18th birthday.

B. In the event of the death of any male or female member of the retirement system while still in the employ of the City prior to the effective date of his or her retirement, and provided such member shall have completed at least 10 years of service as an employee of the City of Middletown, the Retirement Board shall pay to the **current** spouse of such member until death or remarriage, whichever shall first occur, an annual pension equal to 25% of the average annual pay of the deceased member received during the five consecutive highest paid years of his or her service, provided that, in case of the death of such member on or after July 1, 1971, such annual pension shall be computed as 1% of such average annual pay multiplied by the number of years of his or her service, but in no event less than 25% of such average annual pay. To receive such pension benefits, the spouse must have been married to the deceased member for at least three years before his or her death. If the deceased member leaves no spouse, or if the spouse dies or remarries, the Retirement Board shall pay such annual pension to the then living children of the deceased member, if any, share and share alike, provided no payment shall be made to any child after the attainment of his 18th birthday.

C. All survivors' benefit payments shall become due and payable to the person or persons entitled thereto commencing on the last day of the calendar month immediately following the member's death. The survivors' benefit payable under the provisions of this section shall apply only to the spouse and children of active and retired male members of the retirement system who die subsequent to October 1, 1961, having completed at least 15 years of service, or subsequent to June 30, 1968, having completed at least 10 years of service, and only to spouses and children of female members who die subsequent to June 30, 1971, having completed at least 10 years of service.

boldface type = addition

Agenda Item

11-12

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| Motion | Councilwoman Bartolotta reads and moves agenda item 11-12 for approval; her motion is seconded by Councilman Santangelo. |
| Motion to Amend | Councilman Daley states the Ordinance Study Commission met earlier this evening and recommended an amendment that I would like to author. In the last paragraph in the ordinance that sets forth human resources and reads "The purpose of the Human Resources Division shall include providing assistance to all officials and departments in personnel," and after personnel, add the words "administration and labor relations," and go on with the rest of the paragraph. By adding the words administration and labor relations as part of the purpose, it was felt by the members of Ordinance Study that the amendment would better clarify the section particularly in light of the questions at the questions to directors meeting. Councilman Serra seconds the motion to amend. |
| Discussion | <p>Councilwoman Salafia states that is item 11-13; the Chair states the agenda shows this as 11-12 and the ordinances are incorrectly numbered based on the agenda.</p> <p>The Chair asks if there is further discussion on the amendment. Councilman Faulkner asks about Affirmative Action. The Chair responds we are on the amendment and should vote on it before discussion of the underlying motion.</p> |
| Vote on Amendment | The Chair, seeing no discussion of the amendment, calls for the vote; the matter passes unanimously with eleven aye votes. Councilman Bibisi is absent. The Chair states the amendment passes unanimously with eleven affirmative votes. |
| Discussion | <p>Councilman Pessina states we are speaking to 11-12. Councilman Pessina states it is 11-13. The Chair notes that the ordinances themselves are miss numbered.</p> <p>Councilman Faulkner states nothing mentions affirmative action officer. The Chair states that duty is housed in Faith Jackson's office and we thought not to place it in the new department because of that department's conducting independent investigations.</p> <p>Councilwoman Kleckowski has a question on the procedure; if it comes back, does it have to be exactly the same or can there be amendments. Does the returning ordinance have to be sent back the same. The Chair comments. Councilwoman Salafia asks if the language will be exactly the same or can amendments be made.</p> <p>Councilman Serra suggests you may amend it, but it will have to through the process again. It has to be twice. If the Council changes it again, it will have to go through twice.</p> |

Vote The Chair calls for the vote. It is unanimous with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes and no votes in opposition.

Ordinance No. 04-13
File Name sec31-29articleivofficeofgeneralcounsel
Description Approving the merger of the Personnel Department into the Legal Department to create a new Department to be known as the Office of General Counsel; approving amending all references to the Legal Department and City Attorney in the code of ordinances to "Office of the General Counsel"; and approving adding a new Section 31-29. Composition; purpose to Chapter 31, Article IV to delineate three divisions of the Office of the General Counsel: Legal Division, Risk Management Division; and Human Resources Division.

(Amended and Approved)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That in accordance with Chapter V, Section 1B and Chapter III, Section 6 of the Charter of the City of Middletown, the Personnel Department is hereby merged with the Legal Department to create a new department to be known as the Office of the General Counsel; and

BE IT FURTHER ORDAINED: That all references to the "Legal Department" and "Office of the City Attorney" in the Code of Ordinances be amended to the "Office of the General Counsel."

BE IT FURTHER ORDAINED: That Chapter 31, Article IV. "Office of the General Counsel" be amended to add Section 31-29. Composition; purpose. as follows:

Sec. 31-29. Composition; purpose.

There shall be three divisions of the Office of the General Counsel: the Legal Division, the Risk Management Division, and the Human Resources Division.

Legal Division: The purpose of the Legal Division shall include representing the City in legal disputes and advising City officials as they develop programs, projects, policies, and legislation.

Risk Management Division: The purpose of the Risk Management Division shall include the administration of the City's insurance programs including, but not limited to, liability, automobile, property and casualty insurance, workers' compensation, and employee health and life insurance benefits. This Division's responsibilities shall also include coordinating job safety training programs for all municipal employees.

Human Resources Division: The purpose of the Human Resources Division shall include providing assistance to all officials and departments in personnel administration and labor relations and implementing the personnel policies of the City, including but not limited to assuring the employment of able, productive and efficient employees and assuring equal opportunity for employment with the City.

Agenda Item 11-13

Motion Councilwoman Bartolotta moves for approval agenda item 11-13; her motion is seconded by Councilman Santangelo.

Discussion Councilman Klattenberg states he shared with Finance and Government Operations, the importance of moving forward with the organizational plans despite the comments made by the member of the public. It is showing efficiency and streamlining in government and nothing is perfect but you make it work. These are the kinds of steps and moves we have to make and this is the first in a series of reorganizations. It is long overdue and we need to move on t is as quickly as possible and he hopes everyone will support it. It is the right move.

Councilman Pessina states he will support the ordinance and it is the first of the two votes and gives you time to formulate and get some of our questions answered regarding the personnel department merged into the new department and gives the public time to vet this. I think we should move forward on this. He appreciates the fact Councilman Daley decided to put labor relations in there. I will support this.

The Chair adds for the public, right now as the City budget currently stands prior to the early retirement, the combined efforts costs approximately \$850,000 and the costs we are proposing is \$600,000 and it will bring together the legal expertise when dealing with personnel issues and I can tell you that a lot of litigation emanates from personnel issues and this will be a significant step through consolidation.

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Ordinance No. 05-13
File Name sec3112ordpersonneltolegal
Description Approving eliminating Article V. Personnel Department from the City of Middletown Code of Ordinances.

(Approved)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a new Article V, Personnel Department, be added to Chapter 31 of the Middletown Code of Ordinances to read as follows:

**Chapter 31, Article V
Personnel Department**

Sec. 31-29. Elimination

In accordance with Chapter III, Section 6 of the Charter of the City of Middletown, the Personnel Department is eliminated as a City department.

Sec. 31-30. Changes in Previously Adopted Ordinances

All references to the "Personnel Department" or "Department of Personnel" are amended to the "Human Resources Division of the Office of the General Counsel."

Agenda Item 11-14

Motion Councilman Daley reads and moves for approval agenda item 11-14, regarding the School Readiness Council; his motion is seconded by Councilman Klattenberg.

Discussion There is no discussion

Vote The Chair calls for the vote and it is unanimous to approve with eleven aye votes. Councilman Bibisi is absent. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 32-13
File Name mo2013ctartincommmatchgr
Description Authorizing Mayor Daniel T. Drew to sign on behalf of the City of Middletown School Readiness Council any and all contracts with the State of Connecticut, Department of Economic Community Development for the 2013 Arts Catalyze Placemaking Connecticut Artists in Every Community matching grant in the amount of \$4,000 awarded to the School Readiness Council.

(Approved)

Whereas, the School Readiness Council was recently awarded a 2013 Arts Catalyze Placemaking (ACP) Connecticut Artists in Every Community matching grant of \$4,000.00 from the Connecticut Department of Economic and Community Development; and

Whereas, the ACP program sets out to invest in the state's arts-based cultural activities and infrastructure to advance the attractiveness and competitiveness of Connecticut cities, towns, and villages as meaningful communities in which to live, work, learn, and play.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew is hereby authorized to execute and deliver on behalf of the City of Middletown School Readiness Council any and all contracts with the State of Connecticut, Department of Economic Community Development, in relation to the ACP1-CT Artists in Every Community Matching Grant.

Agenda Item 11-15

Motion Councilwoman Kasper reads and moves for approval agenda item 11-15; her motion is seconded by Councilman Serra.

Discussion The Chair calls for discussion. Councilman Faulkner asks if there are budgetary issues. The Chair states no; we have had a number of discussions regarding this and we will be introducing to you with the task force and the retirement and State Statute 10-220. There could be with others and we are looking at it but in this case there aren't

Councilwoman Salafia asks this has not been signed yet. The Chair responds no. She states she could have sworn she saw it signed.

Vote The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Resolution No. 33-13
File Name
Description Approving the Memorandum of Understanding between the City of Middletown and the Middletown Board of Education regarding legal services to be provided by the City to the Board.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Memorandum of Understanding between the City of Middletown and the Middletown Board of Education is hereby approved and that Mayor Daniel T. Drew is authorized to sign said agreement.

Fiscal Impact: The budget provides for three attorneys to reduce the cost of outside legal services and would enable the Board of Education to reduce its costs for outside legal services as well.

MEMORANDUM OF UNDERSTANDING
 between
 the City of Middletown
 and
 the Middletown Board of Education

WHEREAS, the City of Middletown (hereinafter "City") and the Middletown Board of Education (hereinafter "Board") have recently settled litigation between them concerning various employment issues; and

WHEREAS, the prosecution and defense of such litigation was financially burdensome to both parties; and

WHEREAS, both parties are seeking to limit the amount expended on legal fees; and

WHEREAS, the City is seeking to restore its Legal Department to the staffing level that existed prior to the 2008 recession.

NOW THEREFORE, the City and Board agree as follows:

1. The City Legal Department shall provide counsel at the request of the Board on school expulsion hearings.
2. The City Legal Department shall counsel the Board on other matters within the expertise of the City attorneys at the request of the Board.
3. Such task will commence upon the date that the department's staffing level is fully restored.
4. The Board is not obligated to conduct legal business solely with City attorneys.

FOR THE CITY:

FOR THE BOARD:

 Mayor Daniel T. Drew

 Gene Nocera, Chairman
 Middletown Board of Education

 Dr. Patricia Charles
 Superintendent of Schools
 Date: _____

Agenda Item	12
Description	Appointments
Motion	Chair reads the appointments and begins to read the appointments under the Mattabassett Project.
Noted for the Record	Councilwoman Bartolotta leaves the meeting at 10:12 p.m. Chair continues to read for this committee to include the names of John Giuliano and Dale Aldieri. He asks for a motion to approve Councilman Serra moves them for approval and is seconded by Councilman Santangelo.
Discussion	There is no discussion.
Vote	The Chair calls for the vote and it is unanimous to approve with ten aye votes. Council Members Bibisi and Bartolotta are absent. The Chair states the matters pass unanimously
	<p><u>Harbor Improvement Agency:</u> Reappointment of Wendy Sheil to January 31, 2016.</p> <p><u>Resource Recycling Committee:</u> Appointment of Jennifer Weymouth to April 22, 2017.</p> <p><u>Youth Services Advisory Board:</u> Appointment of Dr. Patricia Charles to September 1, 2016. Appointment of Edwin Anderson to September 1, 2015. Appointment of Joanne Jukins to September 1, 2014.</p> <p><u>Mattabassett Regionalization Project Building Committee:</u> Appointment of Todd G. Berch as Co-chair. Appointment of Philip J. Pessina as Co-Chair. Appointment of Thomas J. Serra. Appointment of Joseph E. Bibisi Appointment of John Parker. Appointment of Tina Gomes. Appointment of Mike Rosario. Appointment of John Giuliano (WPCA). Appointment of Dale Aldieri (WPCA)</p>

Middletown Riverfront Redevelopment Commission:
(by resolution of the Council)

Agenda Item	13
Description	Contingency Fund Transfers
	The Chair states there are no contingency fund transfers to announce.

Agenda Item	14
Description	Questions to directors for nonagenda items

There Chair states there are no questions.

Motion to Adjourn

Councilman Serra moves to adjourn and Councilman Pessina seconds the motion. The vote is called and it is unanimous to adjourn. The Chair declares the meeting adjourned at 10:13 p.m.

ATTEST:

MARIE O NORWOOD
Common Council Clerk