



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN, CONNECTICUT
JUNE 4, 2012**

- 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, June 4, 2012 at 7:00 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 Corporation Counsel Daniel B. Ryan, Sergeant-at-Arms Acting Chief of Police Timbro, and Council Clerk Marie O. Norwood.
- Absent** Councilwoman Deborah A. Kleckowski
- Also Present** Hartford Courant Reporter Shawn Beals, Middletown Press Reporter Jim Salemi, and 100 members of the public
- Meeting Called to Order** Mayor Drew calls the meeting to order at 7:10 p.m. and asks Nicholas Brenchak 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 to move First Selectwoman Laura Francis and Director Guy Russo to the top of the agenda to discuss item 15-20, the MOU to purchase water and substitute agenda item 11-1 and to add one Contingency Fund Transfer. Councilman Berch seconds the motion. The Chair asks if Councilman Santangelo wishes to address the motion. He does not. The Chair calls for the vote and it is unanimous to approve with eleven aye votes by the members present.
- Chair asks First Selectman Francis to come forward and welcomes her. He recognizes Councilman Santangelo who asks Mr. Guy Russo what will happen and what is the financial impact. Mr. Russo states he would like to address the concept. It has not changed and what has changed is the EPA and the Superfund clean-up of the factory site and reallocation of funding from the EPA to solve engineering and water problems. Selectwoman Francis will address the specifics. The specific infrastructure for Middletown is a water tank built up by Watch Hill. It was an acquired site after the bankruptcy of the developer and they have the highest site in that area. There will be new pipe to handle the water supply and the last is although they have rehabbed the pump station, but to redo the pump to a booster near the Long Hill tank. Those financial components will come to Middletown along with the engineering. The City will not pay for the engineering and he asked EPA proviso that it pass muster with his Chief Engineer Fazzino and we get good product when he comments.
- Councilman Serra states we have the capacity for this. Mr. Russo responds that is a great question and the final negotiations hinged on our last water supply plan and part is adequacy of water supply and the Department of Health had to look at past and future use and there is ample water to do this. Between the finances of EPA and DEEP funding and the Department of Health approval and Selectwoman Francis and I were on a conference call and it is getting the pieces together. There is ample water. Councilman Serra asks if it is the Kleen Energy one. Mr. Russo replies it is a future source and does not meet the State regulations, but Laurie Matthew has agreed and asked her staff to hold off and will give us time to look at the well to see if it is potable water. Councilman Serra states the agreement will be a fair fee. Mr. Russo responds yes; that would be the idea. It would be capitalized and Durham would have a master meter at the border and pay for all the use. Councilman Serra states it is a revenue. Mr. Russo responds yes and the additional is chemicals and electricity.
- Councilwoman Kasper asks if Laurel Brook Reservoir would be in the future. Mr. Russo responds that is an emergency source of water for us. The newer virgin technologies will make it more useful. Cost wise the technologies need to come down and we will not abandon it.
- Councilman Berch asks what the projected cost of the project is, itself. Mr. Russo responds that is good question and there have been estimates and that is why EPA wants a final design that is biddable. The project is parsed in different pieces. EPA will pay for the superfund site and beyond that Durham

may opt to expand that. The pipe is only going down Route 17 and they have had petitions from Royal Oak and that is an area of expansion. Councilman Berch asks if there is a timeframe. Selectwoman Francis states the design is 12 months and depends on Durham to expand the design to include ancillary areas and they want a design for the whole area. Councilman Berch asks what the pipe size is. Mr. Russo responds that is a source of a lot of debate and expand to cover fire flow are readily accessible. What shifted the burden in-house is had a project been in place when Miriam caught fire, they could have dealt with it; it raises the question why not pay for it. It will be a larger diameter at 16 inches. Selectwoman Francis states it is to accommodate other areas and older plans did not include those areas and when they redid it in 2010 it included those areas. We had contamination that did not rise to superfund, but had problems.

Councilman Klattenberg states the amount of water provided is it residential and commercial use. Selectman Francis states most is residential and there are some businesses of retail, except for Durham manufacturing. However, the manufacturing is not part of this; it is to bring the water just to the superfund site. Councilman Klattenberg states no commercial use of the water. Selectwoman Francis responds not manufacturing, but restaurants. Councilman Klattenberg asks if the line location has been proposed. Mr. Russo responds on the west side of Rte 17.

Agenda Item 3
Description

Presentations

Agenda item 3-1

The Mayor reads a proclamation into the record in memoriam honoring Ray Jacobs, City Employee who passed away suddenly. They are proclaiming June 5, 2012 Ray Jacobs day and honoring his memory by naming a field at the Thomas Smith Park after him. Councilman Serra states he had worked with him and remembers how he would come to Vinal ensuring that the facilities, fields, gym, and cafeteria would be available for the programs they were offering. He states he is glad to see the field named for him. Mrs. Jacobs comes forward to receive the plaque from the Mayor; she receives the applause of the public.

Agenda Item 3-2

Councilman Faulkner asks that Rosa Browne come forward. He reads the resolution and moves it for approval. Councilman Serra seconds that motion. He discusses that we should do a lot more to recognize the accomplishments of the City's residents and specifically all that Ms Browne has done for her community, both locally and at the State level. She thanks the Council. Councilman Pessina states he can't let Rosa leave without saying something special. She is one of the most compassionate and humbler persons active in the community. She opened doors for us in the community policing program. When he was at commencement at Southern, he saw her get her Master's Degree. You are a true ambassador of the City and he thanks her for what she has done for the City. She receives the applause from the public and Council. The Chair states without objection, the resolution can be approved by acclamation. It is approved without objection.

Resolution No.
File Name
Description
(Approved)

117-12
ccRosaBrowneReoslutionDraftproposal
Congratulating Rosa Browne.

WHEREAS, the Connecticut Immigrant and Refugee Coalition, which includes many not for profit member organizations, to protect the rights and welfare of immigrants and refugees as well as foster their civic participation; and

WHEREAS, according to the U.S. Census Bureau in statistics released in 2010, African Americans and Hispanics represent 20% of Middletown's residents; the American Community Survey estimates that 10% of Middletown's residents is comprised of Naturalized and non U.S. citizens; and

WHEREAS, CIRC holds an Annual Immigrant Day Ceremony where individuals born outside of the United States who become naturalized citizens and reside in Connecticut and who contribute to their profession and/or community are honored; and

WHEREAS, on April 23rd 2012, Rosa Browne was honored by the Connecticut Immigrant and Refugee Coalition at its Annual Immigrant Day Ceremony; and

WHEREAS, Ms. Rosa Browne was born in Panama and became a United States citizen who resides in the City of Middletown Connecticut; and

WHEREAS, Rosa continued her academic education, earning Masters Degrees in both Public Health and Management; and

WHEREAS, she currently practices her profession as an employee of Yale-New Haven Hospital; and

WHEREAS, Rosa is an active member of her community and her contributions include serving as Chairperson of Middletown's Affirmative Action Monitoring Committee, President of the Middlesex

County Chapter of NAACP, Treasurer of the State NAACP and Co-Chair of the State NAACP Health Committee, and a board member of the state ACLU.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That, on behalf of its residents, we congratulate Rosa Browne on her accomplishments, contributions and the recognition that her Award brings to the City of Middletown as a place where Diversity is considered a valuable asset; her dedication to her profession and community is an example for all Middletown citizens; and

BE IT FURTHER RESOLVED: That the Common Council encourages its citizens to continue to recognize and promote the value of our diverse population and use it to renew our commitment to engage in continually seeking to improve those qualities that separate us from other nations and attracts millions to our shores: freedom and opportunity to pursue our aspirations.

Agenda Item 3-3

Councilwoman Salafia asks the DECA students to join her for agenda item 3-3 along with their advisors. She reads the resolution into the record and moves it for approval. Councilman Serra seconds his motion. The Chair states without objection resolution is approved by acclamation. There are no objections and the matter is declared approved. The Chair offers his congratulations to the students on their accomplishments. Councilman Serra is recognized and congratulates the individual students as well as their advisors. They are conditioning us to do this every year and it has been done since the inception of the program.

Resolution No.
File Name
Description
(Approved)

118-12
cc2012decateam
Congratulating the 2012 DECA Team.

WHEREAS, Middletown High School's DECA program, comprised of 160 Junior and Senior students interested in careers in Marketing, Finance, Hospitality, and Management, under the leadership of advisors, David Reynolds and Michael Awdiewicz, founder of the program, Middletown High School DECA program is recognized in the top 1% for DECA programs in Connecticut; and

WHEREAS, in February, 2012, Middletown DECA students competed against approximately 1,000 students State-wide at the annual State competition; there were over 50 competitive events in which students took a rigorous test, performed case study presentations and created and presented business plans; the competitive events cover the areas of Marketing, Finance, Entrepreneurship, Hospitality, Business Ethics, Sports and Entertainment, Travel and Tourism, and Human Resources as well as others; and

WHEREAS, the Middletown DECA team had 39 winners, with seventeen first place winners; this is a new record for the Middletown team, breaking its own record earned in 2011; and

WHEREAS, twenty-two students competed at the International and Career Development Conference in Salt Lake City, Utah, against 15,000 students from around the globe; all contestants were local competition winners; and

WHEREAS, Middletown DECA earned seven medals, winning half the medals won by all other Connecticut DECA teams; the Middletown team also garnered thirteen Certificates of Merit; and

WHEREAS, Thomas McAlear won three medals in competitive events and testing and is among the top twenty international DECA finalists; Patrick Michaud won two medals in competitive events and testing and is also among the top twenty international finalists; and Travis Garbowski won two medals in competitive events and testing and is also among the top twenty international DECA finalist winners; and

WHEREAS, thirteen certificates of merit were awarded to members of the DECA team who completed written tests, multiple case studies and business plan presentations and were recognized for their outstanding performance; they are Quian Callendar, Miriam Charry, Elizabeth Fraulino, Rachel Kantrowitz, Ava Delmastro, Thomas McAlear, Brittany Pieta, Alyssa Kegley, Heric Flores-Huerta, Fatima Bishtawi, Samantha Gambino, Patrick Michaud, and Travis Garbowski.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we congratulate the DECA team members for their outstanding performance at both the State of Connecticut Competition and the International Career Development Conference; they stand above most of the 200,000 DECA students nationwide and internationally through their achievements and should be applauded for their dedication and hard work that earned them this distinction; and

BE IT FURTHER RESOLVED: That we wish the the DECA members of Middletown High School many more years of success and for the individuals who have done an outstanding job, we hope they may continue to grow and achieve success in their fields of interest.

Agenda Item 3-4

Councilman Pessina states he along with Peter Flynn are here to present this to Major Starkey; he reads and moves for approval agenda item 3-4, honoring Major Richard and Major Bethany Starkey. Councilman Serra seconds the motion. Councilman Pessina states he will remember when you came to the City and you have always been there and most of all the children in the north end needed you and you provided them with a safe haven to learn and be comforted. He thanks him on behalf of the Council and states I know you will bring the compassionate leadership to the next community. Major Starkey states his wife is not here tonight because someone has to work; they have 40 kids there tonight with their parents and it has grown from a summer lunch

program feeding the kids during the summer. It has been a great five years. We have been part of the community and they are surprised to be moving; they thought their son would finish high school here and the community and friends will be missed. Their last day is June 26. Thank you very much. The Chair states our loss is someone's significant gain. We will miss you. The Chair states without objection, this resolution can be approved by acclamation. The public offers their applause with the Council. There are no objections and the matter is declared approved.

Resolution No.
File Name
Description
(Approved)

119-12
ccstarkey2012
Honoring Major Richard and Major Bethany Starkey.

Whereas, Major Richard and Major Bethany Starkey of the Salvation Army have been transferred and will be leaving the Middletown facility at the end of June; and

Whereas, the Salvation Army has done charitable work assisting local families with food and financial assistance, pastoral and family counseling, and offering youth services including character building and latchkey programs; and

Whereas, Richard and Bethany Starkey are active members of the community and a presence in the north end with the services the Salvation Army provides to Middletown on a daily basis; and

Whereas, Richard led the Greater Hartford Salvation Army Emergency Disaster Services canteen during the Kleen Energy disaster which stayed on site serving the emergency crews food, water and hot drinks until 3:30 a.m. Monday; they left and restocked and reported back by 9 a.m., serving for 125 hour of volunteer services; and

Whereas, Majors Rick and Bethany Starkey, since 2007, looked to fill a need that the City had for its youth, a place for young people to go to that would provide a supervised space to relax or take part in activities; and

Whereas, in 2011, Richard and Bethany Starkey, working with the North End Action Team and several sponsors opened a new Teen Center at the Salvation Army building on Main Street, free for the teens, where they have a safe place to hang out with their friends or to play video games, use computers, play table games, or do homework; and

Whereas, Richard and Bethany Starkey as leaders of the Middletown Salvation Army helped Middletown residents during their times of need as well as creating and carrying out beneficial programs and services.

Now, Therefore, Be It Resolved By the Common Council of the City of Middletown: That on behalf of the residents of the City of Middletown, we offer our thanks for their efforts on behalf of our residents and recognize their contributions to the quality of life issues our residents face; we appreciate all the work they have accomplished on behalf of our citizens. We wish them much success in their new endeavors.

Noted for the Record

Councilman Serra leaves the chamber at 7:53 p.m.

Agenda Item
Description

4
Approval of Minutes

The Chair asks for a motion to approve the minutes of the regular Common Council meeting of May 7, 2012 at 7 p.m. meeting; Special Meetings of May 7, 2012 at 6 p.m., May 10, 2012 at 7 p.m., and May 10, 2012 Immediately after the 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 Santangelo moves them for approval and there is a second by Councilman Klattenberg. The Chair asks if there is any further discussion; hearing none, he calls for the vote. The Chair states the minutes are approved unanimously.

Agenda Items
Description

5 and 6
Public Hearing on the Neighborhood Assistance Act Submission List

Public Hearing Opens

The Chair opens the public hearing on all other agenda items at 7:54 p.m. on the submission list of the Neighborhood Assistance Act.

Public Hearing Closes

The Chair, seeing no one coming forward to address this item closes the public hearing at 7:54 p.m.

Agenda Item
Description

7 and 8
Public Hearing on all Bond Ordinances

Public Hearing Opens

The Chair opens the public hearing on all Bond Ordinances at 7:55 p.m. asking anyone who wishes to address these matters to come forward.

Earle Roberts states we are dealing with bond ordinances there are 8 of them. He read in the paper the Finance Director's comments and could we afford it at this time and all he heard is accolades and bonding is coming down \$10 million a year.

Noted for the Record

Councilman Serra takes his seat in the Chamber at 7:55 p.m.

Mr. Roberts states he has had the criticism in the past and in three weeks there is a tax increase and you can have all these issues all you have to do is tax me and you pay for them. It is not looking at what you can afford and not afford. It is \$7.7 million dollars and \$4-1/2 will be scrutinized by you. He has questions on the partnership and it will go to referendum it is over the \$750,000. We had an issue at harbor park not having a fire alarm and that was mind boggling and he hopes that questions were asked if we need this right now. Woodrow Wilson asbestos and it has been rebuilt a couple of times and he would like to know where it came from. It is troubling we have to spend that kind of money without knowing the answers to it. Item E, F, and G, relative to technology and he would like the net costs of technology and where we sit with that. We get the feeling there is no accountability in electronics and he is troubled having to pay \$750,000 for revaluation. Some things should be put aside. He encourages the Council to scrutinize the expenditures. The debt service is in your budget and his perspective is as a bureaucrat and he knows he can justify it on my money and it might be a different answer.

The Chair asks if any other members wish to address the issue.

Sebastian Giuliano speaks to 7A having some familiarity with the issue. It is a settlement of action taken by EPA and the exposure of the City is higher than \$3 million. To be able to resolve it for \$3 million is good for the City and the property sits at future riverfront development and any beneficial use of the property would require environmental cleanup and he urges the Council to support it in the long term interests of the City of Middletown.

Public Hearing Closes

The Chair asks if there are any other speakers; seeing none, he closes the public hearing on bond ordinances at 8 p.m.

Agenda Items

9 and 10

Description

Public Hearing on all other Agenda Items

Public Hearing Opens

The Chair opens the public hearing on all other agenda items at 8 p.m. He states this is to address agenda items only; if you have comments under the jurisdiction of the Council, they will hear your comments at the next community meeting, Thursday, June 14, 2012

John Paganetti and Peter Hildebrand urge the Council to support the resolution regarding elections; Hartford has passed a resolution and New Haven is looking at one tonight. RI has passed one. We are gaining ground and Middletown's voice would be incredibly advantageous. Mr. Hildebrand states it is a more conventionally worded resolution and thanks the Council.

Ms Hamerick speaks to agenda item 11-1; she assumes anything she will say is moot and your decisions have been made and thanks the Council for being our voice. When she found out about Citizens United she was hurt because the country was founded on democracy and my voice does not matter now as it did a few years ago and thanks the Council for being the avenue to be heard.

Sebastian Giuliano speaks to 15-20 and urges the Council to support it. Middletown is blessed with overabundance of potable water. It benefits our neighbor and the City as well. He speaks to 102-12 and states he told you his views of symbolic acts and if you are going to do it to give it teeth. The first is to ask the general assembly to put teeth for public funding for all elections. You should ask the general assembly to open the door. The citizens election initiative should be extended to federal elections. You are adding 7 races to those that are now part of the public funding and most times it is 6 and every 3rd cycle it is only 5. That would speak volumes. The third thing to add is to urge the general assembly to adopt a change in election law for nominations from State Conventions. If you don't have a majority at the convention, if you get 15% of the votes, you force a primary and between what goes on it is an ugly business. It shouldn't continue. Rather than ask a symbolic resolution, I suggest our general assembly to do something in the public interest and not just talk about it.

Earle Roberts addresses agenda items 15 and 18 hiring two more police officers; he doesn't know if the need is there right this minute. It is taxes. The school board 15-13 Human Resources, why are we becoming redundant. You have 9 resolutions for job descriptions and what is the net result. Will we save or is it more and what is the service we will receive. As far as 15-20 the water, we are entering into giving up some of our physical autonomy and he hopes everyone has done their homework and what is the liability if water isn't there. What obligation and the obligation to our citizenry is real and to go to another town, the t's and i's better be taken care of. The resolution 15-19 the local agreement; East Hampton has a lot of problems with their Police Chief and hopes everything is taken care of. The last issue is 102-12; he said leave it alone a month ago. The system is in place. I didn't take the public money and his opponent did and many things could be purchased and not returned and the system proposed here and taking the assumption political discourse and

corruption he is against this that it says we can become corrupt. He would rather people get out and vote. We need to be more involved with our civic duties. This will not help it at all and when it is asking for public funding, what does that really mean. The last point is you are asking me to fund people who can be Marxist or socialist or communist.

Public Hearing Closes

The Chair closes the public hearing on agenda items at 8:12 p.m.

Point of Information

Councilman Serra states under old business he recommends leaving resolution 102-12 on the table and take up 11-1.

Agenda Item 11

Councilman Berch states I have resolution 11-1 and he reads it into the record. Councilman Pessina seconds the motion. Councilman Klattenberg thanks the members of the public for bringing the issue forward and stated our democracy is at a serious risk because as soon as money takes over how politics are handled and it becomes an auction and he worries a lot about the huge sums of money spent on the presidential election I know it is symbolic but we need to send a message out and then talk about specific ways to solve the problem

Councilman Pessina thanks them for bringing this forward. It is needed and it is being done symbolically. It is also more. It is what the public feels about public financing. People are fed up with politicians buying elections. This should stop and we should protect against this. When the country was started anyone could be elected. You didn't need money. It should not be that because I have more money I get the office. We need to stop it now. It is a message. We need to listen to Main Street and the neighborhoods and all facets of people.

Councilman Berch applauds the people for bringing this forward. It is grass roots offered and asks the Council to consider its passage and we want to push this to the people who govern the rest of CT. It is a bipartisan effort. The teeth move forward to the State. He will support this.

Councilman Faulkner states he appreciated the changes made and he wants the point made that none of what we do substitutes for we the people being in action and the concern he has with resolutions like this he doesn't want people to get a false sense we are a substitution to them. People have to get engaged and you are the primary source of making change.

The Chair thanks and congrats them; it is an important issue. Tip O'Neil said money is the mother's milk in politics and too much makes it corrosive. Massive corporate interests funneling billions trying to influence how the public sees issues and the only way is to get the grass roots movements going.

The Chair, seeing no further discussion, calls the vote. It is unanimous with eleven aye votes. Councilwoman Kleckowski is absent. The Chair states the matter passes unanimously with eleven affirmative votes and one absent and not voting. The Chair notes for the record the resolution submitted was bipartisan and was sponsored by every single Council person.

**Resolution No.
File Name
Description
(Approved)**

**120-13
ccelectionfunding
Approving a resolution regarding election funding.**

Whereas, the *Citizen's United v. Federal Election Commission*, *Buckley v. Valero* and *SpeechNow v. FEC* legal decisions have changed the national landscape on how elections are financed, and

Whereas, the Supreme Court 's *Citizen's United* decision has led to a flood of money from individuals, corporations and special interest groups being used for political purposes, and

Whereas, Super Political Action Committees ("Super PACs") now enjoy unlimited spending from wealthy individuals and corporations, and

Whereas, outside spending by Super PAC's, corporations, special interest groups, and others totaled over \$900 M or 2.5 times as much as spent during the same period in 2008 and six (6) times as much as in 2004, and

Whereas, huge sums of money are now being decried as securing elections to ensure allegiance to a specific political agenda, and

Whereas, the influence of excessive and anonymous money in political campaigns can lead to corruption, limit political discourse, subject the citizenry to unlimited and extensive "spin" which shadows the facts for any political campaign; and

Whereas, a coalition of groups throughout the United States are working to pass over 100 new local resolutions during Resolutions Week in June calling for a constitutional amendment to overturn *Citizens United*, challenge corporate power and eliminate unlimited campaign spending.

Now Therefore Be It Resolved by The Common Council of the City of Middletown: That we join in the efforts of groups and organizations throughout the Unites States to remove the overt influence of money on our political system and stand with other communities across America to protect our democratic system by supporting public funding of elections, reducing the unnecessary time required to select candidates and conduct elections and make any and all political spending to be open and transparent.

Be It Further Resolved: That we hereby instruct our State and Federal Government Representatives to end the influence of money in politics by enacting resolutions, legislation and constitutional amendments to advance these principles.

Agenda Item 12
Description **Appropriation and Bond Ordinance Requests**

The Chair asks that the Clerk read the appropriation request and Certificate of Director of Finance.

Notice of Appropriations and Bond Ordinance Requests

MAYOR'S OFFICE
MUNICIPAL BUILDING
NOTICE OF PUBLIC HEARING

Notice is hereby given that a meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on June 4, 2012, at 7p.m. to consider and act upon the following:

AN ORDINANCE APPROPRIATING \$3,000,000 TO FUND THE SETTLEMENT AGREEMENT REGARDING THE REMEDIATION OF THE FORMER OMO MANUFACTURING SITE AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

AN ORDINANCE APPROPRIATING \$450,000 FOR THE REPLACEMENT OF THE KEIGWIN MIDDLE SCHOOL PARKING LOT AND AUTHORIZING THE ISSUE OF \$450,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

AN ORDINANCE APPROPRIATING \$165,000 FOR THE REPLACEMENT OF THE KEIGWIN MIDDLE SCHOOL FIRE ALARM SYSTEM AND AUTHORIZING THE ISSUE OF \$165,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

AN ORDINANCE APPROPRIATING \$435,000 FOR ASBESTOS ABATEMENT AT WOODROW WILSON MIDDLE SCHOOL AND AUTHORIZING THE ISSUE OF \$435,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

The complete text of each proposed Ordinance is on file and open to public inspection in the office of the City Clerk.

ATTEST:
Daniel T. Drew
Mayor

Certificate of Director Of Finance

To: His Honor Mayor Daniel T. Drew
and Members of the Common Council
From: Finance
Date: June 4, 2012
RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of June 4, 2012 are available as follows:

Remediation of the Former OMO Manufacturing Site Ordinance Bond Issue	\$3,000,000
Replacement of the Keigwin Middle School Parking Lot Ordinance Bond Issue	\$450,000
Replacement of the Keigwin Middle School Fire Alarm System Ordinance Bond Issue	\$165,000
Asbestos Abatement of Woodrow Wilson Middle School Ordinance Bond Issue	\$435,000

Respectfully submitted,
Carl Erlacher
Director of Finance

Agenda Item 12-1

Councilman Daley reads the Ordinance through Section 1 for appropriating \$3 million for OMO.

Motion to Waive Rules

Councilman Serra moves to waive the rules to waive the reading of the rest of the Ordinance. Councilman Klattenberg seconds the motion. The vote is called

and it is unanimous to waive the rules to waive the reading. The Chair states the motion carries.

Councilman Daley states Mr. Roberts left and he raised a question that he wanted to clarify; the Council did receive an opinion from the City's Bond Counsel that basically there is specific State statute to borrow for implementing settlements and the Charter language refers to borrowing for improvements and since this is not to make capital improvements but to settle a claim against the City, there will not be a referendum set to approve this bond ordinance and RLO properties is the current owner of the site and former Mayor Giuliano did a good job explaining the rationale behind this. EPA did not identify other parties to the pollution and that means there is a greater liability for the City. This allows EPA to take responsibility to clean the site and limits our exposure on this site. This is an important step to protect the City's financial interests and is essential to the development of the river front. It is an important step for the City and resolves a lot of issues and he asks the Council to support this.

The Chair asks if there is any further discussion; seeing none, he calls for a roll call vote.

Councilwoman Bartolotta	Aye
Councilman Berch	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Absent
Councilman Pessina	Aye
Councilwoman Salafia	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye

The vote is unanimous with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes and one member absent and not voting.

Ordinance No.
File Name
Description

09-12
CityofMiddleotwnEPASettlementAgreement(5-21-12)
AN ORDINANCE APPROPRIATING \$3,000,000 TO FUND THE SETTLEMENT AGREEMENT REGARDING THE REMEDIATION OF THE FORMER OMO MANUFACTURING SITE AND AUTHORIZING THE ISSUE OF \$3,000,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

(Approved)

Section 1. The sum of \$3,000,000 is hereby appropriated to fund and implement the settlement agreement, by and among the United States Environmental Protection Agency, the City and RLO Properties, Inc., regarding the remediation of the former OMO Manufacturing site, including, without limitation, legal, administrative and financing costs as may be accomplished within said appropriation (hereafter the "Settlement"). Said appropriation shall be inclusive of state and federal grants in aide thereof.

Section 2. To meet said appropriation \$3,000,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Settlement costs determined after considering the estimated amounts of grants in aid of the Settlement and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 3. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 4. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its

issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Settlement. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 5. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 6. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 7. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Settlement to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Settlement herein authorized.

Section 8. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 9. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 10. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Settlement, and to take all action necessary or proper in connection therewith.

Section 11. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Settlement with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Settlement, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Settlement expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 12. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 13. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT
June 30, 2012
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE") Fiscal Year Ended June 30, 2011	107,186,386
BORROWING CAPACITY FOR EACH CLASS:	
2-1/4 times base for General Purposes	241,169,369
4-1/2 times base for Schools	482,338,737
3-3/4 times base for Sewers	401,948,948
3-1/4 times base for Urban Renewal	348,355,755
3 times base for Unfunded Past Benefit Obligations	321,559,158
MAXIMUM AGGREGATE BORROWING CAPACITY: 7 times Base	750,304,702
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	24,789,430
SCHOOLS	23,376,320
SEWERS	3,691,875
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED	
GENERAL PURPOSES	30,945,331
SCHOOLS	923,449
SEWERS	22,154,040
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
CLEAN WATER FUND LOANS:	
SEWERS	5,761,815
SUB-TOTAL INDEBTEDNESS	111,642,260
LESS	
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES	
GENERAL PURPOSE	-
SCHOOLS	-
SEWERS	-
URBAN RENEWAL	-
TOTAL DEDUCTIONS	0

NET INDEBTEDNESS LESS TOTAL DEDUCTIONS	111,642,260
BALANCE OF BORROWING CAPACITY FOR EACH CLASS	
GENERAL PURPOSE	185,434,608
SCHOOLS	458,038,968
SEWERS	370,341,218
URBAN RENEWAL	348,355,755
UNFUNDED PAST BENEFIT OBLIGATIONS	321,559,158
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE	
	638,662,442

Agenda Item 12-2

Councilman Faulkner reads the bond ordinance through Section 1 for the Keigwin School Parking Lot.

Motion to Waive the Rules

Councilman Santangelo moves to waive the rules to waive the reading; Councilman Berch seconds the motion. The Chair calls the vote and it is unanimous to approve the waiving of the reading.

Councilman Serra states it is important the citizens and Council know we have \$51 million in bonds outstanding and we are capable to bond \$750 million. And we pay down at \$10 million per year. Part of the bond is from the mill rate, fund balance, economics, ERG, and investment in our infrastructure. We will be doing that as well. The \$3 million for the EPA is cutting our potential liability. Our finances are in very good shape. If you look at the debt statement, it shows us where we are and kudos to former mayors and councils. He will be supporting all of them.

Councilman Faulkner states he will be supporting this as well and makes the point we have a lot of minority contractors in town and in the State and we should work hard to get some of those companies to do that business whether large or small.

Seeing no further discussion, the Chair calls for a roll call vote.

Councilwoman Bartolotta	Aye
Councilman Berch	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Absent
Councilman Pessina	Aye
Councilwoman Salafia	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye

The vote is unanimous with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes and one member absent and not voting.

Ordinance No.
File Name
Description

10-12
CityofMiddletownKeigwinParkingLotReplacement(05-21-12)
AN ORDINANCE APPROPRIATING \$450,000 FOR THE REPLACEMENT OF THE KEIGWIN MIDDLE SCHOOL PARKING LOT AND AUTHORIZING THE ISSUE OF \$450,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

(Approved)

Section 1. The sum of \$450,000 is hereby appropriated for the planning, engineering, reconstruction, and site work associated with the replacement of the Keigwin Middle School Parking Lot, including, without limitation, reconstruction of South Parking Lot, reconstruction of North Access Road, replacement of concrete and bituminous sidewalks and curbs on the South Side, and related parking and paving improvements, as well as engineering, architectural, inspection, site work, landscaping, marking, signage, legal, administrative and financing costs as may be accomplished within said appropriation (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aide thereof.

Section 2. The expected useful life of the Project is in excess of twenty (20) years. The total estimated cost of the Project is \$450,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$450,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the

City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT
June 30, 2012
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")	
Fiscal Year Ended June 30, 2011	107,186,386
BORROWING CAPACITY FOR EACH CLASS:	
2-1/4 times base for General Purposes	241,169,369
4-1/2 times base for Schools	482,338,737
3-3/4 times base for Sewers	401,948,948
3-1/4 times base for Urban Renewal	348,355,755
3 times base for Unfunded Past Benefit Obligations	321,559,158
MAXIMUM AGGREGATE BORROWING CAPACITY:	
7 times Base	750,304,702
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	24,789,430
SCHOOLS	23,376,320
SEWERS	3,691,875
URBAN RENEWAL	-

UNFUNDED PAST BENEFIT OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT UNISSUED		
GENERAL PURPOSES	30,945,331	
SCHOOLS	923,449	
SEWERS	22,154,040	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	5,761,815	
SUB-TOTAL INDEBTEDNESS	111,642,260	
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	-	
SEWERS	-	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	0	
NET INDEBTEDNESS LESS TOTAL DEDUCTIONS		111,642,260
BALANCE OF BORROWING CAPACITY FOR EACH CLASS		
GENERAL PURPOSE	185,434,608	
SCHOOLS	458,038,968	
SEWERS	370,341,218	
URBAN RENEWAL	348,355,755	
UNFUNDED PAST BENEFIT OBLIGATIONS	321,559,158	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		638,662,442

Agenda Item 12-3

Councilman Klattenberg reads the bond ordinance through section 1 for the Keigwin Middle School Fire Alarm System.

Motion to Waive Rules

Councilman Serra moves to waive the rules to waive the reading. Councilwoman Bartolotta seconds the motion. The vote is called and it is unanimous to approve the waiving of the reading.

The Chair asks if there is any discussion. He calls for the vote

Point of Order

Councilman Berch states there has been no motion to approve the ordinance only to waive the reading.

The Chair asks for a motion to approve the ordinance. Councilman Berch so moves and his motion is seconded by Councilman Faulkner.

Hearing no discussion, the Chair calls for the vote by roll call.

Councilwoman Bartolotta	Aye
Councilman Berch	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Absent
Councilman Pessina	Aye
Councilwoman Salafia	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye

The vote is unanimous with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes and one member absent and not voting.

**Ordinance No.
File Name
Description**

**11-12
CityofMiddletownKeigwinFireAlarmreplacement(05-21-12)
AN ORDINANCE APPROPRIATING \$165,000 FOR THE REPLACEMENT OF THE KEIGWIN MIDDLE SCHOOL FIRE ALARM SYSTEM AND AUTHORIZING THE ISSUE OF \$165,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.**

(Approved)

Section 1. The sum of \$165,000 is hereby appropriated for the installation of a replacement fire alarm system at Keigwin Middle School, including, without limitation, preparation of fire alarm system specifications, system replacement to meet all current fire/life safety code requirements, as well as equipment, project monitoring, inspection, testing, training, support, engineering, legal, administrative and

financing costs as may be accomplished within said appropriation (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Project is ten (10) years. The total estimated cost of the Project is \$165,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$165,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the tenth (10th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT
June 30, 2012
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")
Fiscal Year Ended June 30, 2011

107,186,386

BORROWING CAPACITY FOR EACH CLASS:
2-1/4 times base for General Purposes

241,169,369

4-1/2 times base for Schools	482,338,737
3-3/4 times base for Sewers	401,948,948
3-1/4 times base for Urban Renewal	348,355,755
3 times base for Unfunded Past Benefit Obligations	321,559,158
MAXIMUM AGGREGATE BORROWING CAPACITY:	
7 times Base	750,304,702
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	24,789,430
SCHOOLS	23,376,320
SEWERS	3,691,875
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED	
GENERAL PURPOSES	30,945,331
SCHOOLS	923,449
SEWERS	22,154,040
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
CLEAN WATER FUND LOANS:	
SEWERS	5,761,815
SUB-TOTAL INDEBTEDNESS	111,642,260
LESS	
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES	
GENERAL PURPOSE	-
SCHOOLS	-
SEWERS	-
URBAN RENEWAL	-
TOTAL DEDUCTIONS	0
NET INDEBTEDNESS LESS TOTAL DEDUCTIONS	111,642,260
BALANCE OF BORROWING CAPACITY FOR EACH CLASS	
GENERAL PURPOSE	185,434,608
SCHOOLS	458,038,968
SEWERS	370,341,218
URBAN RENEWAL	348,355,755
UNFUNDED PAST BENEFIT OBLIGATIONS	321,559,158
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE	638,662,442

Agenda Item 12-4

Councilman Berch reads the ordinance through section 1 regarding asbestos abatement at Woodrow Wilson Middle School.

Motion to Waive the Rules

Councilman Klattenberg moves to waive the rules to waive the reading of the entire ordinance; his motion is seconded by Councilman Pessina. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes.

Councilman Berch moves to approve the ordinance; Councilman Serra seconds this motion. There is no discussion. Councilman Daley states again unfortunately Mr. Roberts left and won't hear the answer and it was addressed by Ken Jackson during the question period before this evening's meeting and he explained that although there had been replacement flooring, they encapsulated in certain areas and in those areas it is now time to do a full asbestos abatement because wasn't done in earlier projects.

The Chair, hearing no further discussion, states he will call the vote by roll call.

Councilwoman Bartolotta	Aye
Councilman Berch	Aye
Councilman Bibisi	Aye
Councilman Daley	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilman Klattenberg	Aye
Councilwoman Kleckowski	Absent
Councilman Pessina	Aye
Councilwoman Salafia	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye

It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with eleven affirmative votes.

Ordinance No.	12-12
File Name	CityofMiddletownWoodrowWilsonAsbestosAbatement(05-21-12)
Description	AN ORDINANCE APPROPRIATING \$435,000 FOR ASBESTOS ABATEMENT AT WOODROW WILSON MIDDLE SCHOOL AND AUTHORIZING THE ISSUE OF \$435,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

(Approved)

Section 1. The sum of \$435,000 is hereby appropriated for asbestos abatement at Woodrow Wilson Middle School, including, without limitation, asbestos abatement of floor tile and mastic in classrooms, offices and hallways, as well as licensed industrial hygienist service, testing of proposed locations for floor finish replacement, preparation of asbestos abatement specifications, temporary relocation and storage of furnishings, containment, removal and disposal of all affected floor finishes, ongoing monitoring of indoor air quality, installation of replacement floor finishes, cleaning and disinfecting impacted areas, repair of surfaces damaged by the abatement process, and final air quality clearance, legal, administrative and financing costs as may be accomplished within said appropriation (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aide thereof.

Section 2. The expected useful life of the Project is in excess of twenty (20) years. The total estimated cost of the Project is \$435,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$435,000 bonds of the City, or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds of each series, the annual installments of principal, maturity dates, prices, redemption provisions, if any, time of issue and sale, and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 7. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 8. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 9. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 10. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 11. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 12. The City hereby expresses its official intent pursuant to 1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid 60 days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations authorized to be issued by the City. Such obligations shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of any such reimbursement obligations, and to amend this declaration.

Section 13. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

Section 14. This ordinance shall become effective fifteen days after its publication in a newspaper of general circulation in the City pursuant to Section 5 of the City Charter.

DEBT STATEMENT	
June 30, 2012	
CITY OF MIDDLETOWN, CONNECTICUT	
ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE") Fiscal Year Ended June 30, 2011	107,186,386
BORROWING CAPACITY FOR EACH CLASS:	
2-1/4 times base for General Purposes	241,169,369
4-1/2 times base for Schools	482,338,737
3-3/4 times base for Sewers	401,948,948
3-1/4 times base for Urban Renewal	348,355,755
3 times base for Unfunded Past Benefit Obligations	321,559,158
MAXIMUM AGGREGATE BORROWING CAPACITY: 7 times Base	750,304,702
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	24,789,430
SCHOOLS	23,376,320
SEWERS	3,691,875
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED	
GENERAL PURPOSES	30,945,331
SCHOOLS	923,449
SEWERS	22,154,040
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
CLEAN WATER FUND LOANS:	
SEWERS	5,761,815
SUB-TOTAL INDEBTEDNESS	111,642,260
LESS	
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES	
GENERAL PURPOSE	-
SCHOOLS	-
SEWERS	-
URBAN RENEWAL	-
TOTAL DEDUCTIONS	0
NET INDEBTEDNESS LESS TOTAL DEDUCTIONS	111,642,260
BALANCE OF BORROWING CAPACITY FOR EACH CLASS	
GENERAL PURPOSE	185,434,608
SCHOOLS	458,038,968
SEWERS	370,341,218
URBAN RENEWAL	348,355,755
UNFUNDED PAST BENEFIT OBLIGATIONS	321,559,158
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE	638,662,442

The Chair states that they did not have a motion to approve the ordinances and asks that one be made to approve agenda items 12-1 and 12-2. Councilman Serra moves the bond ordinances (\$3,000,000 for OMO and \$450,000 for the Keigwin Parking Lot) and Councilman Santangelo seconds the motion. The Chair calls for the vote on the motion to approve and it is unanimous to approve with eleven aye votes. The Chair states the matters are approved unanimously.

Agenda Item 13
Description Department, Committee, Commission Reports and Grant Confirmations and Approvals

Councilman Serra reads and moves for approval agenda items 13A, 13B, 13C, 13D, 13E, 13F, 13G, 13H, 13I, 13J, and 13K; Councilman Santangelo seconds the motion. The Chair asks if there is any discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair declares the matters pass unanimously with eleven affirmative votes.

Agenda Item 13A
Description Town Clerk Certification
(Approved) June 1, 2012

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on May 7, 2012 at 7:00 p.m. and specials meetings on May 7, 2012 at 6:00 p.m., May 10, 2012 at 7:00 p.m. and May 10, 2012 following the 7p.m. meeting have been advertised in the local newspaper.

Attest:
Sandra Russo Driska
City & Town Clerk

Agenda Item
Description
(Approved)

13B
Monthly Reports
Finance Department – Transfer Report to May 29, 2012
Public Works Report with summary/Bldg Permits for April, 2012

Agenda Item
Description
(Approved)

13C
Grant Confirmation and Approval – Board of Education
Name of Grant: As Listed Below
Amount \$321,063.50
Code: 2450-33000-
Grant Period: From: 7/1/2011 **To:** 6/30/2011
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 769 - Middletown Teen Theater \$2350; 771 - School-Family-Community Partnership \$770; 813 - Adult Education Provider (\$35,950); 814 - Adult Education Cooperating Eligible Entity (\$3,920); 820 - Parent Leadership-PLTI \$1,000; 840 - Excess & New Cost Special Ed Grant (\$24,459); 841 - Special Ed Medicaid \$2,530.20; 846 - United Way-Chris Fahey (\$1,000); 852 - Universal Service Fund \$60; 894 - Swaim Strings Program \$5,000; 700 - Food Services Receipts \$181,841.81; 801 - Cigna Certified & Paras \$157,877.05; 803 - Workers' Compensation \$4,587.19; 804 - Preschool Program Fees \$3,571; 807 - Aetna Classified \$395.96; 809 - Maintenance/Rentals \$5,640.46; 823 - Curriculum Receipts \$11,341.33; 833 - Adult Education Receipts \$2,137.50; 888 - Farm Hill After School Parent Fees \$390; 898 - Student Activities-M.H.S. \$6,900. Total Special Programs Through 4/16/12 \$13,023,159.55
ADDITIONS \$321,063.50 Total Special Programs Through 5/14/12 \$13,344,223.05
Requested by: David H. Larson, Ph.D.

Agenda Item
Description
(Approved)

13D
Grant Confirmation and Approval – Water and Sewer, Tree Fund
Name of Grant: Middletown Tree Fund
Amount \$8,000.00
Code: 2320-60000-
Grant Period: From: 1/1/2010 **To:** 1/1/2013
Type of Local
Amount Loaned from General \$0.00
Department Administering Water and Sewer
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 Expenditure line is in need of cash to handle Tree planting and servicing expenditures.
Requested by: Guy P. Russo

Agenda Item
Description
(Approved)

13E
Grant Confirmation and Approval – Mayor’s Office/School Readiness
Name of Grant: School Readiness - Storytelling and Books for Children
Amount \$3,500.00
Code: 2350-33000-
Grant Period: From: 5/1/2012 **To:**
Type of Local
Amount Loaned from General \$0.00
Department Administering Mayor’s Office/Board of Ed/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 Middlesex County Community Foundation has donated funding for storytelling (\$2,500) and books for children (\$1,000).

Requested by: Mayor Daniel T. Drew

**Agenda Item
Description**

13F

Grant Confirmation and Approval – Health Department, Teen Life

Name of Grant: Miscellaneous Health Grant Donations/Teen Life Conference

Amount \$500.00

Code: 3070-31000-

Grant Period: From: 4/23/2011 **To:** 7/30/2011

Type of Local

Amount Loaned from General \$0.00

Department Administering Health Department

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 To support the Middletown Kids Health and Safety Day from the Middletown Substance Abuse Prevention Council

Requested by: J. Havlicek

**Agenda Item
Description
(Approved)**

13G

Tax Collector's Suspense Report, 2012

**Agenda Item
Description
(Approved)**

13H

Grant Confirmation and Approval – PCD, EPA Hazardous Waste

Name of Grant: EPA Hazardous Substance Clean up grant for the Mid State Auto property

Amount \$200,000.00

Code: 3761-14000-

Grant Period: From: 6/1/2012 **To:** 5/31/2013

Type of Federal

Amount Loaned from General \$200,000.00

Department Administering Planning, Conservation and Development

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 A \$200,000 EPA Hazardous Substance Clean up grant for the Mid State Auto property, on Kings Avenue, behind Eli

Requested by: William Warner

**Agenda Item
Description
(Approved)**

13I

Grant Confirmation and Approval – Police JAG Local Pass Through

Name of Grant: JAG Local Pass-Through Violence Reduction Initiative Summer 2012

Amount \$40,000.00

Code: 3580-18000-

Grant Period: From: 6/1/2012 **To:** 9/30/2012

Type of State

Amount Loaned from General \$40,000.00

Department Administering Police Department

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 Funds from this grant will be used for salaries for increased foot patrols in the North End while also increasing public awareness on crime activity with the intent of reducing violent crime. The grant will also be used to purchase equipment including two spotlight mounted thermal imagers, night vision binoculars, undercover cameras and recorders, communication system for undercover detectives, two laptop computers and portable printers.

Requested by: Chief William N. McKenna

**Agenda Item
Description
(Approved)**

13J

Human Relations, 2011-12 Recruitment Hiring Report, 3rd Quarter

**Agenda Item
Description
(Approved)**

13K

Emergency Purchase – Sanitation Pick-up Repair of Radiator

**Agenda Item
Description
(Approved)**

14

Payment of Bills

Councilman Serra moves to pay all City bills that have been properly approved and his motion is seconded by Councilman Pessina. The Chair asks for discussion; hearing none, he calls for the vote. It is unanimous to approve with

eleven aye votes. The Chair states the matter passes unanimously.

Agenda Item 15
Description **Resolutions, Ordinances, etc.**

Agenda Item 15-1

Councilman Daley reads and moves for approval agenda item 15-1; Councilman Serra seconds the motion.

Councilman Klattenberg states he would like to mention that Mr. Meyers and the library and he raised the questions on the projects listed and I understand the context of this request and they are tax credits being offered in completing certain projects that are useful for energy efficiency and his concern was the priority this energy efficient project that the library had and it was recommended by Honeywell and NU is on board with accepting this as a potential project with tax credits and he will support this.

The Chair, seeing 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. 121-12
File Name pcd2012NAAResolution
Description **Approving the submissions to the Commissioner of Revenue Services for the Neighborhood Assistance Act.**

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the following programs are hereby approved for submission to the Commissioner of the State of Connecticut Department of Revenue Services, on or before July 1, 2012 pursuant to General Statutes 12-228A, "Neighborhood Assistance Act:

Organization	Program Title	Funding Request
Russell Library Company	Increasing Energy Efficiency in a Public Library	\$146,509
Columbus House, Inc.	Client Basic Needs	\$150,000
Oddfellows Playhouse	Retrofitting of HVAC and Lighting	\$58,607

Noted for the Record Councilman Bibisi has left the Council Chamber.

Agenda Item 15-2

Councilman Serra reads and moves for approval agenda item 15-2 and his motion is seconded by Councilman Pessina. The Chair calls for the vote and it is unanimous with ten aye votes. The Chair states the matter passes unanimously with ten affirmative votes.

Resolution No. 122-12
File Name boefirealarmresolution
Description **Approving the filing by the Middletown Board of Education of form ED-049 Grant Application and Educational specifications for a School Building Project for the Fire Alarm Replacement project at Keigwin Middle School and approving appointing the Board of Education as the building committee for this project.**

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the Common Council of the City of Middletown hereby authorizes the Board of Education to file a form ED-049, *Grant Application and Educational Specifications for a School Building Project*, with the State of Connecticut for the proposed Fire Alarm Replacement Project at Keigwin Middle School; and

Be it further resolved: That as the total cost of the project is under \$500,000, the Mayor is requested to consider the appointment of the Board of Education as the Building Committee for the Keigwin Middle School Fire Alarm Replacement Project; and

Be it further resolved: That the Common Council of the City of Middletown hereby authorizes the preparation of schematic plans and outline specifications for the Fire Alarm Replacement Project at Keigwin Middle School.

Agenda item 15-3

Noted for the Record Councilman Bibisi returns to his seat in the Chamber.

Councilman Santangelo reads and moves for approval agenda item 15-3; his motion is seconded by Councilman Serra. There is no discussion. The Chair 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. 123-12
File Name boeparkinglotreplacement
Description **Approving appointing the Board of Education as the building committee**

for the Keigwin Middle School Parking Lot.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the Common Council of the City of Middletown hereby recognizes that the Keigwin Middle School Parking Lot is in need of significant reconstruction and replacement due to deteriorating conditions and age of the lot;

Be it further resolved: That the total, all inclusive cost of this project is \$450,000;

Be it further resolved: That the Common Council recognizes that this project is not eligible for State Department of Education Bureau of School Facilities reimbursement and that the total cost of the project will be paid for by current general funds or future bonds;

Be it further resolved: That as the total cost of the project is under \$500,000, the Mayor is requested to consider the appointment of the Board of Education as the Building Committee for the Keigwin Middle School Parking Lot Replacement Project.

Agenda Item 15-4

Councilman Daley reads and moves for approval agenda item 15-4; his motion is seconded by Councilman Faulkner. Hearing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

**Resolution No.
File Name
Description**

**124-12
boeasbestosabatementwilson
Approving the filing by the Middletown Board of Education of form ED-049 Grant Application and Educational specifications for a School Building Project for the Woodrow Wilson Middle School Asbestos Abatement Project and approving appointing the Board of Education as the building committee for this project.**

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the Common Council of the City of Middletown hereby authorizes the Board of Education to file a form ED-049, *Grant Application and Educational Specifications for a School Building Project*, with the State of Connecticut for the proposed Woodrow Wilson Middle School Asbestos Abatement Project; and

Be it further resolved: That as the total cost of the project is under \$500,000, the Mayor is requested to consider the appointment of the Board of Education as the Building Committee for the Woodrow Wilson Middle School Asbestos Abatement Project; and

Be it further resolved: That the Common Council of the City of Middletown hereby authorizes the preparation of schematic plans and outline specifications for the Woodrow Wilson Middle School Asbestos Abatement Project.

Agenda Item 15-5

Councilman Santangelo reads and moves agenda item 15-5 for approval motion; his motion is seconded by Councilman Faulkner. There is no discussion. The vote is called. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

**Resolution No.
File Name
Description**

**125-12
pdreplacement10%
Approving the release of the 10% reserve for line item 1000-18000-51357-0180 in the amount of \$25,963.35 to allow for replacement overtime for the remainder of the year.**

(Approved)

Whereas, Replacement overtime generally peaks during the fourth quarter of the fiscal year due to vacations, etc; and

Whereas, the Police: Replacement Overtime 10% reserve hold totals \$25963.35;

Be it Resolved by the Common Council of the City of Middletown: that the 10 percent reserve currently in line 1000-18000-51357-0180-00000-0000-000 for \$25963.35 be returned to line 1000-18000-51357-0180-00000-0000-000 to allow for payment of Replacement Overtime for the remainder of the year; and

Fiscal Impact: The 10% reserve of \$25963.35 would not be returned to the general fund at the end of the budget year from the Police Department.

Agenda Item 15-6

Councilman Berch reads and moves for approval agenda item 15-6 and his motion is seconded by Councilman Faulkner. There is no discussion and the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

**Resolution No.
File Name
Description**

**126-12
pdjaggrant2012-1
Approving authorizing Mayor Daniel T. Drew to submit a grant application for the JAG Local Pass-Through Violence Reduction Initiative Summer,**

2012 in the amount of \$40,000.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew is hereby authorized to submit the JAG Local Pass-Through Violence Reduction Initiative Summer 2012 grant in the amount of \$40,000; and

BE IT FURTHER RESOLVED: That upon receipt of the grant, the funds will be deposited into a separate account to be used for the purposes spelled out in the grant application and award agreement.

Financial Impact Statement: The grant does not require a local match; therefore, the General Fund will not be impacted.

Agenda Item 15-7

Councilman Daley reads and moves for approval agenda item 15-7; his motion is seconded by Councilman Serra. The Chair, seeing no discussion, calls for the vote. It is approved with ten aye votes by Council Members Serra, Klattenberg, Bartolotta, Daley, Santangelo, Kasper, Pessina, Bibisi, Salafia and Berch; and one nay vote by Councilman Faulkner. The Chair states the matter passes with ten affirmative votes and one in opposition.

**Resolution No.
File Name
Description**

**127-12
pcdA&AOfficeTax&Businessincentive
Approving the two-year partial tax abatement for the A & A Office Systems Inc., for their proposed 12,000 sq. ft. building at 35 Bradley Street pursuant to Section 272-9 of the Middletown Code of Ordinances.**

(Approved)

WHEREAS, A & A Office Systems, Inc. (AAOS) has proposed building a 12,000 square foot building at 35 Bradley Street (Map 01, Lot 21) which will add \$275,639 to the Grand List and generate \$9,587 in taxes per year, and

WHEREAS, AAOS submitted an application under the Tax and Business Incentive Program (Reference: Section 272-9 of Middletown Code of Ordinances) requesting a two (2) year partial real estate property tax abatement, and

WHEREAS, at the May 14, 2012 meeting of the Economic Development Committee, the Committee reviewed the application and voted unanimously to recommend assisting the AAOS expansion by recommending a fixed two (2) year partial tax abatement, and

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a fixed, two (2) year partial tax abatement is approved to AAOS upon completion of the construction of a 12,000 sf building at 35 Bradley Street (Map 01, Lot 21) pursuant to Section 272-9 of the Middletown Code of Ordinances.

FISCAL IMPACT: To encourage the expansion of existing business, the City of Middletown Tax and Business Incentive Program provides a two (2) year \$6,549 tax abatement and payment of \$12,625 in taxes during the first two years. The development will generate \$60,559 in taxes over 10 years.

Agenda Item 15-8

Councilwoman Kasper reads and moves for approval agenda item 15-8; her motion is seconded by Councilman Pessina. The Chair, seeing no 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.
File Name
Description**

**128-12
pe642012researchanalystres/pe642012Policeresearchanalystjobdes
Approving the reclassification of the Police Department's Records Clerk to Research Analyst, Salary Grade 9, Local 466, 35 hours and approving the incumbent into the reclassified position, Step 4.**

(Approved)

Whereas, the current job description for the Systems Operator, Local 466 was changed to Records Clerk during the last negotiations between the City and Local 466; and

Whereas, the position of Records Clerk fails to address the various duties being performed by the former Systems Operator; and

Whereas, the current incumbent has been performing tasks outside of their normal job duties for a period exceeding one (1) year

Be it resolved by the Common Council of the City of Middletown: That it approves the inclusion of Research Analyst, Salary Grade 9 Local 466, 35 hours, and to reclassify employee number 1780 in said position, Step 4 in accordance with the City of Middletown Personnel Rules; and

Fiscal Impact: \$4,786,80 to be funded through transfer into the departments 110 Salary line.

Title: Research Analyst

Department: Police

Date: December 2000 ————— **March 2012** Grade: 9

Purpose of Position

The purpose of this position is to perform data entry function, **research and report crime statistics and to assist Police personnel and other agencies in researching information.** The work is

performed under the direction of the Records Supervisor.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Monitor data entered by officers to check for accuracy. Performs data entry from Police Reports. Enter and approves infractions and warnings into computer systems.
- Supervisory clearance level on computer system to enter and approve specific data. Confidentiality required in maintaining system security in order to complete functions.
- Checks all National Incident Based Reporting System (NIBRS) reportable cases for accuracy, keep track of errors to be corrected. Prepares NIBRS crime statistics report for analysis unit and FBI. Law Enforcement Officers Killed or Assaulted (LEOKA) forms to Crimes Analysis Unit. Sends Bias Crimes forms to Unit as requested by Bias Crimes Unit. Acts as liaison with Crimes Analysis Unit and Bias crimes Unit of Connecticut Department of Public Safety.
- Enters Racial Profiling information, checks for ones not turned in and leaves reminders for Officers. Print Racial Profiling Report to be sent to the African American Association Commission (AAAC).
- Checks Quarterly Index Report from Crimes Analysis Unit for accuracy of crime statistics. Performs crime statistics for budget analyst on a quarterly basis to assist with obtaining grants.
- Prints Daily blotter, maintain list of Juvenile Arrest erasures for supervisor to delete. Send copies of Accident reports to Department of Transportation, send written warnings to Department of Motor Vehicles, send boating violations and deer kill slips to Department of Environmental Protection.
- Assists department personnel with copies of reports, statistics information and research as requested. Assists other agencies with reports and statistics.
- Maintains Family Violence Domestic statistics comparison, statistics for Wesleyan University to comply with Clery Act. Maintains motor vehicle statistics for Traffic Division and for Connecticut Chiefs Association
- Research and print all manners of statistics to also include charts and graphs to project where and when crimes occur.
- Greets, screens, assists and directs callers and visitors, provide information, assists officers and other department personnel in performing research. Assists to facilitate Freedom of Information requests and Background checks. Maintains status as a Notary.
- Files all police reports, maintains files and folders in reports storage room.
- Performs data entry
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Associates degree in criminal justice with (5) five years of related experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Proficiency required in Microsoft Office. Position requires ability to obtain NCIC Computer certification and to become proficient in NIBRS and Uniform Crime Reporting training within one (1) year of appointment.

Physical and Mental Abilities Required to Perform Essential Job Functions **Language Ability and Interpersonal Communication**

- Requires the ability to perform upper level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and diagnose. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Requires the ability to provide guidance, assistance and/or interpretation to others, such as co-workers and the public, on how to apply policies, procedures and standards to specific situations.
- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as incident reports, accident reports, arrest reports, warnings, forms, blotters, printouts, statistics, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Records Supervisor and all department personnel, other City departments, other Police departments, Court personnel and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals, prepare statistical analysis.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item 15-9

Councilwoman Bartolotta reads and moves for approval agenda item 15-9; her motion is seconded by Councilman Faulkner. There is no discussion. The vote is called and it is approved unanimously with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

Resolution No.
File Name
Description

129-12
pe642012chiefrecordsclerkpdres/pe642012chiefrecordsclerk-policejobdes
Approving the inclusion of the Chief Records Clerk job description into the Police Department's Records Division at Salary Grade 8, Local #466, 35 hours and approving the incumbent into the reclassified position.

(Approved)

Whereas, the Police Administration is supporting the inclusion of a Chief Records Clerk into the Records Division; and

Be it resolved by the Common Council of the City of Middletown:
 That it approves the inclusion of Chief Records Clerk, Salary Grade 8 Local 466, 35 hours, and to reclassify employee #9224 in said position in accordance with the City of Middletown Personnel Rules; and

Fiscal Impact: \$3,913 to be transferred from department line items to the 110 Salary line.

Title: Chief Records Clerk

Department: Police

Date: April 2012 Grade 8, Local 466

Purpose of Position

The purpose of this position is to process and distribute all police paperwork and to assist customers and other department personnel. The work is performed under the direction of the Records Supervisor.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Receives and processes requests for reports.
- Enters Court dispositions in computer and attaches abstracts to reports; enters incident reports and arrest records.
- Receives applications, processes and distributes permits for pistols, vendors, solicitors, special events, entertainment, bingo, raffles, temporary liquor permits, second hand dealers, raffles, auctions, bazaars, amusements, precious metals, dangerous weapon/instruments and similar other permits. Must interpret Connecticut State Statutes
- Accounting responsibilities associated with money received from Records and Traffic divisions including weekly bank deposit and maintaining an accurate ledger for audit.
- Performs records Criminal Record checks.
- Performs complex and/or advanced records searches. Knowledge of RMS systems to research police cases and criminal records.
- Receives and processes requests for copies of incident reports.
- Files and retrieves documents; removes information relating to court dismissals and erasures.
- Assists customers at the counter.
- Trains and provides assistance to the other records clerks during their daily duties and assignments.
- Complies with Privacy Act and Freedom of Information Act requirements.
- Receives, sorts and delivers departmental and personal mail.
- Assists with Court paperwork as needed.
- Works with police profiling system.
- Performs other related functions of the Records Clerks as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent with vocational/technical training in Criminal Justice, Secretarial Science or a related field with **three** years of related experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires **ability to obtain** NCIC and FOI certifications.

Physical and Mental Abilities Required to Perform Essential Job Functions
Language Ability and Interpersonal Communication

- Requires the ability to perform **mid** level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and diagnose. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Requires the ability to provide guidance, assistance and/or interpretation to others, such as co-workers and the public, on how to apply policies, procedures and standards to specific situations.
- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as arrest reports, motor vehicle accident reports, subpoenas, warrants, computer research tools, laws, statutes, manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Police Lieutenant, Records Supervisor and all department personnel, Court personnel and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item 15-10

Councilwoman Kasper reads and moves for approval agenda item 15-10; her motion is seconded by Councilman Pessina. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

Resolution No.

130-12

File Name

pe642012seniorservicespecialistres

Description

pe642012seniorservicespseclist(2)jobdescrip

Approving the reclassification of the Accounts Clerk II for the Senior Center, Salary Grade 7, Local #466 to Senior Services Specialist, Parks and Recreation, Salary Grade 8, Local #466, 35 hours for inclusion in the Classified Plan and approving the reclassification of the current incumbent into the new position.

(Approved)

Whereas, the current job description for the Accounts Clerk II (Salary Grade 7 – AFSCME Local 466) fails to address the various duties of coordinating municipal agent services and American with Disabilities (ADA) operations of the Senior Center; and

Whereas, the current incumbent has been performing tasks outside of their normal job duties for a period exceeding one (1) year; and

Whereas, it is the desire of the Personnel Review Commission and Mayor to formalize these responsibilities in to a position within the classified service.

Be it resolved by the Common Council of the City of Middletown: That it approves the inclusion of Senior Services Specialist, Parks & Recreation, Salary Grade 8 Local 466, 35 hours, and to reclassify the incumbent in said position in accordance with the City of Middletown Personnel Rules; and

Be it further resolved by the Common Council of the City of Middletown: that the position(s) of Accounts Clerk II, Senior Services shall be removed from the Classified Plan.

Fiscal Impact: Funded in the department budget

Title: Senior Services Specialist

Department: Senior Center – Parks & Recreation

Date: March 2012 **Salary:** Grade 8, Local 466 35 hours

Purpose of Position

The purpose of this position is to provide senior clientele with information on resources, referrals to services and general assistance. The work is performed under the direction of the Parks & Recreation Director.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Provide information and assistance on programs including food stamps, housing, meals-on-wheels, nutrition sites, transportation, income tax assistance, fuel assistance, social security procedures, property tax relief, Medicare, Medicaid, protective services, legal services, home/health care and other sources designed to assist an elderly population.
- Assists seniors with application forms, including those on the Internet.
- Develop relationships with agencies and organizations servicing the elderly.
- Distribute public service announcements to promote programs, services and functions regarding the services offered by the Senior Services Specialist.
- Administers and maintains records for assistance, activities coordinated, committees served on and submits a copy of the annual report to the Elderly Services Division of the Department of Social Services and the Chief elected official.
- Attends annual training session coordinated by the Elderly Services Division of the Department of Social Services.

- Acts as ADA compliance officer. Responds to inquires; acts as the Mayor’s liaison and provides assistance and information. Maintains library of information and provides such to departments. Works with state agencies on resolutions.
- Initiate and maintain contact with other Municipal Agents in his/her region.
- May assist with duties of the Program Services Coordinator within the department.
- Prepares a variety of reports, documents and correspondence.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor’s degree in Social Work or related field with three years of related experience or any combination of education and experience that provides equivalent knowledge, skills and abilities.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform mid level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to persuade, convince, influence, train and monitor, in favor of a desired outcome. Requires the ability to act as a lead person.
- Requires the ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information such as financial statements, attendance records, contracts, receipts, program records, reports, promotions, manuals, procedures and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the *Director of Parks & Recreation*, all department staff, other City departments, vendors, local, state and federal agencies, senior citizens, the media and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

Agenda Item 15-11

Councilwoman Bartolotta reads and moves for approval agenda item 15-11; her motion is seconded by Councilman Pessina.

Motion to Amend

Councilwoman Bartolotta states it is for 35 hours The Chair asks is this a motion to amend. Councilwoman Bartolotta states yes, put the word hours in after 35; Councilman Serra seconds the motion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the amendment passes unanimously.

The Chair asks if there is a motion to approve; Councilwoman Bartolotta so moves and Councilman Pessina seconds. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

Resolution No. File Name

**131-12
pe642012seniorservicescoordinatorres/
pe642012seniorservicescoordinatorjobdescrip**

Description

Approving the reclassification of the Accounts Clerk II for the Senior Center to Senior Services Coordinator, Parks and Recreation, Salary Grade 8, Local #466, 35 hours for inclusion in the Classified Plan and approving the reclassification of the current incumbent into the new position.

(Approved)

Whereas, the current job description for the Accounts Clerk II (Salary Grade 7 – AFSCME Local 466) fails to address the various duties of coordinating program services and general operations of the Senior Center; and

Whereas, the current incumbent has been performing tasks outside of their normal job duties for a period exceeding one (1) year; and

Whereas, it is the desire of the Personnel Review Commission and Mayor to formalize these responsibilities in to a position within the classified service.

Be it resolved by the Common Council of the City of Middletown: That it approves the inclusion of Senior Services Coordinator, Parks & Recreation, Salary Grade 8 Local 466, 35 hours, and to reclassify the incumbent in said position in accordance with the City of Middletown Personnel Rules; and

Be it further resolved by the Common Council of the City of Middletown: that the position(s) of Accounts Clerk II, Senior Services shall be removed from the Classified Plan.

Fiscal Impact: Funded in the department budget

Title: Senior Center Coordinator

Department: Senior Center – Parks & Recreation

Date: March 2012 **Salary:** Grade 8, Local 466 35 hours

Purpose of Position

The purpose of this position is to coordinate program services and general operations for the Senior Center. The work is performed under the direction of the Parks & Recreation Director.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Organizes services and programs for senior population.
- Develops special events and programs for the serviced community.
- Distribute public service announcements to promote programs, services and functions. Generates monthly packets reflecting programs, trips and attendance; posts wall displays.
- Recruits and organizes volunteers and issues volunteer coupon packets.
- Maintains master calendar of events; schedules guest speakers for informational seminars. Selects appropriate entertainment.
- Coordinates bingo and other applicable programs; collects fees; calculates and awards cash prizes.
- Administers and maintains records for Senior housing/bus sharing programs.
- Oversees senior services facility areas; opens doors; assigns work to custodial staff as required.
- Performs accounting functions; performs accounts receivable and payable tasks; issues deposits; documents petty cash expenses and financial balances; documents revenues and deposits monies; collects money and issues receipts. Collect fees. Files receipts
- Prepares a variety of reports, documents and correspondence.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Social Work or related field with three years of related experience or any combination of education and experience that provides equivalent knowledge, skills and abilities.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform mid level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to persuade, convince, influence, train and monitor, in favor of a desired outcome. Requires the ability to act as a lead person.
- Requires the ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information such as financial statements, attendance records, contracts, receipts, program records, reports, promotions, manuals, procedures and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the *Director of Parks & Recreation*, all department staff, other City departments, vendors, local, state and federal agencies, senior citizens, the media and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

Agenda Item

15-12

Councilwoman Kasper reads and moves for approval the Fleet Manager position, adding in Teamsters as the Union. She is asked if she is amending it. She responds yes, as the maker and she moves it for approval. Councilman Serra seconds the motion. The Chair hearing no 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.

132-12

File Name
Description

pe642012fleetmanagerres/pe642012fleetservicemanagerjobdescrip
Approving the amendments to the Fleet Manager, Teamsters, Job description to address the designation of manager with no change in salary for inclusion into the Classified Plan and recruitment in accordance with the Collective Bargaining Agreement.

(Approved)

Whereas, the current job description for the Fleet Manager fails to address appropriate union designation as a manager; and

Whereas, the position is currently vacant; and

Whereas, the current job description has been modified, with no change in salary, to reflect managerial responsibilities; technical knowledge and qualifications.

Be it resolved by the Common Council of the City of Middletown:

That it approves the inclusion of Manager of Fleet Services, Teamsters Local #671, Salary Grade 11 into the classified plan and the recruitment for said position shall be in accordance with the Collective Bargaining Agreement between Teamsters Local #671 and the City of Middletown.

Fiscal Impact: Currently funded within department budget

Title: Manager of Fleet Services
Department: Public Works Garage
Date: March 2012 **Teamsters Grade 11 40 hours – overtime eligible**

Purpose of Position

The purpose of this position is to manage and supervise the vehicle and equipment maintenance and repair program for police vehicles, fire vehicles, Water and Sewer and Parks department, Public Works and other City owned vehicles and equipment. The work is performed under the direction of the Director of Public Works and/or designee.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages a skilled mechanical workforce in the overhaul, repair and maintenance of City vehicles, trucks, heavy and light equipment and other mechanical equipment. Manages the work performed by the garage and by private vendors. Oversees mechanics use of power equipment.
- Direct supervision of garage personnel; provides training and instruction; plans, coordinates, prioritizes, schedules, assigns and reviews work; allocates personnel; maintains standards and evaluates performance. Administers collective bargaining agreements, makes recommendations for hiring of new personnel and discipline.
- Oversees the security of the garage.
- Oversees the response to emergency situations involving garage personnel. Coordinates efforts with the Superintendent of Streets and Sanitation and other city departments.
- Develops budget recommendations and CNR; Manages parts inventory and authorizes the purchase of parts; processes invoices for payment. Develops and reviews bid specifications for equipment. Signs off on vehicles to accept purchase after inspection. Monitors vehicle registration.
- Coordinates and administers comprehensive preventive maintenance program for vehicles, trucks and equipment. Maintains and analyzes data regarding vehicles and equipment maintenance.
- Prepares a variety of reports, documents and correspondence; prepares work orders, summary data and invoices; forecasts long and short term work loads. Maintains time records for employees. Maintains material safety data book.
- Identifies training programs for employee development; coordinates demonstration of equipment by vendors. Attends training for supervisors. Attends weekly staff meetings.
- Performs the work of garage staff as needed; operates heavy equipment to troubleshoot problems.
- Reviews insurance claims; follows up on accident reports as a member of the Mayor's accident review committee.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Associate's degree or equivalent in Mechanics/Repair training with seven years of progressively responsible vehicle and equipment repair/garage management/supervisory experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires a Class A Commercial Driver's License, Motor Transport Association certification and Air Conditioning License.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform mid to upper-level data analysis including the ability to coordinate, strategize, systematize and correlate, using discretion in determining time, place and/or sequence of operations within an organizational framework. Requires the ability to implement decisions based on such data, and oversee the execution of these decisions.
- Ability to manage and direct a group of workers, including the ability to provide counseling and mediation. Ability to persuade, convince and train others. Ability to advise and interpret regarding the application of policies, procedures and standards to specific situations.
- Requires the ability to utilize a wide variety of reference and descriptive data and information such as regulations, blueprints, repair orders, invoices, specifications, purchase orders, warrantees, titles, daily diary, logs, memos, service records, catalogs, MSDS book, correspondence and general operating manuals.
- Requires the ability to communicate orally and in writing with the Director and all Garage personnel, other City departments, vendors, insurance adjusters, body shops and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, radios, torches, air

conditioning units and equipment, grinders, lifts, diagnostic equipment, hand and power tools, and/or related materials used in performing essential functions.

- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as repairing vehicles and equipment.
- Tasks involve the regular and, at times, sustained performance of moderately physically demanding work, typically involving some combination of climbing and balancing, stooping, kneeling, crouching, crawling, and lifting, carrying, pushing, and pulling moderately heavy objects and materials, twenty to fifty pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under potentially dangerous and uncomfortable conditions where exposure to environmental factors such as temperature, lighting and noise extremes, vibrations, machinery or traffic hazards can cause discomfort and where there is a risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item 15-13

Councilwoman Kasper reads and moves for approval agenda item 15-13; her motion is seconded by Councilman Serra.

Motion to Amend

Councilman Serra moves to amend the job description where it says "all staff" it should read "certified staff and paraprofessionals." He reads the locations in the third bullet, the sixth bullet and anywhere else it says all staff should be amended. He states he will give his notes to the Clerk. Councilman Berch seconds the motion.

The Chair recognizes Councilman Pessina and asks if he wishes to address the amendment or the underlying motion; his response is the underlying motion. The Chair calls for the vote on the amendment. It is unanimous to approve with eleven aye votes. The Chair states the amendment passes unanimously.

Councilman Pessina asks who did this before and why are they creating the position. The Chair states it was in a job recently eliminated by them and they have resource needs and a lot of these duties were in a position recently eliminated by the Board.

Hearing no further discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

**Resolution No.
File Name**

**133-12
peboe642012mngrhumanresourcesres/
peboe642012mngrhumanresourcesjobdescrip**

Description

Approving a new position for the Board of Education, Manager of Human Resources, Teamsters, Local #671, Salary Grade 12, 40 hours, 12-month position, for inclusion in the Classified Plan and recruitment in accordance with the Collective Bargaining Agreement between the Teamsters Local #671 and the City.

(Amended and Approved)

Whereas, the Middletown Board of Education has requested the position of Manager of Human Resources be established in to the classified plan.

Be it resolved by the Common Council of the City of Middletown: That it approves the inclusion of Manager of Human Resources, Teamsters Local #671, Salary Grade 12, 40 hours, 12 month position and the recruitment for said position shall be in accordance with the Collective Bargaining Agreement between Teamsters Local #671 and the City of Middletown.

Fiscal Impact: Funding to be established under the jurisdiction of the Middletown Board of Education

Title: Manager of Human Resources

Department: Board of Education

Date: March, 2012 **Salary Grade:** Teamsters Grade 12
40 hours
12 month position

Purpose of Position

The purpose of this position is to administer the Board of Education's personnel and labor relations programs for Certified Staff. The work is performed under the direction of the Superintendent of Schools

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinate and participate in the recruitment of certified staff and paraprofessionals.
- Coordinates annual job fairs as necessary.
- Maintain an up-to-date applicant file of prospective candidates for all certified staff and paraprofessionals.
- Develop recruitment strategies to encourage and maintain diverse candidate pool for certified staff and paraprofessionals.
- Develop and maintain a system for personnel records for all certified and paraprofessional employees, in order to provide a comprehensive, efficient, accurate and current record of all matters pertinent to employment including but not limited to, transfer, tenure, retirement, leave and promotion.
- Maintain accurate databases on all certified and paraprofessional employees including, but not limited to, education level, salary, assignments, tenure, seniority and longevity.
- Assists in administering collective bargaining agreements, including salary schedules for all certified and paraprofessional employees.
- Assist in the preparation of materials for all certified and paraprofessional collective bargaining negotiations and budget development.
- Administers Drug/Alcohol testing, FMLA, ADA, FSLA, EEO, EAP and other mandatory state or federal employee programs for the certified and paraprofessional employees.
- Assists in the coordination and support of all professional development activities under the direction of the Associate Superintendent by maintaining Continuing Education Unit (CEU) computer program for the district.
- Maintain up-to-date Job Descriptions for all certified and paraprofessional positions.
- Assists the facilitator of the Beginning Educator Team Program for the district and place student teachers within the district.
- Facilitate placement of Student Teachers within the district.
- Organize and assign a corps of qualified substitute teachers, and paraprofessionals.
- Maintain State of Connecticut Personnel files including, but not limited to, State of Connecticut Department of Education reports and Highly Qualified Data Reports
- Responds to and attends hearings involving unemployment compensation claims filed by certified and paraprofessional employees and former certified and paraprofessional employees.
- Attends Board of Education meetings as requested.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Human Resources, Public Administration or a related field or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires possession of a valid Connecticut driver's license. Applicants must pass a background investigation as part of the conditional offer of employment.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform mid-level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.
- Requires the ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information such as financial statements, applications, test results, lists, letters, reports, contracts, rules and regulations, policies, codes, ordinances, statutes, procedures and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Superintendent and all Middletown Board of Education Administrative staff, other City Department Heads and employees, examiners, panel members, vendors, the Board of Education, applicants, the media and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, a vehicle, and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item

15-14

Councilwoman Bartolotta reads and moves for approval agenda item 15-14; her motion is seconded by Councilman Santangelo.

Councilman Pessina states he was perplexed on this position as to why we are reducing the amount of experience for such a high profile job. When he spoke to Director Milardo, it was not approved by Personnel Review Committee, just to move it forward for debate and you have asked her to do that and she could not give an explanation. The Chair states she should have provided a clear explanation. When we began advertising this position, we started getting back excellent attorneys but they did not fall within the job description. The job is like an attorney who is a partner in a firm and they would not leave that job for a financial incentive and we need to widen the pool. We should not be bound by the stricture of a narrow job description. We were getting a very limited job pool. We need, as elected officials the judgment to exercise discretion on the job description. Councilman Pessina states three years ago Councilman Loffredo approved this to 7 years so is this a recruitment ability so that you want to widen the pool but lessening the experience of an important job. The Chair states he can't say why a Council changed it to seven, but he sees it as more restrictive and they only had two applicants and it doesn't allow me enough discretion to allow me to make a judgment call. Councilman Pessina states we are looking for a good litigator with law experience and labor experience and what bothers him, with the economy and unemployment, is it because it is the City of Middletown and the way we hire and two recruitments and it doesn't say much for the community that we only got three attorneys to apply with 7 years experience. It does not bear well with public when we don't set the bar high. It is a critical position and I will not support this on that basis.

Motion to Recess

The Chair states that we need to go dark in order to continue to record; he asks for a motion to recess. Councilman Berch so moves and is seconded by Councilman Faulkner. The vote is unanimous and the Chair declares the recess at 9:02 p.m.

Meeting Reconvenes

The meeting reconvenes at 9:10 p.m. with the Chair asking everyone to take their seats.

Councilwoman Salafia states 15-14, the job description of the City Attorney, she will not vote in favor of it; we need to finish the process that was started and if there is a disqualifying factor, then change the requirements. We have qualified candidates who have applied and it appears you don't like the candidates so you are changing the qualifications. You have someone in the position doing an acting position and he applied and you are discounting what an in-house candidate can bring to the job. It gives the wrong impression. The Chair states it is not being done for any candidate. When we originally advertised the description is so narrow we had two applicants and the second one already took another job. He advertised again and that was done concurrently with the change that was sent to PRC. It went back to PRC in May and it is not being done for anyone person. I need as the Mayor and you need as the Council the judgment to look at qualified persons. We have a wide pool of people who are excellent attorneys and would do an extraordinary job for Middletown, but they don't meet the job description. There are some who work for the City who are out there that meet our job description, but they are partners in firms making \$500,000 and would not take the job for \$110,000. Councilman Daley states during questions he asked how many qualified candidates they got for the first recruitment of 7 years; her response was 3 and one has accepted other employment. Either way two or three is not an adequate pool. I asked in response to the second advertisement how many qualified, it was 7; she said that if the new job spec is approved that there be a third recruitment. I had forgotten that the job spec was changed three years ago from 5 to 7. We had the job spec at 5 years for all these years and I don't recall why it was changed from 5 to 7, but the 5 year requirement seems adequate. Our agency and the job spec and we have a \$1 billion budget and we have an attorney and staff and his job spec requires five years. On those points he will support this. The Mayor is accountable for the appointment based on being convinced they are well qualified for the position. We heard from Personnel Director that even at the lesser years of experience for a deputy she feels it is not a competitive salary. We clearly have a problem here. If the current acting city attorney is appointed and we would be hard pressed to get a deputy if we keep the experience at five years and the salary. The Chair states we had two candidates that met all the job qualifications. Councilman Daley states the Personnel Director said three. The Chair states she was mistaken; it was two and there were a handful that did not fit the job description.

Councilman Bibisi states he will not support this; two years ago he voted to raise the bar on this position. Now we are looking at lowering the bar for this position. It is critical for the City. Councilman Faulkner states he doesn't have a problem returning to five years and he has a problem about the structure of the department and looking at analysis at having a firm do this service for us. We want them to do a lot of things and it could be handled by firms. That is his opinion.

Point of Information

Councilman Serra asks would the commission do anything with the salary. Maybe it should be that we look at what we offer. We should go with the years

of experience and look at salary. Councilwoman Kasper states they did not look at the salary. We left it in the same salary grade and left the experience to five years. Councilman Serra asks if it is because of the lack of candidates. The Chair states we received many applications; we had some lawyers with 30 years experience, but a limited amount of labor and insurance experience and they did not meet the job restrictions and could have met the deputy director's.

Councilwoman Salafia states does this require the City Attorney to live in town and hopes that will not be waived. Councilman Pessina states are we putting the cart before the horse because you had a commission talk about consolidation of departments and then you are hiring a City Attorney that is very much a part of the consolidation. Why would we want to lower the experience bar when we are talking about consolidation under the new City Attorney. It is perplexing. It would seem your commission has set certain parameters and maybe we should hold off on hiring until the parameters are set. I don't get it and the public doesn't get it. Every time you reduce experience, you lower the bar. This position does heavy litigation and we need someone with significant labor experience. Councilwoman Kasper states tonight Director Milardo said there were two advertisements and the first one there were only a few that met the requirements of the job description. The second, more came in and the additional attorneys that did apply only one met the seven year requirement. Several years ago we tried to recruit a City Attorney and that did not work for us. She will support this.

Councilman Faulkner states did we use a recruiting firm for this. The Chair responds no. Councilman Faulkner asks if we ever use a recruiting firm. The Chair states he hasn't used one; and is not sure if other mayors in recent time have used one. Councilman Santangelo states listening tonight he heard interesting things. Three years ago we raised the bar and at that time 5 years experience was good enough. I am not getting the connection between 5 and 7 years. We really want someone qualified why not go for ten years. We had a City Attorney who was the attorney the prior time I was on the council and when she came on, it was five years experience. The five years will give us a larger pool. He will support this.

The Chair, hearing no further discussion, calls for the vote. It is seven aye votes by Council Members Serra, Klattenberg, Bartolotta, Daley, Santangelo, Kasper and Berch and four nay votes by Council Members Faulkner, Pessina, Bibisi, and Salafia. The Chair states the matter passes with seven affirmative votes and four dissenting votes.

Resolution No.
File Name
Description

134-12
pecityattorneyamendment/pecityattorneyjobdes
Approving the amendment to the job description for the City Attorney to require five years experience instead of 7 years in order to widen the recruitment pool and no change in salary.

(Approved)

Whereas, the Mayor has requested a review of the current minimum requirements for the position of City Attorney

Be it resolved by the Common Council of the City of Middletown:
That it approves the modification of the minimum requirements of the City Attorney position from a minimum of seven years to a minimum of five years experience.

Fiscal Impact: Funded in the department budget

Title: City Attorney

Department: Legal

Date: April 2012 Salary Grade: 23 (E)

Revised 4/12

Purpose of Position

The purpose of this position is to act as Chief Legal Advisor to the City of Middletown, its employees and officials in the interpretation of legal instruments and to represent the City in all legal matters. Position oversees property and casualty, worker's compensation and employee health benefit insurance programs and monitors special counsel and insurance-hired defense counsel in litigation and arbitration. The work is performed under the direction of the Mayor.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Acts as Chief Legal Advisor to the City, its employees and officials, and administrative head of legal department responsible for work assignments, establishing office policies and discipline.
- Formulates creative solutions to complex personnel and litigation issues. Negotiates collective bargaining agreements.
- Represents the City in litigation, arbitrations, hearings, grievances, and actions pending before the CHRO, FOIA, Wage & Hour.
- Drafts pleadings and responds to discovery; researches and produces briefs. Drafts ordinances. Provides responses to requests for legal opinions and research. Drafts and reviews

contracts, bid documents, requests for proposals, draft letters and memoranda to legal Counsel and City officials.

- Directs and administers Legal Department; prepares and administers department budget; aids in the development of budget for property and casualty, worker's compensation and employee health benefit insurance programs; presents budgets to Mayor and Common Council.
- Monitors outside counsel in litigation and arbitration.
- Acts as staff to the Insurance & Claims Committee; drafts agendas and minutes.
- Attends Common Council meetings and other required meetings of City boards, commissions, committees and agencies, as needed.
- Prepares cases for litigation by interviewing witnesses, collecting evidence and producing City's strategy in litigation/arbitration proceedings pending against the City.
- Meets with insurance consultants, brokers, agents, and adjusters on claims and matters in litigation.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Juris doctorate with **five years of** municipal law related experience with an emphasis on employment law, labor relations experience. Position requires State of Conn. License to Practice Law and United States District Court—Conn. Admission to Practice and United States Court of Appeals—Second Circuit Admission to Practice.

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform upper-level data analysis, including the ability to hypothesize, theorize and assimilate, to modify or adapt existing policies/methods to meet unusual conditions within the context of existing theories and management principles.
- Requires the ability to apply principles of negotiation within the context of legal guidelines.
- Requires the ability to utilize reference, descriptive, consulting, design and advisory data and information such as legal opinions, pleadings, discovery requests, letters, memoranda, responses, grievances, ordinances, resolutions, manuals, law books, budgets, charter, insurance policies, legal briefs, economic analysis, and organizational analysis.
- Requires the ability to communicate orally and in writing with the Mayor and Common Council, Department Heads and Directors, City employees, various boards, commissions and committees, Judges, Court personnel, other attorneys, all Legal Department staff, unions, insurance consultants, the media and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions and algebra.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Requires the ability to coordinate eyes, hands and limbs in performing coordinated movements such as typing.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing up to twenty-five pounds.
- Requires the ability to recognize and identify degrees of similarities or differences between characteristics of colors, shapes, sounds, and textures associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors may cause discomfort and poses a limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item 15-15

Councilwoman Kasper reads and moves for approval agenda item 15-15 approving the Deputy City Attorney job description requiring 4 years. Councilman Serra seconds the motion.

Motion to Refer to Committee Councilman Pessina respectively asks that it be removed and send it back to PRC to look at the appropriate level of salary. Personnel Director said it is four grades below and we should look at the salary and it may widen the pool.

Councilwoman Kasper states right now we have a deputy city attorney as acting city attorney and if he is not chosen, we need this available and that situation doesn't exist right now.

Councilman Faulkner states it says three years on the agenda, but Councilwoman said four. Councilwoman Kasper states it is four years and Councilwoman Bartolotta seconds.

Councilman Serra states the motion to refer, we have to first dispose of the decision because Councilman Pessina has a point here. I think we should table

it and decide it at a future date. Councilman Serra supports referring it back.

Councilman Daley states during the question period, Director Milardo says we can't have a classification with the City Attorney with 5 years and the Deputy with 5 years. I think we should pass the experience requirement and PRC on its own initiative begin to look at salary. He doesn't think it wise to not take action tonight when we just changed the city attorney experience. If salary needs re-evaluation it can be done. Councilman Klattenberg states he asked that question whether or not the deputy position should be changed and she tried to tell us the salary was way out of balance. What I think the message is, is that we can't forego this fact because we made the change to city attorney and the message was clear and we all feel there is an issue here. We don't have to send it back and he would support the change and send the message to review the salary.

Councilman Pessina states he understands what Councilmen Daley and Klattenberg just said and I am willing to do that and it still needs to come off the table. We don't have an opening for a deputy director until the City Attorney appointment is made and PRC can look at it; by doing this, it doesn't make sense. Councilwoman Kasper states in regard to the Deputy City Attorney, if the acting doesn't become the City Attorney, there is no vacancy and is it the Council's wish to reclassify the employee. The time to make changes is when the position is vacant.

Councilman Daley states I understand it is confusing because of the situation we have with Deputy as acting, but we have to maintain the integrity of the job descriptions and that is what we are trying to do here tonight and keep the experience requirement in line so that the City Attorney's requirement is higher than the Deputy's and he would think the logical thing is to make the job descriptions work together and have Personnel Review look at the salary. Nothing will happen and there is no immediate impact on the current acting City Attorney and if he didn't get City Attorney and if he returned PRC, they might have looked at the salary. We can decide that later. You don't want the City Attorney and Deputy with the same years of experience requirement. Councilwoman Salafia states we need to amend the years tonight and understand the need and to review the salary. We have changed salary on incumbent employees, it needs to be addressed.

Councilman Faulkner states if you read these two, the years of experience are different elements and parts of the law. The Deputy is general law experience but the lead is five years of municipal law. They are different, so you can't be equivocating the amount of years between them. I don't think we have to deal with the Deputy's experience.

The Chair states we have a motion to refer this back to the Personnel Review Committee and calls for the vote on the motion. The motion carries with seven aye votes by Council Members Serra, Bartolotta, Faulkner, Pessina, Bibisi, Salafia, and Berch and four nay votes by Council Members Klattenberg, Daley, Santangelo, and Kasper. The Chair states the motion to refer back passes with seven affirmative votes and four dissenting votes.

Resolution No.
File Name
Description

135-12
pedeptycityattorneyamendment/pedepcityattorneyjobdes(2)
Approving the amendment to the job description for the Deputy City Attorney to require four years of experience instead of five years to widen the recruitment pool and no change in salary

(Referred to Personnel Review Committee)

Whereas, the Mayor has requested a review of the current minimum requirements for the position of Deputy City Attorney

Be it resolved by the Common Council of the City of Middletown:
That it approves the modification of the minimum requirements of the Deputy City Attorney position from a minimum of five years to a minimum of four years experience.

Title: Deputy City Attorney
Department: Legal
Date: March 2001 Salary Grade: 17 (E)

Purpose of Position
The purpose of this position is to provide legal representation to the City, to provide legal advice and prepare legal opinions for the City in matters requiring interpretation of state, federal and local laws, regulations and contracts. The work is performed under the direction of the City Attorney.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Researches legal issues. Prepares litigation pleadings, memoranda, letters, legal opinions; maintains legal publications.
- Attends Council, board and commission meetings; meets with City officials and employees; meets with Mayor or Mayor's staff to provide legal advice and assistance.
- Administers the Legal Department in the absence of the City Attorney.
- Attends Court, arbitration hearings and other proceedings.
- Review contracts and mail.
- Assists special counsel as needed.
- Performs site visits for code enforcement or road project issues.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Juris Doctor, Admission to Practice before the Connecticut Courts and Admission to Practice before Federal Courts with a minimum of ~~five~~ four years of general law experience.

Physical and Mental Abilities Required to Perform Essential Job Functions Language Ability and Interpersonal Communication

- Requires the ability to perform upper-level data analysis, including the ability to hypothesize, theorize and assimilate, to modify or adapt existing policies/methods to meet unusual conditions within the context of existing theories and management principles.
- Requires the ability to apply principles of negotiation within the context of legal guidelines.
- Requires the ability to utilize reference, descriptive, consulting, design and advisory data and information such as pleadings, contracts, bid documents, legal opinions, statutes, City Charter, ordinances, law books, legal briefs, non-routine correspondence, economic analysis, and organizational analysis.
- Requires the ability to communicate orally and in writing with the City Attorney, Mayor, Common Council, City Department Heads and Directors, City employees and officials, boards, commissions, committees, other attorneys, Court personnel, Judges, the media and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as typing.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify degrees of similarities or differences between characteristics of colors, shapes, sounds, and textures associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors may cause discomfort and poses a limited risk of injury.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Agenda Item 15-16

Councilwoman Bartolotta reads and moves for approval agenda item 15-16 and her motion is seconded by Councilwoman Kasper.

Councilman Serra asks a point of clarification did this come from PRC with an affirmative vote. Councilwoman Kasper responds, it did.

The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative votes.

Resolution No. File Name Description

**136-12
pe642012adseciiasstregvitalsres/pe642012adseciiasstregvitalsjobdesc
Approving the reclassification of the Clerk Typist III/Assistant Registrar of Vital Statistics to Administrative Secretary II/Assistant Registrar of Vital Statistics, Salary Grade 6, Local 466, 35 hours and approving the current incumbent be reclassified into the new position; approving the inclusion of the position into the Classified Plan with the removal of the Clerk Typist III/Assistant Registrar of Vital Statistics from the Plan.**

(Approved)

Whereas, the current job description for the Clerk Typist III/Assistant Registrar of Vitals Statistics (Salary Grade 6 – AFSCME Local 466) fails to address the various duties of department accounting and performance of various office functions

Be it resolved by the Common Council of the City of Middletown:

That it approves the inclusion of Administrative Secretary II/Assistant Registrar of Vital Statistics, Salary Grade 6 Local 466, 35 hours, and to reclassify the incumbent in said position in accordance with the City of Middletown Personnel Rules; and

Be it further resolved by the Common Council of the City of Middletown: that the position(s) of Clerk Typist III/Assistant Registrar of Vital Statistics shall be removed from the Classified Plan.

Fiscal Impact: No change in salary

Title: Administrative Secretary II/Assistant Registrar of Vital Statistics

Department: Health

Date: March 2012

Salary Grade 6

Purpose of Position

The purpose of this position is to perform a variety of clerical and accounting work in support of department operations, to assist the Director in Vital Statistics duties and to perform reception duties. The work is performed under the direction of the Director of Health/Vital Statistics.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Greets, screens, assists and directs the callers and visitors; answers questions; provides information; refers individuals to appropriate department/personnel; takes and relays messages.
- Acts as Assistant Registrar of Vital Statistics; prepares, records, files, indexes and attests to copies of all birth, death and marriage certificates for Middletown residents occurring locally and out of town; ensures compliance with Connecticut state statutes. Prepares and types home birth certificates for filing with the State.
- Maintains statistical records of births, deaths and marriages in computer databases and spreadsheets.
- Creates, compiles, composes, and maintains ledger, confidential and certificate book indexes for permanent records according to state statutes; maintains and assigns numbers to confidential files.
- Prepares, types and transcribes a variety of reports, documents and correspondence; types legal orders, news releases and orders for inspection staff; compiles, issues, receives, amends, copies, mails out and indexes all legal or restricted certificates and documents.
- Compiles information and types applications for issuing marriage licenses.
- Coordinates work with funeral home directors, sexton, clergy, nursing home personnel, hospital staff and state personnel. Receives reports from sexton and compiles and indexes burial books.
- Balances daily deposit sheets from revenues received; prepares reconciliation reports for Finance Department; compiles monthly revenue sheets from daily sheets and prepares annual report.
- **May perform department accounting functions; post journal entries; records in revenues and processes payments or bills; prepares and provides account information.**
- Bills other towns for attested copies of birth, death and marriage certificates; mails out copies and maintains lists.
- Works with citizens to obtain Apositiles from the Secretary of State.
- Provides clerical support to other department personnel. Assists genealogists, title searchers, attorneys and the public in researching family histories. **Coordinates various office functions. Orders supplies and maintains inventory.**
- Distributes vaccine to authorized medical personnel.
- Assists in preparations for the teen life conference.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent. **Two** years of related clerical/recordkeeping experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires **ability to obtain** Assistant Registrar of Vital Statistics certification. **Valid Connecticut driver's license is required.**

Physical and Mental Abilities Required to Perform Essential Job Functions

Language Ability and Interpersonal Communication

- Requires the ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and diagnose. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Requires the ability to persuade, convince, influence, train and monitor, in favor of a desired outcome. Requires the ability to act as a lead person.
- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as bills, reports, court papers, confidential files, legal orders/notices, amendments, manuals, ledgers, burial book, immunization sheets, lists, indexes, vital records, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director and all department personnel, other City departments, investigators, state agencies, City officials, other municipalities, funeral directors, nursing home personnel, hospitals, and the public.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; and to calculate percentages and decimals.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as rapid keyboard use.

- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under safe and comfortable conditions where exposure to environmental factors is minimal and poses a very limited risk of injury.

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Agenda Item 15-17

Councilman Klattenberg reads and moves for approval agenda item 15-17; his motion is seconded by Councilman Serra. There is no discussion. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter is adopted unanimously with 11 affirmative votes.

Resolution No.
File Name
Description

137-12
tareplacement10%resolution
Approving the 10% release for the Tax Assessor from line item 1000-10000-55185, Contractual Services in the amount of \$20,000 in order to pay for revaluation services prior to June 30, 2012.

(Approved)

Whereas, The City Assessor is required to perform a revaluation of all property, including physical inspections in accordance with 12-62 of the Connecticut General Statutes; and

Whereas, the City anticipates signing a contract for revaluation services prior to June 30, 2012; and

Whereas, the budget for contractual services 10% reserve hold totals \$20,000.00.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That the 10 percent reserve currently in line 1000-10000-55185-0000-00000-0000-000 for \$20,000.00 be returned to line 1000-10000-55185-0000-00000-0000-000 to allow for payment of revaluation services.

Fiscal Impact: The 10% reserve of \$20,000.00 would not be returned to the general fund at the end of the budget year from the Assessor's Office.

Agenda Item 15-18

Councilman Serra reads and moves for approval agenda item 15-18; his motion is seconded by Councilman Pessina. Councilman Serra states it was unanimously endorsed by the Public Safety Commission. The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter is adopted unanimously with 11 affirmative votes.

Resolution No.
File Name
Description

138-12
pdpolicesgts2012
Approving moving forward two additional sergeants in the Police Department from July 1, 2012 to upon passage of the resolution with the filling of the positions to begin immediately.

(Approved)

Whereas, the 2012-2013 Police Department Budget provides for two additional Sergeant positions; and

Whereas, the current Police budget for fiscal year 2011-2012 has the funds to pay for the additional sergeant positions.

Now, Therefore, Be It Resolved By the Common Council of the City of Middletown: That the Police Department move forward the start of two additional sergeant positions from July 1, 2012 to the date of passage of this resolution; and

Be It Further Resolved: That the number of sergeants is set at 16.

Agenda Item 15-19

Councilman Santangelo reads and moves for approval agenda item 15-19; his motion is seconded by Councilman Faulkner.

Councilwoman Kasper states she has a question on the agreement, #2 the Police Chiefs and says the procedures are attached and I don't have them attached and her concern is what the regulations are for enforcement, is that what they are administered or is it our own personnel rules. Councilman Santangelo responds in an interlocal agreement, the agency involved is the police department and the chiefs are the oversight board. For discipline, each

department is responsible for doing that. It is an escape clause, hold harmless clause. There has to be an oversight body. Councilwoman Kasper states she understands that but she doesn't have part of it, the procedures were not attached. The Chair states each town would have the authority to discipline only their officers. Councilman Santangelo states there is no fiscal impact because each town is paying for their own expenses. Each Department has its own policies and that is what would be followed. Councilwoman Kasper states that is what she was asking. The Swat team has its own procedures. The Chair thanks the Councilman.

Councilman Pessina states item 2, the Police Chiefs are the oversight board other than the Swat team; if East Hampton needs us, our personnel would fall under their Police Chief and Chief McKenna would be advisory. Councilman Pessina states it talks about an oversight board and number 4 addresses the jurisdictional issue. If East Hampton needs us, this agreement would supersede and let us operate in their town.

The Chair calls for a vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes unanimously with 11 affirmative vote.

Councilman Serra states the intent is that individuals under the Chief, they are the ones in command. The Swat team goes under their commander. The Chair states we are moving on.

Resolution No.
File Name
Description

139-12
pdmouportlandeasthamptonmiddletown2012
Approving authorizing the Mayor to sign the agreement entitled Non-Emergency Interagency Agreement among the Police Departments in Middletown, Portland, and East Hampton.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew is authorized to sign the non-emergency interagency agreement between the Police Departments of the City of Middletown, Portland and East Hampton; and

BE IT FURTHER RESOLVED: That this agreement shall be reviewed not later than five years from the effective date of the agreement.

NON-EMERGENCY INTERAGENCY AGREEMENT

Middletown Police Department
Portland Police Department
East Hampton Police Department

WHEREAS, Connecticut General Statute § 7-148cc authorizes two or more municipalities to jointly perform any function that each municipality may perform separately under any provisions of the general statutes or of any special act, charter or home rule ordinance.

WHEREAS, each of the participating municipalities recognizes the benefits of joining together for the performance of joint police functions;

WHEREAS, each of the participating municipalities find that entering into a joint participation agreement is necessary for the delivery of more effective services to the citizens of their respective municipalities; and

WHEREAS, the undersigned municipalities wish to cooperate in the joint performance of General Law Enforcement Services;

NOW, THEREFORE, it is agreed by and between the municipalities signing this compact by their respective chief executive officers, duly authorized upon approval as set forth in said Connecticut General Statute, to the following:

1. The undersigned municipalities hereby delegate to the Chief of Police of their respective municipality the authority to determine when the provision of police personnel resources best serves the purpose of this compact and benefits their respective community.
2. The Police Chiefs of the municipalities participating in this compact shall constitute an oversight board for the group created herein. This board is authorized to administer the procedures attached to this compact and may modify these procedures as necessary to insure efficient and effective operation.
3. The services performed under this compact shall be deemed to be for public and governmental purposes.
4. That at all times when joint police functions are being conducted, police officers assigned to the function shall be deemed to be members of an authorized group and shall have the same powers, duties, privileges, and immunities as are conferred on the police officers of the municipality in whose jurisdiction the group is operating.
5. Each participating municipality agrees that it shall be responsible for all costs, whether monetary or in the form of goods or services, it incurs as a result of participation in this compact. Such costs may include, but are not limited to:
 - a. The actual payroll, including overtime, for the agency's personnel participating in compact activities.
 - b. The replacement or repair cost for any equipment lost, destroyed, damaged or made unavailable as a result of participation in this compact.
 - c. Fuel and maintenance costs for any vehicles and equipment.
 - d. Training costs arising from participation in this compact.
 - e. Worker's Compensation claims pursuant to Connecticut General Statutes §§31-275 through 31-355a.
 - f. Awards for death, disability or injury to employees participating in compact related activities to the extent that such awards exceed Worker's Compensation coverage.
 - g. Survivor's benefits pursuant to Connecticut General Statute §7-323e.
 - h. Heart and hypertension claims pursuant to Connecticut General Statute §7-433c.
 - i. Cost arising from agreement, contracts or obligations the municipality entered into prior to entering this compact.
6. To the fullest extent permitted by law, any participating municipality negligently causing injury or damage shall indemnify and hold harmless the other parties to this compact (and their employees and agents) from any and all claims caused by such party's negligence. In instances where the identity of the negligent actor cannot be determined and/or where liability is predicated upon joint venture, vicarious liability or upon other similar grounds, it is

Dated: June ,2012
City of Middletown

Dated: June ,2012
Town of Durham

By Daniel T. Drew, Mayor

By Laura Francis, First Selectman

Agenda Item 15-21

Councilman Klattenberg reads and moves for approval the amendment to Section 272-17 of the Code of Ordinances; the motion is seconded by Councilman Faulkner. There is no discussion. The vote is called.

Councilman Pessina states Councilman Daley said they had a meeting to amend the language. Councilman Daley states the changes are reflected with the language you have. The chart is in text. The Chair states this repairs the credit benefit.

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

Ordinance No.
File Name
Description

13-12
sec
Approving amending Section 272-17 and a new Article II of Chapter 272 of the Middletown Code of Ordinance to provide clearer language for the implementation of the Senior Tax Relief program.

(Approved)

Be it ordained by the Common Council of the City of Middletown: That a new Article II and new Section 272-17 be added to Chapter 272 of the Middletown Code of Ordinances to read as follows:

ARTICLE II

§272-17. SENIOR CITIZEN TAX RELIEF REGULATIONS

Section A. Generally.

The City hereby enacts tax relief for the elderly eligible residents of the City for the fiscal year commencing July 1, 2012 on the terms and conditions provided herein. Unless otherwise stated, tax relief shall refer to all programs in this Article.

(1) **Requirement.** Before any tax relief shall be given, such person must first have applied and qualify for tax relief under any other state statute under which he or she is eligible. Applicants cannot combine or receive tax relief under more than one of the following local programs.

(2) **Must be eligible.** The application for tax relief under this Article shall have been made by such person after he or she has become eligible to apply therefore.

(3) **Reimbursement.**

(a) **Credit.** If any person with respect to whom a claim for tax relief in accordance with this section has been approved for any assessment year transfers, assigns, grants or otherwise conveys subsequent to the first day of October, but prior to the first day of August in such assessment year the interest in real property to which such claim for tax relief is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax relief benefit, determined as the amount by which the tax payable without benefit of this section exceeds the tax payable under the provisions of this section, shall be a pro rata portion of the amount otherwise applicable in such assessment year to be determined by a fraction the numerator of which shall be the number of full months from the first day of October in such assessment year to the date of such conveyance and the denominator of which shall be twelve. If such conveyance occurs in the month of October the grantor shall be disqualified for such tax relief in such assessment year. The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the assessor thereof, or in the absence of such notice, upon determination by the assessor that such transfer, assignment, grant or conveyance has occurred, the assessor shall determine the amount of tax relief benefit to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the tax collector of the reduced amount of such benefit. Upon receipt of such notice from the assessor, the tax collector shall, if such notice is received after the tax due date in the municipality, no later than ten days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than thirty days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

(b) **Deferral.** Deferral lien will be required to be paid upon the death of the recipient, conveyance of the real property subject to such tax deferral, or when the real property subject to such tax deferral is no longer the recipient's primary residence. The assessor will notify the Tax Collector upon verification that the applicant is no longer eligible. Repayment is due no later than sixty (60) days from the Tax Collector's written request.

(4) **Reimbursement upon death.** All benefits shall be reimbursed to the City upon the death of the recipient or conveyance of the real property subject to taxation in accordance with subsection (6) of this section.

(5) **No delinquent taxes.** There must be no delinquent taxes on the real property as of the close of the application period (May 15). This will apply to new applicants and at the time of renewal. Current participants will not be grandfathered.

(6) **Residency.**

- (a) Such person shall have owned real property in the City for at least one (1) year prior to the start of receiving benefits, i.e. July 1, per G.S. § 12-129n and has paid real estate taxes on a residence to the City for a period of one (1) years per G.S. § 12-129n prior to his or her application for tax relief.
- (b) The real property for which the exemption is claimed must be the legal domicile of such person, and such person shall be present in residence therein for at least one hundred eighty three (183) days in each grand list year for which the exemption is claimed. Such claim for exemption shall be for one (1) residence only.
- (c) Either spouse shall have resided within this state for at least one year before filing a claim under this section.
- (d) In any case where title to the real property is recorded in the name of the taxpayer or his spouse and/or any other person or persons, the tax relief granted herein shall be prorated to reflect the fractional share of such taxpayer or spouse; and, furthermore, if such property is occupied as a multiple-family dwelling, such relief shall be prorated to reflect the fractional portion of such property occupied by the taxpayer. **Any homeowner qualified for tax reduction, shall in no event receive less in tax credit than the minimum amount.**

Section B. Curtilage.

The tax credit for real property as provided herein shall apply only to the residence itself, the lot on which the residence is located and the improvements thereon. Only that portion of the lot equal to the minimum zoning requirement where the lot is situated shall receive tax credit.

Section C. Application.

- (1) Any eligible taxpayer, or his or her authorized agent, shall file an application for tax relief under this Article with the Tax Assessor of the City, between February 1st and through May 15th on a form prescribed and furnished by the City. In making such application the taxpayer shall present to the Tax Assessor a copy of their federal income tax return for the previous calendar year, or if not required to file a return, such other evidence of qualifying income which the Tax Assessor may reasonably require to establish compliance with the income qualifications provided in this Article. The applicant, or his or her authorized agent, shall sign a sworn affidavit, in the presence of the Tax Assessor or a member of the Tax Assessor's staff affirming the accuracy of the statements in the application.
- (2) When the Tax Assessor is satisfied that the applying taxpayer is entitled to tax relief under this Article, he shall compute the amount of such tax relief or tax deferral and cause a certificate of tax credit to be issued in such form as to permit the Tax Collector to reduce the amount of tax levied against the taxpayer and make proper record thereof, and a copy thereof shall be delivered to applicant. The tax credit shall be applied proportionately to the tax payments.
- (3) Any person aggrieved by the decision of the Tax Assessor may appeal to the Board of Assessment Appeals in accordance with the provisions of G.S. §§ 12-111 and 12-112.
- (4) Affidavits, applications or other documents presented in support of the application for tax relief shall not be open for public inspection and shall not be disclosed except in case of an appeal or in connection with claims of fraud to the proper authorities.
- (5) Any person entitled to the tax relief pursuant to this article is required to file biennially for the benefit; however, if the taxpayer's income exceeds or changes under this Article, and as set forth under subsection (2) above, said person shall be required to reapply.

Section D. Local Option Tax Credits, Deferral

As provided under Section §12-129n of the Connecticut General Statutes, any person who owns real property in the City or who is liable for the payment of taxes thereon under § 12-48 C.G.S. and occupies that property as his or her own principal residence, shall be eligible for the real property tax relief set forth in this Article provided all of the following conditions are met:

- (1) **Age.** Applicants must be (1) sixty-five years of age and over, or whose spouses, living with them, are sixty-five years of age or over or sixty years of age or over and the surviving spouse of a taxpayer qualified in such municipality under this section at the time of his or her death or with respect to real property on which such residents or their spouses are liable for taxes under section 12-48 C.G.S, or (2) under age sixty-five and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under Social Security.
- (2) **Income.** The purpose of this Article is to provide tax relief based upon the total income available to the applicant(s) in the home without regard to the exclusion of certain income or to certain deductions which might otherwise be allowable by the Internal Revenue Service Code of 1986, as may be amended from time to time. Such person(s) shall have individually, if unmarried, or jointly, if married, qualifying income in an amount not to exceed limits described below for the tax year ending immediately preceding the application for tax relief benefits. Accordingly, qualifying income is defined as set forth below.
- (a) Income is the total income in the home shown on Line 22 of the current IRS form 1040 [or line 15 of the current IRS form 1040A] plus nontaxable income received from Social Security plus federally tax exempt interest or other income and includes income paid to or given to the applicant or his or her eligible spouse by persons living in the home.
- (b) In determining the total income in the home there shall be no allowance for: 1) business losses in excess of business gains [current IRS form 1040 Schedule C or Schedule C-EZ]; 2) losses in excess of gains on current IRS form 1040 Schedule E (page 1 line 17) (rental real estate, royalties, partnerships, S-corps, trusts, etc.); and/or 3) negative income on current IRS form line 21.

(c) The reference to current IRS forms shall include comparable data as contained in any revised IRS forms.

(d) Where an applicant does not file an IRS form, the information used to calculate total income in the home, shall be the information which would have been included on an IRS form, had one been filed, i.e., SSA-1099; 1099-Div.; 1099-Int.; 1099-R; etc.

(e) In the event of a question with respect to income or a claimed exemption of income, or deduction from income, not specifically referred to in this section, the Assessor shall make a determination based upon the purpose of this article. Any dispute on this section, or any other section, may be appealed to the Board of Assessment Appeals.

(3) *Local Option Tax Credits.* All applicants who make up to \$5,000 more than the maximum income requirements under the State of Connecticut Elderly and Totally Disabled Tax Relief Program, and adjusted annually, may apply for a Local City of Middletown Option. The income guidelines may change annually based on the income levels declared by the State Department of Office of Policy & Management and Intergovernmental Policy Division as provided under C.G.S. §12-170aa.

(a) Qualified married applicants shall be entitled to the lesser of: 5% of the current net property taxes, or a maximum city property tax credit of \$200.00, or a minimum property tax credit of \$100.00 unless otherwise entitled to a property tax credit through the State Office of Policy & Management and Intergovernmental Policy Division as provided under C.G.S. §12-170aa.

(b) Qualified unmarried applicants shall be entitled to: the lesser of: 5% of the current net taxes, to a maximum city property tax credit of \$150.00, or minimum credit of \$50.00 unless otherwise entitled to a property tax credit through the State Office of Policy & Management and Intergovernmental Policy Division as provided under C.G.S. §12-170aa.

(c) Any applicant who qualifies for a property tax credit through the State Office of Policy & Management and Intergovernmental Policy Division as provided under C.G.S. §12-170aa. shall receive a minimum city property tax credit of \$50.00.

(4) *Local Option Tax Deferral.*

(d) Benefit shall be up to one hundred (100) percent of tax due less amounts received under state elderly tax relief programs.

(e) All benefits shall be reimbursed in accordance with Section A. (3) (4).

(f) The amount of such tax deferral, plus interest calculated at the rate of one and one-half per cent of such tax for each month or fraction thereof which elapses from the time when such tax becomes due and payable until the same is paid, shall be recorded on the land records of the City and shall constitute a lien on the property. Any such lien shall have a priority in the settlement of such person's estate.

(g) Total deferrals plus interest for all years shall not exceed the assessed value of the real property.

Section E: Local Option Tax Freeze

As provided under Section §12-170v of the Connecticut General Statutes, which authorizes municipalities to freeze taxes for qualifying seniors, any person who owns real property in the City or who is liable for the payment of taxes thereon under § 12-48 C.G.S. and occupies that property as his or her own principal residence, shall be eligible for the real property tax relief set forth in this Article provided all of the following conditions are met:

(1) *Age.* On December thirty-first of the calendar year preceding the year in which a claim is filed, be (A) seventy years of age or over, (B) the spouse of a person, seventy years of age or over, provided such spouse is domiciled with such person, or (C) sixty-two years of age or over and the surviving spouse of a taxpayer who at the time of such taxpayer's death had qualified and was entitled to tax relief under this section, provided such surviving spouse was domiciled with such taxpayer at the time of the taxpayer's death,

(2) *Income.*

(a) The taxable and nontaxable income of such taxpayer, the total of which shall hereinafter be called "qualifying income", in the tax year of such homeowner ending immediately preceding the date of application for benefits under the program in this section, was not in excess of limits set forth in section 12-170aa, as adjusted annually, evidence of which income shall be submitted to the assessor in the municipality in which application for benefits under this section is filed in such form and manner as the assessor may prescribe. The amount of any Medicaid payments made on behalf of such homeowner or the spouse of such homeowner shall not constitute income. The income of the spouse of such homeowner shall not be included in the qualifying income of such homeowner for purposes of determining eligibility for tax relief under this section, if such spouse is a resident of a health care or nursing home facility in this state, and such facility receives payment related to such spouse under the Title XIX Medicaid program.

(b) Each applicant shall sign an affidavit (City application) and IRS Form 4506, allowing the City to verify the prior two (2) years' tax returns, certifying that the information provided with respect to such applicants' total income in the home is true and accurate to the best of the knowledge of the applicant.

(c) The taxpayer may have no more than \$125,000 in assets, excluding the residence for which relief is sought.

(3) *Change of Assessment.* In the event that the applicant shall make improvements to his property resulting in an increase in his assessment, an amount calculated by multiplying the increase in taxpayer's assessment attributable to the improvement by the mill rate in effect in the year such reassessment takes place shall be added to the freeze amount then applicable to obtain a revised freeze amount which will be the freeze amount for subsequent assessment years.

(4) *Effective Date.* The tax freeze pursuant to this section shall take effect with the next tax bill.

Section F. Effective date and duration.

This article shall apply to the taxes for the fiscal year beginning July 1, 2012 and shall be reviewed thereafter annually during the month of September, beginning in September

2013. Any amendments to the ordinances in this Article shall be effective as of the date set forth in said section.

(a) Unless otherwise extended, this tax relief shall expire after the Grand List of October 1, 2013.

Agenda Item 16

Description Mayor's Appointments.

The Chair reads the appointments and asks for a motion to approve. Councilman Serra so moves. Councilman Daley states he would be interested when the other appointments will be made and would like to see the whole committee to see if it is the right blend on the committee. We wanted people with expertise with different technologies and he would like to see them at once.

Councilman Serra states with that appointment, there will be three Council members and we need to make recommendations.

Councilwoman Kasper seconds the motion. Councilman Faulkner asks if we are considering approaching corporations; the Chair states we could.

Motion to Table

Councilman Klattenberg moves to table. The Chair asks if everyone is amenable to tabling the appointments. Councilman Daley seconds the motion. The Chair calls for the vote and it is unanimous to approve with ten aye votes. Council Members Kleckowski and Bartolotta are not present. The Chair states the matter passes.

Technology Advisory Committee:

Appointment of David Bauer, public representative
Appointment of Kenneth Skomro, City employee representative

(Tabled)

The Chair makes the appointment to the Housing Authority. Councilman Serra so moves and is seconded by Councilman Daley. The vote is unanimous to approve with ten aye votes.

Information Only:

Housing Authority:

Appointment of Senova Stone to March 30, 2017.

(APPROVED)

Agenda Item 17

Description Contingency Fund Transfers

The Chair states there was one contingency fund transfer in the amount of \$3000 to Line Item 1000-01000-52110-0010, expenses associated with the China trip.

Agenda Item 18

Description Questions to Directors on Nonagenda Items

The Chair asks if there are any questions to directors on nonagenda items. There are none.

Chair asks if there are any questions for directors on nonagenda items. Councilman Pessina states he has two questions and he brings up the report regarding the China trip and asks if that can be done in July after the trade expo and include the benefits to the City and the companies who visited and the result of the visit. The Chair states he will make a report after the summit. Councilman Pessina states the revised district maps have not been placed at the Registrar of Voters Office. The Chair will check with the Registrar's office. He states the changes were made by the Council and will check into it.

Point of Personal Privilege

Councilman Berch thanks everyone for the cards and well wishes on behalf of his wife and himself.

Motion to Adjourn

Councilman Serra moves to adjourn and is seconded by Councilman Berch. The Chair calls for the vote; it is unanimous with twelve ayes. The Chair adjourns the meeting at 9:59 p.m.

ATTEST:

MARIE O. NORWOOD
COMMON COUNCIL CLERK