



REGULAR COMMON COUNCIL MEETING
JULY 5, 2011
7:00 P.M.

- Regular Meeting** The Regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Tuesday, July 5, 2011 at 7 p.m.
- Present** Mayor Sebastian N. Giuliano, Deputy Mayor Joseph E. Bibisi; Council Members: Thomas J. Serra, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, and Daniel Drew; Corporation Counsel William Howard, Sergeant-at-arms Acting Chief of Police Patrick McMahon; and Common Council Clerk Marie O. Norwood.
- Absent** Council Members Ronald P. Klattenberg and James B. Streeto
- Also Present** Twenty-five members of the public
- Meeting Called to Order** The Chair calls the meeting to order at 7:24 p.m. and leads the public in the Pledge of Allegiance.
- Call of Meeting Read** The Call of the meeting is read and accepted. The Mayor declares this call a legal call and the meeting a legal meeting.
- Motion to Amend Agenda** Councilman Serra moves to amend the agenda by adding agenda item 9E, a grant confirmation and approval for the Board of Education which includes additional grant proceeds through June 30, 2011. Councilman Pessina seconds the motion. The vote is called and it is unanimous, with ten aye votes by the members present and voting, to amend the agenda. The Chair states the motion carries unanimously.

Agenda Items **3-1 through 3-6**
Description **Resolutions**

Councilman Drew is recognized by the Chair and reads a resolution Honoring Beverly Combe. He moves it for approval and is seconded by Councilman Serra. The Chair states without objection, the resolution is adopted by acclamation. There is no objection and the Chair declares it approved.

Resolution No. **99-11**
File Name **cccombe2011.doc**
Description **Honoring Beverly J. Combe.**
(Approved)

Whereas, Beverly J. Combe began working for the City of Middletown in September, 1989 with the Board of Education; and

Whereas, Beverly has been a diligent and dedicated Board of Education School Secretary; and

Whereas, Beverly is retiring after twenty-two years of service in the City of Middletown.

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

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

Agenda Item **3-2**

Councilman Serra invites Dennis Distefano to come forward to the podium. He reads and moves for approval agenda item 3-2, a resolution honoring Dennis Distefano. He congratulates Mr. Distefano and states for all the retirees, there will be a few hundred years of service and he wants to thank you for the service you have provided to the school system and the City of Middletown. The Chair recognizes Councilman Pessina who states He wants to thank Dennis personally; he is a volunteer Football Coach at Middletown High and has been for the last five or six years; he states the work you did in preparing the fields and breaking them down on Hunting Hill Avenue was outstanding. You did a great job and he hopes he enjoys his retirement. The Chair states without objection, the resolution is adopted by acclamation.

Resolution No.
File Name
Description
(Approved)

100-11
ccdistanoret2011.doc
Honoring Dennis Distefano.

Whereas, Dennis A. Distefano began working for the City of Middletown in May, 1982 with the Board of Education; and

Whereas, Dennis began as a custodian in the schools and he became a Lead Maintenance Worker for the Facilities Department and has been a dependable staff member; and

Whereas, Dennis is retiring after twenty-nine years of service in the City of Middletown.

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

BE It Further Resolved: That we wish Dennis good luck in all his future endeavors.

Agenda Item **3-3**

Councilman Santangelo moves to the public podium and invites William Huff to come forward. Councilman Santangelo reads the resolution and congratulates Mr. Huff. He moves it for approval. His motion is seconded by Councilman Serra. The Chair recognizes Councilman Pessina who states you won't get away that easily. He thanks Mr. Huff for his work at Police Headquarters. You worked hard and your cooperation was impeccable and outstanding; enjoy your retirement. The Chair states the matter is adopted by acclamation.

Resolution No.
File Name
Description
(Approved)

101-11
cchuffret2011.doc
Honoring William Huff.

Whereas, William M. Huff began working for the City of Middletown in October, 1996 with the Board of Education; and

Whereas, he began as a custodian in the schools; he transferred to the Police Department in 2004 with the title Building Superintendent II and has been a responsible staff member; and

Whereas, William is retiring after fifteen years of service in the City of Middletown.

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

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

Agenda Item **3-4**

Councilman Daley moves to the podium with Diane Imme. He reads agenda item 3-4 and moves it for approval and is seconded by Councilman Serra. The Chair states the matter is adopted by acclamation. Councilman Daley states he has known Diane and her family for many years; her dad was in charge of this building for years and this is a wonderful event for you and your family. Diane accepts the congratulations of the Council.

Resolution No.
File Name
Description
(Approved)

102-11
ccimmediane.doc
Honoring Diane Imme.

Whereas, Diane Imme began working for the City of Middletown in September, 1995 as a School Crossing Guard; and

Whereas, in 1999, Diane was promoted and transferred to the Finance Department as an Accounts Clerk II where she has been a dependable and responsible staff member for twelve years; and

Whereas, Diane will be retiring after sixteen years of service in the City of Middletown.

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

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

Agenda Item **3-5**

Councilman Faulkner is recognized by the Chair and asks that Tina Lynch come forward. He reads the resolution and moves it for approval. He thanks Mrs. Lynch for her years of service to the city of Middletown.

Councilman Pessina seconds the motion. The Chair states it is approved by acclamation.

Resolution No.
File Name
Description
(Approved)

103-11
cclynch2011ret.doc
Honoring Tina Lynch.

Whereas, Tina Lynch began working for the City of Middletown in March, 1987 with the Board of Education; and

Whereas, Tina has been a School Nurse, a dependable and dedicated employee of the City's Board of Education; and

Whereas, Tina is retiring after twenty-four years of service with the Board of Education in the City of Middletown.

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

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

Agenda Item **3-6**

Councilwoman Kasper asks that John Rzasa come forward to the podium. She reads the resolution and congratulates John on his retirement and thanks him for his years of service. Her motion is seconded and the Chair states the matter is adopted by acclamation.

Resolution No.
File Name
Description
(Approved)

104-11
cczasaret2011.doc
Honoring John B. Rzasa

Whereas, John B. Rzasa began working for the City of Middletown in September, 1989; and

Whereas, John began as a custodian in the Municipal Building; he transferred to the Board of Education and became a Building Superintendent I; his last assignment was working at Farm Hill School; and

Whereas, John is retiring after twenty-two years of service in the City of Middletown.

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

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

Agenda Item **4**
Description **Approval of Minutes**

The Chair Asks if there are any deletions or corrections to the minutes; hearing none he requests a motion to approve the minutes of the regular Common Council meeting of June 6, 2011 at 7 p.m. meeting; Special Meetings of June 6, 2011 at 6 p.m., June 9, 2011 at 7 p.m., June 9, 2011 Immediately following the 7 p.m. meeting, June 14, 2011 at 7:30 p.m. and June 20, 2011 at 7:30 p.m. meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and is seconded by Councilman Pessina. There is no discussion. Councilwoman Kasper is recognized and abstains from the vote on the meetings of June 9, 2011. It is unanimous to approve with ten aye votes and one abstention. The Chair states the matters are accepted with one abstention and no one in opposition. The minutes are approved.

Agenda Items **5 and 6**
Description **Public Hearing Opens on Agenda Items**

Public Hearing Opens

The Chair opens the public hearing and states it is also a hearing to appropriate \$750,000 for the construction of interscholastic locker room facilities at Middletown High School. That is not an action item. This is the first of two public hearings and the vote will be taken on the 14th of July where there will be another public hearing. He asks anyone who wishes to address the Council on this item or any agenda item to come forward. The public hearing is opened at 7:39 p.m.

Salvatore Caracoglia addresses the Council saying first of all I commend and thank you for the restoration of the fireworks. This is second year it was not going to be happening and all of a sudden the fireworks will be restored and will come on Thursday. The Chair states next year; we are appropriating

funding for next year's fireworks display. Mr. Caracoglia states he is disappointed they will not have fireworks this year. I think I deserve with what is going on with the Board of Education, you were able to come up with \$1.2 million to give back to the Board and this money if I recall correctly and Councilman Bibisi mentioned a fact there was a deficiency of books and felt compelled to support it and Councilman Pessina mentioned the fact he was concerned about teachers and he would not like to see teachers cut and so they were in favor of the budget and two other abstained or voted against and the rest voted for the restoration and if I recall correctly Dan Drew mentioned the fact the money was going to the children of the education so he was going to vote for it. However, after the fact, then I read that this money was given as an incentive toward the administration; the money never went to the children and I am upset with you all. Why do you always mislead the public that money is going for the children then all of a sudden we hear \$800,000 went to the administration who makes an enormous amount of money; they don't need \$20,000 or \$6,000 for traveling. We have to have responsible representatives since no one really cares what the people in Middletown want in savings. I am disappointed about all of you. I call it corruption for wasting our money. That should not be so. Going back to resolution 11-15, I see here, waiving the competitive bidding requirements, and 11-15 talks about the fire truck and no one will begrudge anyone, but I have here a bid waiver. All around the town, I see people or companies that submit a bidding for whatever jobs they do for the City of Middletown, the same people and company. I don't see other businesses get a job because they are starving. It is the same people doing the same job and they may not charge as much to get the work. Recently, last year there was a replacement for 5 electric poles and some work done on the field at the Board of Education and I think we expended \$76,000 and I don't understand where this money went to because it was not \$76,000 of work. I hope someone could explain it. We are talking about lockers, when we need something, I remember we had a referendum for \$91 million to build this high school and it was rejected. The politicians reduced it to \$71 million. From \$71 million, you politicians you bumped it to \$91 million and then to \$111 million and from there to \$130 million. I don't understand that this locker was built too small and the pool which actually broke down and then we have to refix this thing here. Why was the locker room not built correctly. Are we incompetent. I will not spend money on my house when I see waste. You think I am rich. We are spending money over and over again. I would like to know if there is work to be done, do you as Councilmen give work to companies that do the work for the City of Middletown hiring illegal workers. The Chair responds no. Mr. Caracoglia asks if we are sure. The Chair states he can't be sure of everything; we usually give the work to union shops and they have to be legal members. Mr. Caracoglia states I know it is not you and I want to ask you if there are companies doing work for City that hire illegal workers because if so, they are taking my right. A local worker may not get the job; I want the problem fixed. We gave the Board of Education \$146 million; why does the City give out money to the Board of Education to fix the locker room. Why does it come from the general fund when the Board has a budget. The Chair states it is a capital improvement. Mr. Caracoglia states in other words they get the budget for \$146 million. The Chair states no. Do you mean the construction of the school. It is a City expenditure, under the control of the City and the Council. Mr. Caracoglia states the money is allocated to the Board of Education. The Chair replies no, it is expended through City Hall and our Purchasing Department and is not part of their budget. Mr. Caracoglia asks why not. The Chair replies that is the law. Mr. Caracoglia asks why did they not request it through the budget. The Chair states it is capital improvement, not part of their budget and is under control of the Council.

Earle Roberts addresses agenda item 9B, transfers of approximately \$325,000, an annual issue and he hopes this number of returned monies is reflected in this budget. The \$40,000 for fireworks, he felt bad about not having them and public dollars and had to spend all the money with the Board of Education and maybe the money donated for the fireworks. Maybe attorneys could have donated some money. Item 8, police issue the two years extension for \$414,000 and financial impact, keep in mind the grand list where it is heading with Aetna and the economy is not robust. Item 11-2 CNR for \$900,000 his concern is Public Works is looking for a snow blower for \$65,000 and wonders what one looks like and \$48,000 for Park and Recreation for two lawn mowers and I own one and it is not worth \$24,000. Item 11-03 getting the same as the union, do they pay union dues. Item 11-4 relative to the stipend and the fiscal impact; there is no impact and money may be transferred and a request may come forward and it says there is an impact and we are not talking about it. Item 11-5, Phil Cacciola will retire and now is the time to consider consolidation; maybe there are other towns that need this service and think about regionalization for the services. Item 11-9, LoCIP for Donovan Park using LoCIP and my feeling has been for bricks and mortar this is a part of the pavilion and it would be nice if we asked who did

the South Green, Union Park gazebo as a project and ask for donations and get the kids in the area involved. It is a great way to build infrastructure mentality. He states Councilman Pessina knows well how that works. That is my suggestion for this request. Item 11-10 is another request for sidewalks; if you go down East Main Street there is a sidewalk not cordoned off and it is literally falling into the building and he doesn't understand why it has been like that for over a year and he hopes that will be the first project. Item 11-11 bulky waste relative to fees and income charges and he would question the issue of scrap metal; are those on income side the fees charged to bring metal there and does it include the City selling it because they get paid for it and the revenue had \$31,000 general fund and it tells me it is a revenue and it is not a real income, but an appropriation. Last, is the public hearing on ø is million for the bond for lockers and buildings. It is unfortunate this was not done when the school project was put into common sense and approval and getting the job done. It keeps coming back; they spent \$20,000 on an architect and this does not come to the public and we are spending a lot of money and the grand list and Aetna next year. He doesn't think this is favorable; we should look at how we spend the money and has the sky fallen in without doing this with the school open for three years. Is this the lowest bid and I was told there is no bid and the pocket is open for at least ø is of a million dollars for the players out there. They will look at this and the money and they would have to justify the bid but when I buy a car, I ask what it is selling for and then I tell them what I will pay. It would be fair to tell the public what is left for the whole project and the wall that did fall in has not been repaired and it is a litigation issue. What will it cost me.

Patricia Hutton addresses the bond and is against the expenditure; in a perfect world it is a wonderful idea. The federal government is broke; Connecticut is broke; and if we continue to spend, we will be broke. The Governor said the next he will do is substantial cut backs to the cities. We also spent \$800,000 to buy Eckersley Hall and then spent \$750,000 for its renovation and it may cost more to set up the inside and if you add the two numbers together and \$750,000 for lockers, that is \$2.3 million that we are spending in the last 6 months. I know you are intelligent, but look at this the way you do your own finances. A lot of people have lost their jobs in Middletown and the soup kitchen has doubled its client list in the last two years for people who can't put food on their table. She would like the Council to reconsider this.

Richard Bergan, Chair of the MHS Locker Room Building Committee and yes, I do understand what is being said and it is too bad it could not be finished when the High School was built and it needs to be finished. Realistically, it was not done when it should have been done and it was part of the original drawings and someone did not do what they had to do. They could not fix the problem. I understand not spending more money, but let's finish it off and use it and rent the facility. We can't rent it without having the locker rooms. It needs to be finished.

Public Hearing Closed

The Chair asks if there are other members of the public who wish to speak to come forward. Seeing none, the Chair closes the public hearing on agenda items at 8:06 p.m.

Agenda Item	7
Description	Appropriations

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

Notice of Public Hearing

MAYOR'S OFFICE
MUNICIPAL BUILDING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **Tuesday, July 5, 2011 at 7:00 p.m.** to consider and act upon the following:

- | | |
|------------------------------|---|
| Probate Court/Common Council | \$3,594.50, Account 1000-27000-56100-0716
Probate Court: Buildings, General Fund. |
| Special Accounts | \$40,000, Account No. 1000-27000-57030-0708,
Community – Cultural Event, General Fund. |

Any and all persons interested may appear and be heard.

ATTEST:
SEBASTIAN N. GIULIANO
Mayor

Certificate of Director
Of Finance

To: His Honor Mayor Sebastian N. Giuliano
and Members of the Common Council
From: Finance
Date: June 30, 2011
RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of July 5, 2011 are available as follows:

General Fund \$43,594.50

Respectfully submitted,
Carl Erlacher
Director of Finance

Agenda Item 7
Description Appropriation Requests

Appropriation Request Probate Court

Councilman Serra reads and moves for approval the Probate Court request; Councilman Bauer seconds the motion. Councilman Serra states we did catch this at budget hearings and this should have been done at that time. We are putting it back. Seeing no further discussion, the Chair calls for the vote. The matter passes unanimously with ten aye votes. The Chair states the matter passes unanimously with two absent and not voting.

Probate Court/Common Council \$3,594.50, Account 1000-27000-56100-0716 Probate Court: Buildings, General Fund.
(Approved)

Appropriation Request Special Events ó Cultural Event

Councilman Serra reads and moves for approval the \$40,000 appropriation request for a community event; Councilman Pessina seconds the motion. Councilman Serra asks to address it. He states this is for the first part of the fireworks for 2012. We need these monies to start the plan so we can deposit \$30,000. If you want to do it like two years ago, it would be much more. I would support this and it should have been in the budget. Hopefully, the Middletown businesses will step up to the plate and help with funding for the fireworks as New Britain businesses did as well. We are frugal in the budgets. Hopefully, businesses will help with the funding for the fireworks and we will need that for the second half. We will have to put some in if we don't get funding from businesses.

Councilman Bauer asks through the Chair, given the fact we are only appropriating \$40,000 for an event that costs twice that much given the overtime costs and costs generated to pay City employees is this implied the actual event will be held in 2012-13. Councilman Serra asks through the Chair, yes, depending what day whether it is 4th of July or a week day. In terms of actual cost of fire works, we will need another \$40,000 to ensure it is done properly. It depends on the selection of the day. The 4th has overtime and a regular day is time and æ. This is one of the positive things we need to do in these economic times. It is time to bring it back and there is a call to Middletown businesses to help us out. Councilman Bauer states if in fact we want to open up possibilities, I realize I am not part of planning, alternate sources of funding, would it not in fact be a good idea to set a day as soon as possible and he has mixed feelings and positive enough to support it and asks in the process of planning because of uncertain finances in the new fiscal year, could we establish a drop dead date where we need to go forward or pull back if finances are as bleak as the projections. The Chair states it is usually March; you won't find fireworks companies on the first of July. Councilman Bauer asks if this be an issue that we firmly lock in next February. Councilman Serra states personally I would like to have it no matter what and the Mayor and Tina Gomes takes care of this and the Mayor should select a date and it should be done quickly and we need to set up a line item if businesses come forward. Councilman Bauer states he appreciates if we are going to entertain it to have the whole business plan. He will support this.

Councilman Pessina states he will support this; we have an opportunity to regionalize with Portland, our neighbor. Initially they had a problem raising funds and they did it through community donations and the barge is a big expenditure and like at the Feast of St. Sebastian, there is no reason why we can't shoot them off from Portland where both communities can see them

and do the same kind of festivities. It is a golden opportunity to do this with Sue Bransfield and two communities are better to share the expense and it would give the communities an outstanding display. Mr. Caracoglia would like to come forward and states he ran the fireworks for the festival and business at Harborpark would provide half the funds and he had them every year.

Councilman Faulkner states we could have done like what we did for the parade; I didn't like reading the headline in the Press because it was negative. He found himself educating himself on the holiday itself and we should address that as well; education should be involved as well. There are a lot of opportunities to celebrate the holiday without spending hundreds of thousands of dollars. This should be put into the hands of a Committee as soon as possible like Arts and Culture or CAC who can work through this process.

Councilman Drew will support this. It is a wonderful event that brings people from all over the region to use the local businesses and it is one of the few times we get together as a community and with the recession, we lose sight of our heritage and he will support this.

Councilman Santangelo states more people are staying home; they can't afford to go away and in the summer there are few activities we can do to enjoy ourselves. One year, there was thunderstorms and we didn't call off the fireworks and we had 80,000 people in Middletown. It gives people in the region somewhere to celebrate and he applauds Councilman Pessina about Portland; we can ask them for the umpteenth time. Asking would be worthwhile. It is a tradition in Middletown and we have the best venue to view them.

The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously with ten aye votes.

Special Accounts **\$40,000, Account No. 1000-27000-57030-0708, Community ó Cultural Event, General Fund.**
(Approved)

Motion to Recess Councilman Serra asks for a five minute recess; the Chair states come back in eight minutes at 8:30 p.m. The Chair declares the recess at 8:22 p.m.

Meeting Reconvenes The Chair calls the meeting back to order at 8:32 p.m.

Agenda Item **8**
Description **Reconsideration**

Agenda Item **Reconsideration of Resolution 58-11**

The Chair recognizes Councilman Pessina; it needs someone from the prevailing side. The Chair asks if anyone from the majority side will move resolution 58-11. The Chair states seeing no one, the resolution fails. A member of the Council states it dies; no action is taken. The Chair states it is a reconsideration and the motion fails.

Point of Order Councilman Pessina asks for a point of order. Being the motion fails, we can't bring it up and is that an automatic route to arbitration. The Chair states whatever happened with the original vote still remains. Councilman Bibisi states do we move to arbitration. The Chair states whatever action has taken place will continue.

Resolution No. **58-11**
File name **cclocal1361extagr11-13reconsider.doc**
Description **Reconsideration of Local 1361 contract extension, with changes to Article 4, Wages; Article 21, Uniforms and clothing; Article 20, Health and Dental Insurance; Article 25, Pensions Sections 2 and 3; Article 1 Recognition; Article 9, Hiring and promotions; Article 5, overtime; Article 27, Miscellaneous provision regarding memoranda and or letters of understanding; and Article 30, Duration with the remainder of the provisions in full force and effect through June 30, 2013.**

(Motion Fails ó no Reconsideration)

Agenda Item **Reconsideration of Resolution 67-11**

Councilman Daley reads and moves for approval resolution 67-11, reconsideration of the cost of installation of an alarm; he moves it for approval and is seconded by Councilman Santangelo. Councilman Daley states we previously had approved a cost sharing of the new alarm system whereby the lessee is going to pay for the installation and we were going to let him recover by reducing the rent for 7 months. He came back and said with the costs of repairs at the building and he relied upon information given him and the alarm system was adequate and appealed to us to absorb the cost and the Economic Development committee recommended we do so. We will still be putting the money up front and recovering the expense through a reduction of the rent. It is funded from the Economic Development Fund and rent goes into the fund so there is no financial impact. With the fireworks back, that location is important and he has done everything we have asked him to do. We should show our support and understanding and it is clear he relied on information that later changed.

Councilman Bauer states I think it is too late to push him into the river for \$7,000 and he is concerned as to where it will end. It is issues of accountability and why it wasn't there or revealed during the walk through. If we go for this deal and it puts him on a solid financial path and when we have the fireworks and people will go there and they will get special treatment for parking and he hopes what we put up that we get a healthy contribution from the Canoe Club.

The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes with ten affirmative votes and two absent and not voting.

Resolution No.
File Name
Description

105-11
PCDMatabassetCanoeAlarmMod.doc
Reconsideration of the cost sharing of the installation of an alarm system at 80 Harbor Drive, City-owned building, for the Mattabasset Canoe Club by agreeing to pay for the \$13,775 installation cost by reducing the monthly rent to \$1,070 for 14 months instead of splitting the cost of the installation charges by reducing rent for 7 months and the City will provide the \$3,500 alarm box.

(Approved)

Whereas, the Mattabasset Canoe Club, LLC (MCCLLC) is being required to install and connect the city owned building at 80 Harbor Drive to the City of Middletown fire alarm system, and

Whereas, the MCCLLC has made significant improvements to the city owned building and is moving forward with its business plan to create a first class dining venue as presented to the City of Middletown; and

Whereas, at the June 27, 2011 Special Meeting of the Economic Development Committee, the Committee agreed to recommend to the Common Council that the City of Middletown agree to cover the \$13,775 cost of the installation of the alarm by reducing the rent for 14 months and the alarm division will provide the \$3,500 alarm box to the city owned building.

Whereas, the MCCLLC will front the money and contract for the installation and the Economic Development Fund will reimburse the MCCLLC with a reduction in monthly rent from \$2,070 to \$1,070 for 14 months, and,

Whereas, the MCCLLC will pay for the annual monitoring fee for the full term of the lease, and,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: The City of Middletown agrees to pay the \$13,775 cost of the installation of the alarm system by reducing the monthly rent for 14 months; and

BE IT FURTHER RESOLVED, the City of Middletown will supply the alarm box valued at \$3,500 and MCCLLC will pay for the annual monitoring fee for the full term of the lease.

FINANCIAL IMPACT – There is no financial impact on the general fund. The Economic Development Fund will forgo \$14,000 in rental income over 14 months to assist the business. The City of Middletown will donate the \$3,500 alarm box to be installed in the city owned building.

Agenda Item
Description

9
Department, Committee, Commission Reports and Grant Approvals

Councilman Serra reads and moves for approval 9A, 9B, 9C, 9D, and 9E; Councilman Pessina seconds the motion. The Chair states all Department Committee, Commission Reports and Grants have been moved and seconded; is there discussion. Seeing none, the vote is called. It is unanimous to approve with ten aye votes. The Chair states they are accepted/adopted unanimously with ten affirmative and two absent and not voting.

Agenda Item
Description

9A
Town Clerk Certification

(Approved)

June 30, 2011

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 June 6, 2011 at 7:00 p.m. and specials meetings on June 6, 2011 at 6 p.m., June 9, 2011 at 7 p.m., June 9, 2011 Immediately following the 7 p.m. meeting, June 14, 2011 at 7:30 p.m. and June 20, 2011 at 7 p.m., have been advertised in the local newspaper.

Attest:
Sandra Russo Driska
City & Town Clerk

Agenda Item Description (Accepted)

9B
Monthly Reports
Finance Department – Transfer Report to June 27, 2011
Public Works Monthly Report with summary Bldg Permits for May, 2011

Agenda Item Description (Approved)

8C
Grant Confirmation and Approval – Board of Education, Various Grants

Name of Grant: As Listed Below
Amount Requested: \$852,527.57
Code: 2450-33000-59405
Grant Period: From: 7/1/2010 To: 6/30/2011

Type of

Amount Loaned from General Fund: \$0.00

Department Administering Grant: 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 Grant: 769 - Middletown Teen Theater \$37,063; 790 - Liberty Bank-College/Career \$7,200; 819 - Out of Town Magnet School Transportation \$7,000; 820 - Parent Leadership-PLTI \$6,815; 840 - Excess & New Cost Special Ed \$109,735; 841 - Special Ed Medicaid \$5,621.18; 852 - Universal Service Fund \$290; 854 - United Way-Youth Services Development \$2,000; 876 - Hartford Symphony \$11,012; 894 - Swaim Strings Program \$4,200; 700 - Food Services Receipts \$268,027.29; 801 - Cigna Certified & Paras \$174,518.77; 803 - Workers' Compensation \$6,600.23; 804 - Preschool Program Receipts \$5,474; 807 - Aetna Classified \$361.79; 808 - 21st. Century Parent Fees \$630; 809 - Maintenance/Rentals \$8,285.92; 823 - Curriculum Receipts \$510; 833 - Adult Ed Receipts \$362.14; 893 - Fingerprinting Receipts \$57.75; 895 - Special Ed Tuition Reimbursement \$195,718.50; 901 - Keigwin Parent Fees \$285; 902 - Student Activities-W.W.M.S. \$760 Total Special Programs Through 5/16/2011 \$16,231,902.87 ADDITIONS \$852,527.57 Total Special Programs Through 6/24/2011 \$17,084,430.44

Requested by: Michael J. Frechette, Ph.D.

Agenda Item Description (Approved)

8D
Grant Confirmation and Approval – Health Block Grant, Medical Reserve Corps

Name of Grant: Middletown Medical Reserve Corps (M-MRC)/CRCOG
Amount Requested: \$21,185.52
Code: 3230-31000-51220
Grant Period: From: 10/1/2010 To: 6/30/2011

Type of

Amount Loaned from General Fund: \$0.00

Department Administering Grant: 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 Grant: funds from CRCOG (Capital Region Council Of Governments) for the Middletown Medical Reserve Corps to: recruit volunteers, participate in functions, plan & hold meetings, etc.

Requested by: Salvatore Nesci

Agenda Item Description (Approved)

8E
Grant Confirmation and Approval – Board of Education, supplement

Name of Grant: As Listed Below
Amount Requested: \$100,888.75
Code: 2450-33000-59405
Grant Period: From: 7/1/2010 To: 6/30/2011

Type of

Amount Loaned from General Fund: \$0.00

Department Administering Grant: 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 Grant: ADDENDUM: 874 - Education Incentive Grant \$55,000; 809 - Maintenance/Rentals \$888.75; 833 - Adult Ed Receipts \$45,000 Total Special Programs Through 6/24/2011 \$17,084,430.44 ADDITIONS \$100,888.75 Total Special Programs Through 6/30/2011 \$17,185,319.19

Requested by: Michael J. Frechette, Ph.D.

Agenda Item 10
Description **Payment of City Bills**
(Approved)

Councilman Serra moves to pay all bills that have been properly approved. Councilman Pessina seconds the motion. The Chair calls for the vote and the matter is approved with nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Faulkner, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter is approved with nine affirmative, one negative and two absent and not voting.

Agenda Item 11
Description **Ordinances and Resolutions**

Agenda Item 11-1

Councilman Daley reads and moves for approval agenda item 11-1; his motion is seconded by Councilman Pessina.

The Chair, seeing no discussion indicated, calls for the vote and it is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously with ten affirmative and two absent and not voting.

Resolution No. **106-11**
File Name **fi2011closedacc.doc**
Description **Approving the closing of funds that have met all obligations as listed in the resolution.**

(Approved)

Whereas, The City of Middletown has met all obligations concerning the following funds.

Now, Therefore, Be It Resolved By the Common Council of The City of Middletown: That the following funds be closed and any monies remaining be transferred to Debt Service.

4080	Route 66 Sewer Improv.	-0-
4120	Preservation Of Open Space	-0-
4200	Millbrook Sewer Pump Station	-0-
4540	Gleason Rd/Sewer Ext Bl	-0-
4800	Moody School Bl	-0-

Financial Impact: No financial impact.

Agenda Item 11-2

Councilman Faulkner reads and moves for approval agenda item 11-2; his motion is seconded by Councilman Pessina.

Motion to Amend

Councilman Serra moves to amend the CNR by subtracting \$30,000 from the Miscellaneous departments and put these monies to the plow truck to make it \$160,000. This is a truck that is needed; also there is monies in the fund balance to defray this cost and we will be all right. Councilman Daley seconds the amendment. The Chair calls for the vote. It is nine affirmative votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Faulkner, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter passes with nine affirmative, one opposition and two absent and not voting.

The Chair, seeing no discussion, calls for the vote on the amended resolution. It is unanimous to approve with ten aye votes. The Chair states the matter passes unanimously with two absent and not voting.

Resolution No. **107-11**
File Name **fi2011-12CNR.doc**
Description **Approving the Capital Non-recurring (CNR) fund expenditures for fiscal year 2011- 2012, as outlined and amended in the resolution and note that the Council approved \$900,000 in FY 2011-12 as amended.**

(Amended and Approved)

The Chair states the item has been moved and seconded and recognizes Councilman Bauer. Councilman Bauer states there was an interesting point with questions to directors, these benefits are given to this list of people and they piggy back on the work of a bargaining unit and they get it without paying the attendant dues and are they getting the benefit of this would the City have the ability to request that they rebate an amount equivalent to the dues.

Councilman Serra states we are well aware of the piggybacking and they have done it for years and we are working on a document and it is taking more time and we do have that in mind. We will be as fair as possible with the document and it will come to this body. Councilman Bauer thanks him and will look forward to learning about the resolution.

The Chair calls for the vote. It is unanimous to approve with ten aye votes. The Chair says the matter passes with ten affirmative and two absent and not voting.

Resolution No.
File Name
Description

108-11
peextendbenefitsnonbargthru10-21-11.doc
Approving the extension of benefits to October, 2011 for the nonbargaining positions of Fire Chief, Deputy Fire Chief, Director of Public Works, Acting City Attorney, Director of Finance, Director of Personnel, Deputy Director of Personnel, Acting Chief of Police, Executive Assistant to the Mayor and the Assistant to the Superintendent of Schools with said individuals receiving the same benefits and costs of benefits as provided to the Teamsters Local 671.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the following non-bargaining unit positions of Fire Chief, Deputy Fire Chief, Director of Public Works, Director of Finance, Acting Chief of Police, Director of Personnel, Deputy Director of Personnel, Executive Assistant to the Mayor, Assistant to the Superintendent of Schools and Acting City Attorney shall continue to receive all the same benefits and cost of benefits as provided to the Teamsters Union, Local #671 through October 31, 2011.

Agenda Item 11-4

Councilman Serra reads and moves agenda item 11-4 for approval and is seconded by Councilman Pessina. The Chair, seeing no discussion indicated, calls for the vote. The matter passes unanimously with ten aye votes. The Chair states the matter passes with ten affirmative and two absent and not voting.

Resolution No.
File Name
Description

109-11
peregistrarofvotersextenisonofstipend(2).doc
Approving extending the stipend to the Democrat Registrar of Voters through January 31, 2012.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That the Council shall approve the continuation of the stipend for the Democrat Registrar of Voters through January 31, 2012; and

Be It Further Resolved: That the Deputy Registrar of Voters shall be made acting Registrar of Voters and receive the stipend of the Registrar through January 31, 2012; and

Be It Further Resolved: That funds from the Voters Salary Part Time line item #1000-09000-51215 may continue to be used for this purpose, but an appropriation may be required by the end of the next fiscal year to replenish this line item; and

Fiscal Impact: Currently, there is no fiscal impact. July 1 begins the new fiscal year and money may be transferred to meet this obligation; however, an appropriation request may come forward before the end of the next fiscal year.

Agenda Item 11-5

Councilman Serra reads and moves for approval agenda item 11-5; his motion is seconded by Councilman Santangelo.

The Chair states the item has been moved and seconded and recognizes Councilman Serra who states it is an appropriate time to not fill the position and they are looking at reorganizing departments and trying to decide what goes to Eckersley Hall and this resolution will not fill that position right now until we do that. Councilman Pessina states the only concern he has is moving the secretary under Parks and Recreation; personally I spoke to the ADA coordinator and I feel as he does that this should be an autonomous position and stand alone and it would be better served that the secretary should be assigned to your office (Mayor's Office) and part of your team up there because the majority of calls come to the person in that office on a

variety of issues. It would be better served under your office until the Council makes a decision.

Councilman Serra states my colleagues on Personnel Review directed this as temporary this particular position until it goes to the Mayor's office until we do the reorganization.

Councilman Pessina states this does not necessitate an additional pay raise for Park and Recreation Director because he has another office. Councilman Serra responds he is the Acting Senior Services Director. It is temporary.

The Chair, hearing no further discussion, calls for the vote. The matter passes unanimously with ten aye votes. The Chair declares the matter approved with ten affirmative and two absent and not voting.

Resolution No.
File Name
Description

110-11
peconsumerprotection062011.doc
Approving the temporary assignment of the Administrative Secretary II from the Department of Consumer Protection to the Senior Center under the supervision of the Director of Parks and Recreation; waiving Ordinance Section 74-9 Filling vacancies in funded positions, particularly for the position of Director of Consumer Protection/ADA Coordinator to allow for job description and department long-term planning; and approving discussions with the affected Unions regarding the affected positions.

(Approved)

Whereas, the Director of Consumer Protection (Teamsters-Local 671, Salary Grade 12) has submitted written notice to retire effective July 15, 2011; and

Whereas, the City is in the planning and design stages of creating a new Community Center and is unsure as of yet, exactly what departments and services shall be located in the Community Center; and

Whereas, the impending retirement of the Director of Consumer Protection leaves behind a staff position (Administrative Secretary II-Salary Grade 6) without supervisory direction.

Now, Therefore, Be it resolved by the Common Council of the City of Middletown: That it approves the temporary assignment of the Administrative Secretary II from the Department of Consumer Protection to the Senior Center under the supervision of the Director of Parks & Recreation; and

Be It Further Resolved: That it hereby temporarily waives Ordinance § 74-9, Filling vacancies in funded positions, in particular the filling of the position of the Director of Consumer Protection, to allow for review of the job description and department for long-term planning purposes; and

Be It Further Resolved: That the Director of Personnel shall begin discussions with both affected unions (AFSCME Local 466 and Teamsters Local 671) to achieve Memorandum of Understanding over the impact this will create.

Fiscal Impact: None.

Agenda item 11-6

Councilman Santangelo reads and moves for approval agenda item 11-6; his motion is seconded by Councilwoman Kasper.

Councilman Santangelo asks to address it and is recognized by the Chair. He states he recognizes that the Board of Education is having a hard time getting a list and he found no information about the requirements; we are requiring a bachelor's degree and they are not mentioning what they are looking for. Is there anything in writing to state what they are looking for and what they will accept. I would like to see it in writing what the change in requirement or lowering the standard is.

Councilwoman Kasper states she could answer it; in the original description, it was asking for a degree and three years experience and this will allow a combination of that. Councilman Santangelo states I would like to know what the combination will be. I would like to know exactly what you are talking about.

Councilwoman Kleckowski states this has been brought up several times and it is not specific with five years experience, but industry standards, many nurses do not have a bachelor's degree. The Board of Education has asked for only those with bachelor's degrees. They have professional degrees and no one was able to meet the requirements and Personnel Review reviewed the applicants and it will be working with children and having a license in nursing. What is important is experience with pediatrics or working with children. Councilman Santangelo states he doesn't see the job description. He would like to know what that means.

Councilman Daley states if I may bring clarity, what is required is the appropriate license from the State Department of Public Health. As far as LPN's doing RN work is only if it is tasks they can do. It is to bring flexibility to the process so they can have a list of candidates and their preference is for specific experience. The emphasis is on flexibility to hire someone. Councilman Santangelo responds it does make sense, but he couldn't see what the change was.

Councilman Faulkner states one of his concerns is there a reason; did this go through the Health Department; does the Director get involved in reviewing things like this. The Chair states no he does not; it would seem that school nurses would be answerable to the Director of Health and Board of Health and teachers to the Board of Education, but there are no medical professionals at the central office. I had the same question, but that is how it is.

Councilman Serra states there have been no applicants for the last year and I would have to guess they have been using registered licensed nurses to fill these positions. Councilwoman Kasper states the temporary nurses haven't met the job description the way it exists now. The Chair states Personnel has concerns that RN's will not apply for these positions with a bachelor of science degree. Councilman Serra states we have on the Personnel Review Committee we did approve this 8 months or a year ago and it didn't happen and there have been no candidates.

The Chair asks Councilman Faulkner if he has further questions. Councilman Faulkner responds he will not support this and we should have the Doc render an opinion and for dollars he is not willing to compromise. The Chair calls for the vote. It is nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Kleckowski, Bauer, and Drew; and one nay vote by Councilman Faulkner to approve the amendment to the job description. The Chair states the matter passes with nine affirmative, one in opposition and two absent and not voting.

Resolution No.
File Name
Description

111-11
pemodifyschoolnurse062011.doc
Approving the amending of the job description of School Nurse to change the minimum requirements of the position to allow for any combination of education and experience that provides the equivalent of knowledge, skills and abilities for said position with no change in salary.

(Approved)

Whereas, the current job description for the School Nurse position (Salary Grade 10 – AFSCME Local 466) requires applicants to have a bachelor degree in Nursing, with no flexibility to accept any combination of education and experience that provides equivalent knowledge, skills and abilities; and

Whereas, recruitment efforts to find eligible candidates that carry the required bachelor degree in nursing have left the City without a pool of candidates for the past nine months.

Now, Therefore, Be it resolved by the Common Council of the City of Middletown: That it approves the modification of language to the existing job description for the School Nurse position, with no change in salary, changing the minimum requirements of the position to allow for any combination of education and experience that provides equivalent knowledge, skills and abilities for said position.

Fiscal Impact: None. There is no change in salary.

Position Description

Title: School Nurse
Department: Board of Education
Date: Revised August 2010 **May 2011 - (Italics & underlined)**
 Grade 10

Purpose of Position

The purpose of this position is to provide health care services for students in the school setting including transportation; maintain student health records according to state regulations; perform health screenings; maintain health and welfare of student. The work is performed under the direction of the Director of Pupil Personnel and Special Education.

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 professional development
- Collect, prioritize documents and evaluate student health information during student visits to the health office and in emergency situations, according to established policy, guidelines and protocols.
- Use an established data collection system in an organized manner.

- Provide health care services for the students to manage illness, injury and health conditions/problems whether acute, chronic, episodic or emergent.
- Recognize the educational implications of health concerns or problems for the students.
- Conduct appropriate health screenings (i.e. vision, hearing) and make referrals to health care professionals as needed.
- Serve as case manager for students with health needs.
- Develop and implement individualized health care and emergency care plans within the appropriate educational program (regular education, Section 504 and special education.)
- Document nursing interventions in the appropriate health records according to school district policies and procedures.
- Act as a health resource for teachers, administrators and relevant others.
- Provide consultation to school personnel and family members regarding the health and safety of students and relevant health problems.
- Use technology (assistive, informational and medical) to effectively manage school health programs.
- Communicate and collaborate with the interdisciplinary team regarding the health and safety of the students.
- Participate in student PPT and 504 meetings
- Ride the bus to and from school if required.
- Maintain classroom standards and collaborate with the school/family team.
- Other responsibilities as determined by the Director of Pupil Personnel and Special Education.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Nursing with three years of current pediatric (within the past two years) nursing in a health care or educational setting; or, any combination of education and experience that provides equivalent knowledge, skills and abilities. Experience dealing with complex medical needs. Position requires current Connecticut Registered Nurse License, CPR and the possession of a valid Connecticut driver's license.

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 variety of reference, descriptive and/or advisory data and information such as student health records, supply requisitions, medication forms, accident forms, surveys, screening referrals, eligibility lists, drug handbooks, medical dictionary, OSHA manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director of Pupil Personnel and Special Education, students, parents, teachers, principals, administrators, physicians, paraprofessionals, social workers, psychologists, therapists, guidance counselors, pharmacists, speech pathologists, café and custodial personnel, psychiatrists and the public and to collaborate effectively with trans and inter disciplinary teams.
- Requires the ability to create and implement regular and emergency health care plans.

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, nursing/medical equipment, screening equipment, medical supplies 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 providing nursing care.
- 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 generally safe and comfortable conditions where exposure to environmental factors poses a limited risk of injury. May be exposed to illnesses or disease.

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 11-7

Councilwoman Kasper reads and moves for approval agenda item 11-7; her motion is seconded by Councilman Serra.

The Chair States the matter has been moved and seconded; seeing no discussion indicated, he calls for the vote. It is nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Kleckowski, Bauer, and Drew; and one nay vote by Councilman Faulkner to approve the amendment to the job description. The Chair states the matter passes with nine affirmative, one in opposition and two absent and not voting.

Resolution No.
File Name
Description

112-11

pemodifypreschoolnurse06201.doc

Approving the amending of the job description of Preschool Nurse to change the minimum requirements of the position to allow for any combination of education and experience that provides the equivalent of knowledge, skills and abilities for said position with no change in salary.

(Approved)

Whereas, the current job description for the Pre School Nurse position (Salary Grade 10-AFSCME Local 466) requires applicants to have a bachelor degree in Nursing with three years of current pediatric (within the past two years) nursing in a health care or educational setting, with no flexibility to accept any combination of education and experience that provides equivalent knowledge, skills and abilities; and

Whereas, recruitment efforts to find eligible candidates that carry the required bachelor degree in nursing have left the City without a pool of candidates for the past nine month.

Now, Therefore, Be it resolved by the Common Council of the City of Middletown: That it approves the modification of language to the existing job description for the Pre School Nurse position, with no change in salary, changing the minimum requirements of the position to allow for any combination of education and experience that provides equivalent knowledge, skills and abilities for said position.

Fiscal Impact: None. There is no change in salary.

Position Description

Title:	Pre School Nurse	Grade 10
Department:	Board of Education	
Date:	August 2010	Revised: May 2011- (Italics & underlined)

Purpose of Position

The purpose of this position is to provide health care services for students in the school setting including transportation; maintain student health records according to state regulations; perform health screenings; maintain health and welfare of student, attend Birth-To-Three Transition and community based meetings. The work is performed under the direction of the Director of Pupil Personnel and Special Education.

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 professional development
- Collect, prioritize documents and evaluate student health information during student visits to the health office and in emergency situations, according to established policy, guidelines and protocols.
- Use an established data collection system in an organized manner.
- Provide health care services for the students to manage illness, injury and health conditions/problems whether acute, chronic, episodic or emergent.
- Recognize the educational implications of health concerns or problems for the students.
- Conduct appropriate health screenings (i.e. vision, hearing) and make referrals to health care professionals as needed.
- Serve as case manager for students with health needs.
- Develop and implement individualized health care and emergency care plans within the appropriate educational program (regular education, Section 504 and special education.)
- Document nursing interventions in the appropriate health records according to school district policies and procedures.
- Act as a member of the Early Childhood Assessment Team, a health resource for teacher, administrators and relevant others.
- Provide consultation to school personnel and family members regarding the health and safety of preschool students and relevant health problems.
- Use technology (assistive, informational and medical) to effectively manage school health programs.
- Communicate and collaborate with the interdisciplinary team regarding the health and safety of the students.
- Participate in student PPT and 504 meetings
- Ride the bus to and from school if required.
- Maintain classroom standards and collaborate with the school/family team.
- Maintain NAEYC standards and participate as required to maintain accreditation
- Other responsibilities as determined by the Director of Pupil Personnel and Special Education.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Nursing with three years of current pediatric (within the past two years) nursing in a health care or educational setting; or, any combination of education and experience that provides equivalent knowledge, skills and abilities. Experience dealing with complex medical needs, very young children and Birth-to-Six. Position requires current Connecticut Registered Nurse License, CPR and the possession of a valid Connecticut driver's license.

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 variety of reference, descriptive and/or advisory data and information such as student health records, supply requisitions, medication forms, accident forms, surveys, screening referrals, eligibility lists, drug handbooks, medical dictionary, OSHA manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director of Pupil Personnel and Special Education, students, parents, teachers, principals, administrators, physicians, paraprofessionals, social workers, psychologists, therapists, guidance counselors, pharmacists, speech pathologists, café and custodial personnel, psychiatrists and the public and to collaborate effectively with trans and inter disciplinary teams.
- Requires the ability to comply with National Association for the Education of Young Children (NAEYC) standards.
- Requires the ability to create and implement regular and emergency health care plans.

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, nursing/medical equipment, screening equipment, medical supplies 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 providing nursing care.
- 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 generally safe and comfortable conditions where exposure to environmental factors poses a limited risk of injury. May be exposed to illnesses or disease.

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 11-8

Councilman Drew reads and moves for approval agenda item 11-8; his motion is seconded by Councilman Pessina. The Chair recognizes Councilman Bauer who states his comments are for 8, 9, and 10; they are approving \$150,000 of LoCIP and his concern as the money gets tighter, his concern is not having a comprehensive financial plan of oversight. There needs to be a better job to prioritize the assets of the City and make the competing projects have a venue so they get discussed instead of showing up at the beginning of the year and they go first. He asks the Council to find a way to manage the City's assets more transparently than what we are doing so far.

Noted for the Record

Councilwoman Kleckowski has left her seat in the chamber at 8:59 p.m.

The Chair, seeing no further discussion, calls for the vote. It is unanimous to approve with nine aye votes. The Chair states the matter passes unanimously, with two absent and not voting. Councilwoman Kleckowski is not present for this vote.

**Resolution No.
 File Name
 Description**

**113-11
 prlocipharborparkboathouse&gaseborooofs.doc
 Authorizing the Mayor to sign an application to the State of Connecticut in the amount of \$45,000 from LoCIP (Local Capital Improvement**

Program) for the replacement of roofs on the boathouse and two gazebos at Harbor Park and approving the creation of a new capital improvement line item entitled Harbor park Boathouse/Gazebo Roof Replacements in the amount of \$45,000.

(Approved)

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Sebastian N. Giuliano be authorized to sign an application to the State of Connecticut for \$45,000 from the Local Capital Improvement Program (LOCIP) for the replacement of roofs on the boathouse and two gazebos at Harbor Park; and

BE IT FUTHER RESOLVED: That a new Capital Improvement line item entitled Harbor Park Boathouse/Gazebo Roof Replacements in the amount of \$45,000 be added.

Agenda Item 11-9

Councilman Faulkner reads and moves for approval agenda item 11-9, LoCIP for Donovan Park.

Noted for the Record

Councilwoman Kleckowski returns to her seat at 9 p.m.

Councilman Pessina seconds the motion. The Chair states I see no discussion indicated and calls for the vote. It is nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Kleckowski, Bauer, and Drew; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine affirmative, one abstention, and two absent and not voting.

**Resolution No.
File Name
Description**

**114-11
prlocipdonovanparkpavilion.doc
Authorizing the Mayor to sign an application to the State of Connecticut in the amount of \$25,000 from LoCIP (Local Capital Improvement Program) for the purchase and installation of a pavilion at Donovan Park and approving the creation of a new capital improvement line item entitled Donovan Park pavilion in the amount of \$25,000.**

(Approved)

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Sebastian N. Giuliano be authorized to sign an application to the State of Connecticut for \$25,000 from the Local Capital Improvement Program (LOCIP) for the purchase and installation of a pavilion at Donovan Park; and

BE IT FUTHER RESOLVED: That a new Capital Improvement line item entitled Donovan Park Pavilion in the amount of \$25,000 be added.

Agenda Item 11-10

Councilman Daley reads and moves for approval agenda item 11-10; his motion is seconded by Councilman Pessina.

Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter is approved unanimously with ten affirmative, no negative, and two absent and not voting.

**Resolution No.
File Name
Description**

**115-11
pwlocipsidewals\$75000for2011.doc
Authorizing the Mayor to sign an application to the State of Connecticut in the amount of \$75,000 from LoCIP (Local Capital Improvement Program) for various sidewalks needing repairs throughout the City; approving creating a new capital improvement line item entitled Public Works Sidewalks 2011 in the amount of \$75,000; and authorizing a loan from the general fund in the amount of \$75,000 to be repaid from LoCIP grant receipts.**

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That Mayor Sebastian N. Giuliano be authorized to sign and submit an application to the State of Connecticut for a grant in the amount of \$75,000 from the Local Capital Improvement Program (LoCIP) for various sidewalks needing repairs throughout the City; and

BE IT FURTHER RESOLVED:

That a loan from the General Fund in the amount of \$75,000 is hereby authorized and that said loan be paid from LoCIP grant receipts; and

BE IT FURTHER RESOLVED:

That a new Capital Improvement line item entitled Public Works Sidewalks 2011, in the amount of \$75,000 be established.

Fiscal Impact: The funds are from the Local Capital Improvement Program and not the general fund.

Agenda Item 11-11

Councilman Drew reads and moves for approval agenda item 11-11; his motion is seconded by Councilman Santangelo.

The Chair, states the matter has been moved and seconded and no discussion has been indicated. He calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes with ten affirmative, no negative and two absent and not voting.

Resolution No. 116-11
File Name pwbulkywastebud11-12.doc
Description Approving the Bulky Waste Fund Budget for fiscal year 2011- 2012 as outlined in the resolution, with total expenditures and revenues of \$314,900.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Bulky Waste Fund budget for the Fiscal Year 11-12 be approved as follows:

Expenditures:

Repairs/Maintenance to Vehicles	\$ 25,000.00
Motor Vehicle Parts/Supplies	\$ 25,000.00
Bank Service Fees	\$ 7,000.00
Waste Removal	\$ 220,000.00
Oil Recycling	\$ 2,400.00
Mattress Recycling	\$ 4,000.00
Electronic Recycling	\$ 0
Tire Recycling	\$ 5,000.00
Waste Equipment Supplies	\$ 15,000.00
Site Improvements	\$ 7,500.00
Truck Rental/Lease	<u>\$ 4,000.00</u>
Total Expenditures	\$ 314,900.00

Revenue:

Scale Receipts	\$ 185,000.00
Cardboard Recycling	\$ 12,000.00
Paper Recycling	\$ 17,000.00
Scrap Metal Recycling	\$ 18,000.00
Gift Card Receipts	\$ 1,500.00
Roadside Bulky Waste Revenue	\$ 15,000.00
Interest Earned	\$ 5,000.00
Transfer from General Fund	\$ 30,900.00
Bulky Waste Contribution from Fund Balance	<u>\$ 30,500.00</u>
Total Revenue	\$ 314,900.00

Agenda Item 11-12

Councilman Faulkner reads and moves for approval agenda item 11-12; Councilwoman Kasper seconds the motion.

The Chair states the matter has been moved and seconded and asks if there is discussion; he recognizes Councilman Serra. Councilman Serra states this will have the directors that will do the contracts for less than \$2,000. The Chair states directors with approval of Finance and the Mayor. Councilman Faulkner states the number \$2,000 is there a reason that number was chosen.

Councilman Drew responds from ordinance Study that is the same for a standard purchase. The Chair states it is \$2,500. Councilman Drew replies it is in the same ballpark and same standard.

Seeing no further discussion, the Chair calls for the vote. The matter passes with nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Kleckowski, Bauer, and Drew; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine affirmative, one abstention, and two absent and not voting.

Ordinance No. 11-11

File Name
Description

sec78-10revised2011.doc
Approving amending Section 78-10 Contracts for Professional Services of Chapter 78 of the Middletown Code of Ordinances to add the title Professional Services Committee and to exempt professional services less than \$2,000 from the requirement of the Committee's approval.

(Approved)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: that Sec. 78-10 of Chapter 78 of the Middletown Code of Ordinances be amended to read as follows:

Sec. 78-10. Contracts for Professional Services.

All contracts for professional services shall be on a negotiated basis with the Director of Finance, Director of the department requesting professional services and the Mayor being the parties representing the City, **hereinafter referred to as the "Professional Services Committee."** The Council may authorize an exception to these requirements.

Contracts for professional services in an amount of less than \$2,000 are exempt from the requirement of Professional Services Committee approval.

Agenda Item

11-13

Councilman Daley reads and moves for approval agenda item 11-13; his motion is seconded by Councilman Santangelo.

The Chair recognizes Councilman Bauer who states for the public, there was a lot of discussion at the Public Works Commission and he assures the public where we pick up the brush at curbside for residents, this does not change that and if you as a resident want to bring a carload to the transfer station, that does not change anything. We had contractors showing up and we could not confirm if it was from a City resident and whenever the amount of brush comes in from a contractor, it changes the schedule at the transfer station and they have to drop what they are doing and get the chipper going and they were getting special treatment. This is fair and commensurate to fees other communities charge for contractors for this service.

Councilman Drew states Councilman Bauer is absolutely right and we had contractors from other towns coming in because we didn't charge while others did. This will save money for Middletown.

The Chair calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter passes with ten affirmative, none in opposition, and two absent and not voting.

Ordinance No.
File Name
Description

12-11
sec253-15revised2011.doc
Approving amending Section 253-15 Bulky waste, construction waste and oversized municipal solid waste tipping fee schedule of Chapter 253 of the Middletown Code of Ordinances to add subparagraph G, charging Contractors \$25 per load for brush.

(Approved)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN that Sec. 253-15 of Chapter 253 be amended to read as follows:

§ 253-15 Bulky waste, construction waste and oversized municipal solid waste tipping fee schedule.

A. Fee schedule; pickup.

(1) Unless otherwise provided by agreement authorized by the Common Council, bulky waste, construction waste and oversized municipal solid waste by Middletown residents or businesses located in Middletown when accepted at the Middletown Transfer Station located on Johnson Street, Middletown, Connecticut, shall be subject to the following established and approved fee schedule. Alternate private sites may be provided by the City of Middletown in which case the fees will be established by the operator of the site.

(2) All property owners or tenants, including those residing within the Sanitation District, may have bulky waste or oversized municipal solid waste, as those terms are defined in § 253-15, picked up from their residences by scheduling an appointment with the Public Works Department. The fee for such services shall be set by the Public Works Commission based upon project expenses for the service. The Public Works Commission shall report the amount of the fee to the Common Council. The Common Council may act to revise the amount of the fee. If the Council does not act on the matter, the fee shall remain as set by the Public Works Commission. Fees for pick-ups shall be pre-paid either in person in the Public Works Department or by mail to the Department.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

BULKY WASTE -- Demolition and construction debris, including wood, insulation, sheetrock and shingles, inert material and land-clearing debris such as branches over six inches in diameter.

OVERSIZED MUNICIPAL SOLID WASTE -- Wooden and stuffed furniture, mattresses, scrap metal, bicycles, hot water heaters and other large household items.

C. All bulky waste and oversized municipal solid waste brought to the Transfer Station will be weighed and charged the cost plus 10% per ton for disposal.

D. The minimum payment per load will be \$10.

E. Tires will be accepted at the Transfer Station for a charge of \$3 per passenger car tire, \$10 per tire mounted on a rim. There is a limit of four tires per load.

F. Refrigerant-containing items (for example, refrigerators and air conditioners) will be accepted at the Transfer Station at a cost of \$15 per item.

G. Contractors will be charged \$25 per load for brush.

Agenda Item 11-14

Councilman Drew reads and moves for approval agenda item 11-14; his motion is seconded by Councilman Santangelo.

The Chair recognizes Councilman Pessina.

Motion to Refer

Councilman Pessina states there is a problem with the ordinance because it did not adhere to the Council rules and it did not go in front of the Parking Commission or Committee Concerning People with Disabilities and it does not have a financial impact statement. Councilwoman Kleckowski seconds. The Chair asks which committee. Councilman Pessina responds Parking Advisory and in front of the Committee Concerning People with Disabilities; they should vet it out. The Chair asks if it should also be sent to Finance and Government Operations. Councilman Pessina responds yes.

Councilman Serra states he supports referring it back to committee and we should get opinions from people to see what the State means. We need to understand what the words mean and with that intent he will support it. Councilwoman Kasper will support it going back to committee and since it is a ticket issued by DMV they should shed light on it and she has been told the Police Chiefs Association has information and it would be helpful. The Chair states getting affirmative statements supporting or opposing the amendment. Councilman Pessina states a comparative study of other communities, who is doing this. I would like to see that. Councilwoman Kasper asks if CCM can do that. The Chair states yes. Councilman Drew asks for friendly amendment to continue the policy of not ticketing until we get the information. Chair states they give you a warning. Councilwoman Kasper states they are ticketing. Drew states he spoke with former parking director and as of a month ago, the ticketing was not happening for the time being. The Chair states they warn the first time and the second they will ticket. Councilman Drew thinks as long as the ticketing is not going on until we decide what to do. Councilman Pessina states according to the Acting Director in all the present meter lots, we have no control and we are only talking about Main Street and those are premier spots and he would like to get the information. Councilman Santangelo states some stay there all day. The Chair states they have a 10 hour meter. Councilman Serra states through your office, make them aware not to ticket until this is straightened out. The Chair states just put warnings and not ticket. He states okay.

The Chair states there is a motion to refer and calls for a vote. He asks Madame Clerk do you have the committees this is referred to and she responds yes. The vote is called and it is unanimous to refer to the committees listed with ten aye votes. The Chair states the matter is referred to committees unanimously.

**Ordinance No.
File Name
Description**

**13-11
sec285-17erev2011.doc
Approving amending Section 285-17, sub section E Violations; overtime parking of Chapter 285 of the Middletown Code of Ordinances to add a subparagraph numbered (3) regarding holding a valid handicap parking authorization issued by the State of Connecticut and being exempt from the provisions of the section.**

**(Referred to committees:
Parking Advisory
Committee Concerning People With Disabilities
Finance and Government Operations)**

Be it ordained by the Common Council of the City of Middletown:
That subsection E of Sec. 285-17. Parking lots and meters of Chapter 285 of the Middletown Code of Ordinances be amended as follows:

E. Violations; overtime parking.

(1) No owner or operator shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, whether on a highway or in a parking lot, as is allowed by meter or sign.

(2) Whenever a vehicle remains in a parking space for a period of one hour after being cited for a violation of this Code of Ordinances it may also be cited additionally each one-hour period for overtime parking and the violator shall be subject to fines and penalties as provided in this Code of Ordinances.

(3) An owner or an operator possessing, and displaying in the vehicle, a valid

handicap parking authorization issued by the State of Connecticut shall be exempt from the provisions of this section.

Agenda Item 11-15

Councilman Santangelo reads and moves for approval agenda item 11-15; his motion is seconded by Councilman Daley.

The Chair states, seeing no discussion I will call for a vote.

Point of Information

Councilman Serra states as a point of information it is \$905,000, for the truck, but there will be a buy back of the truck they own so we are not circumventing anything.

The Chair, seeing no further discussion indicated, calls for the vote. It is unanimous to approve with ten aye votes. The Chair declares the matter passes with ten affirmative and two absent and not voting.

Resolution No.
File Name
Description

117-11
fdwaivebidforsutpen(2).doc
Approving a waiving of the competitive bidding requirement pursuant to Chapter 78-8 of the Middletown Code of Ordinances for the Middletown Fire Department to purchase a custom-built Tower Ladder Truck built from the Sutphen Corporation to the Department's specification for the quoted price of \$905,807.97.

(Approved)

Whereas, in 2011, the Middletown Fire Department agrees to purchase a Sutphen Tower Ladder Truck to be made according to the Middletown Fire Department's specifications; and

Whereas, Sutphen Corporation is the exclusive and only source where this specified Tower is made; and

Whereas, the price quoted by Sutphen Corporation is \$905,807.97 ; and

Whereas, Chief Ouellette has met with the Standardization Committee in January 2011 and they have approved a bid waiver for this apparatus.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That in accordance with Chapter 78-8 of the Middletown Code of Ordinances, the competitive bidding requirement is hereby waived to allow the purchase of a custom-built Tower Ladder Truck from the Sutphen Corporation according to the specifications of the Middletown Fire Department for the price quoted.

Fiscal Impact: The Common Council, at the June 6, 2011 meeting approved the financing of this apparatus by approving an appropriation of \$170,000 into a newly created CNR Line and by approving a bond ordinance.

Agenda Item 11

Description
(Approved) Mayor's Appointments

The Chair reads the Mayor's appointments and asks for a motion to approve. Councilman Drew moves them for approval and his motion is seconded by Councilman Bauer. There is no discussion. The vote is called and it is unanimous to approve with ten aye votes. The Chair states the appointment is confirmed unanimously with two Council member absent and not voting.

Planning and Zoning Citation Hearing Officer:

Appointment of Sarah Shapiro to replace Ava Crayton to February 1, 2012.

Agenda Item 12

Description Contingency Fund Transfers

No Contingency Fund Transfers

Agenda Item 13

Description Questions to Directors on Nonagenda Items

There are no questions to directors for nonagenda items.

Motion to Adjourn

Councilman Bauer moves to adjourn and his motion is seconded by Councilman Faulkner. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 9:15 p.m.

ATTEST:

MARIE O. NORWOOD
Common Council Clerk