



**REGULAR COMMON COUNCIL MEETING
OCTOBER 3, 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 Monday, October 3, 2011 at 7 p.m.
- Present** Mayor Sebastian N. Giuliano, Deputy Mayor Joseph E. Bibisi; Council Members: Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, Hope P. Kasper, James B. Streeto, Grady L. Faulkner, Jr., 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** Councilwoman Deborah A. Kleckowski
- Also Present** Eighty members of the public
- Meeting Called to Order** The Chair calls the meeting to order at 7:22 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 Deputy 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 postponing agenda item 3-2, Honoring Lucy Bettencourt until the November meeting; Adding agenda item 11-17, waiving the building permit fees for Shiloh Christian Church; removing agenda items 11-14 and 11-15; moving agenda item 11-2 to before the appropriations as well, and voting on item 11-17 separately for adding to the agenda.
- Councilman Klattenberg asks if the motion is to postpone 3-2, remove 11-14 and 15 and moving 11-2 to before appropriation. The second will be adding agenda item 11-17. The Chair states the motion as well. Councilman Bauer seconds the first matter; there is no discussion. The Chair calls for the vote. It is unanimous to approve with eleven aye votes and one Council person absent and not voting
- Councilman Serra moves to add agenda item 11-17; Councilman Pessina seconds the motion. Councilman Klattenberg states this item was brought before Finance and Government Operations and previously to Public Works meeting and the reason this has been separated, in the research done by the clerk, there was a resolution passed in 2004 introduced by Councilman Streeto in February, 2004 and it was a resolution to reaffirm that no building fee waivers for nonprofits will be considered by the Council. Councilman Streeto stated that it was a tight budget year and by waiving them it, burdens the tax payer. This resolution was addressed by Council Clerk that after 2004, we have not had building permit waivers except for those from the Economic Development committee and if we introduce this we will be violating the resolution from 2004 and it would be inconsistent with what we have done since 2004 according to Director Russo and he is rejecting between 10-12 building permit fee waivers and it is consistent with what we did since 2004. Councilman Pessina states it was his understanding that we did the same for Shiloh when they built it; Councilman Bauer responds A.M.E. Zion. Councilman Pessina asks wasn't there a waiver. Councilman Klattenberg responds the waiver occurred in 2004 when the resolution was passed and during the time when the information was being given to the community. It was during the transition and since that time there have been none. Councilman Pessina states we haven't waived them since that time. It seems to me that and this is delicate that they have worked so hard in earning money and getting donations to build this church and we were part of the ground breaking and neither they or us were not apprised of the 2004 resolution. Did we fail in our communication process? Were they all contacted. For those members to come here and seek this funding tells me there was a lapse in communication. We have an obligation when a community entity works so hard that we can't look at these individually and judge them on their merits. Looking from the other side of the fence, how do the nonprofits do their jobs. Don't we have a City obligation to help out. The Chair states if the issue is 2004, another Council was elected in 05, 07 and 09 and he believes that resolution died in 05. Councilman Klattenberg with all due respect the Director had informed nonprofit organizations each year that this resolution stands. The Chair states the resolution does not carry a force of law and once there is a new Council votes for it, it is not binding.

Councilman Streeto states as further observation along those lines one could argue we could waive the resolution and if the votes are there to put it on the agenda. I suggest the financial impact statement might be inaccurate because if we waive for Shiloh it will set a precedent. He asks if it can be put off until November to have Public Works address the issue, would that impact the development and that might be a good thing. We are talking about \$21,000 and if we have 12 organizations coming in here how much more will that cost us. Councilman Pessina states when we have that meeting, and it is a good one on its face, you are going forward. The Chair states you have a motion to amend the agenda, so if three are opposed to it the agenda will not be amended. A representative of Shiloh Christian Church states if they were to delay the resolution, it would impact our building. We are trying to get it done before the winter sets in. They have been three years in transition and they have benefited and it has been beneficial to the community and it would be counterproductive. Basically it stalls our project. We are trying to pour in the next couple of weeks. Councilman Streeto states he didn't mean to talk out of turn. The Chair states we have to amend the agenda which requires nine votes and then it would have to pass to waive the fee. He asks if anyone will vote against amending the agenda. Councilman Klattenberg responds yes; Councilman Serra comments this is no different than the showmobile and Councilman Streeto's idea is a good one and if there is concern to change it, it should be done properly. If we don't follow it in 2004, there is no policy. If it is correct that Public Works has not been doing this, then we are not being consistent. There is a policy and it should be followed or changed. The weather is a concern and I think we should be able to go to committee and the policy should be reaffirmed or changed. It is on the books. We make ordinances and resolutions and we need to follow them. Let's bring it to committee and change it. The Chair states it is not on the books; one session cannot tie the hands of another. Councilman Serra responds and the Chair replies a session of the Council is for two years. Then every resolution the Council does, it needs to be readopted and reaffirmed and it has not been done in his experience. The Chair states what was on in 2004 is not binding now. Councilman Serra states then there is no policy. Councilman Daley states first of all, I was here in 2004 and to lend historical perspective we were getting several requests for building permit fees and one of the concerns he had was many were small and the amount was relatively small and the time commitment was still a burden on the City and that is why they tried to put some reason to this and this is a large project and an organization that had a difficult time and I would tend to agree with my experience that the resolutions are not binding and can be changed and the action we take tonight will supersede the resolution. It provides the Public Works can make recommendations and the problem tonight is Public Works made no recommendation and it needs to go back and Councilman Streeto's solution is a good one and look at the policy so it can work for organizations that impact the City. It is a large scale job. The fact it will inconvenience you, I don't think we can act on this tonight because we don't have a recommendation from Public Works and it is codified in the ordinances. Councilman Serra suggests that Public Works has a special meeting and we have a community meeting on the 13th and we could do this on the 13th. They can make a recommendation. Councilman Drew states he moved this in Public Works and there were three of us and he made the motion to approve and Councilman Klattenberg voted no and Councilman Bauer abstained. If it goes back to Public Works, he doesn't believe there is a remedy. They could not make a decision and move it forward; he believes the Council should discuss it tonight. Councilman Serra

Point of Privilege

Councilman Klattenberg states the Public Works position was moved to Finance and Government Operations and there was not a full complement to move it forward and Tim Lynch indicated that Finance and Government Operations has the fiduciary responsibility and it is their responsibility to move it forward to the Council. Councilman Serra states if that was the intent of the Finance Committee to move it forward without the 2004 resolution and they are recommending doing this, is that not correct. If the Finance Committee recommended doing this and you found out afterward about the resolution, then we should move it forward. The Chair states it should be on the agenda. Councilman Serra states it has been recommended without knowing the about the 2004 resolution.

The Chair, seeing no further discussion, calls for the vote to add this to the agenda. It is ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, Drew; and one nay vote by Councilman Bauer. The Chair states the matter passes with one in opposition and one member absent and not voting. The agenda is amended to add item 11-17.

Agenda Items 3-1 and 3-3
Description **Presentations**

Agenda Item 3-1

The Chair moves to item 3 and recognizes Councilman Santangelo and Councilman Pessina for resolution 3-1. Councilman Pessina reads the resolution. He discusses walkable, bicycle communities; he walks 4-1/2 miles in the morning and to see the beauty I see and everything nature has to offer, only solidifies why this has to happen. In reading the Middletown Eye recently, it brought home another startling effect. He discusses the forests of the world and the trouble they are in and the factors are having a devastating effect on the earth. He states when he managed to get to the movie Planet presentation, he was taken aback and what moved him was when he went into the Sacristy of the Church and read the individual poems and writings on Earth and ministry and if you read it, it was a powerful message how precious the environment is to us and how precious we are to the environment. We need to take care of our earth for nothing more than our future generations and he is proud that the City put together to join a world-wide celebration. Thank you Dorthea and the Committee. Ms Willets accepts the resolution and states she was only one of many who worked on this. Grahame will tell you more. Grahame states on behalf of the committee, he thanks the Mayor and Common Council for the proclamation and resolution made this evening. The committee hopes to continue to work with Middletown and encourages the City in three areas; promoting encouraging events on climate change; continue your environmental education; and continuing to comply with Connecticut complete streets law to become a cycling community. He praises the City for their work on the environment. We urge all Leed standards be met for all projects. The individuals of various organizations who planned the day, look forward to working with Middletown and policies have been put in place.

Resolution No.
File Name
Description
(Approved)

145-11
ccmovingplantday.docx
Honoring Moving Planet Day

WHEREAS, Middletown hosted a Moving Planet Day on Saturday, September 24, a world-wide event to highlight climate change; and

WHEREAS, everyone was asked to take part in the event by leaving their cars at home and to walk, bike, board, or use public transportation on that day as well as wear blue for our planet, Earth; and

WHEREAS, the event brought people from around the world together to recognize climate change and to realize how fragile it is as well as to work for solutions to the crisis; and

WHEREAS, Middletown/s event was hosted by the Church of the Holy Trinity from 10 a.m. to 2 p.m. including a Mayoral Proclamation, talk about climate change by Professor of Physics Brian Stewar, Wesleyan University, as well as a performance of ARTFARM's Circus for a Fragile Planet, SUBMERGED!; and

WHEREAS, the event included bike safety instruction, bike repair, a moving mediation exhibit as well as hear what some of Middletown organizations are doing to reduce fossil fuel use, along with booths and demonstration by local environmental organizations; and

WHEREAS, this event is an international campaign dedicated to climate solutions with the goal to reduce the concentration of carbon dioxide in our atmosphere from its current level of 390 parts per million to below 350 parts per million, the safe upper limit according to lead scientists.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we thank the organizers of this event, ARTFARM, Center for the Arts at Wesleyan University, Church of the Holy Trinity, Jonah Center for Earth and Art, Middlesex Community College, City of Middletown, New Haven/Leon sister City Project, Pedal Power, The Rockfall Foundation, St. Pius Roman Catholic Church, and South Congregational Church UCC for heightening the awareness of climate change and the need to reduce the use of fossil fuel, not only for businesses, but also for individuals through energy saving changes in their homes and through changes in transportation; and

BE IT FURTHER RESOLVED: That as a City, we have dedicated resources to reduce the City's carbon footprint and will continue with our own efforts, as well as encourage each of our citizens, to set goals to help achieve the goal of bringing carbon dioxide down to 350 parts per million.

Agenda Item 3-3

The Chair recognizes Councilman Drew for agenda item 3-3; the Schiano family comes forward. Councilman Drew reads the resolution and offers his congratulations. Mr. Schiano, Jerry, states thank you everyone. The Chair states the first calzone I ever had was in your restaurant. Mr. Schiano states better today than 44 years ago. Forty-four years ago, there was nothing in Middletown. He came with \$12,000 and washed dishes; spent \$8,000 to open. He is happy. He is happy to move to South Main Street. The Chair thanks him.

Councilman Drew moves it for approval and this is the story of the American dream. Councilman Serra states he seconds and moves the previous resolution as well. The Chair states it is moved and seconded and adopted by acclamation, without objection.

Councilman Faulkner is recognized and states as a born and raised New Yorker and I just came back from Italy last night, Jerry's Pizza was the pizza when he first came to Connecticut and said it was just like New York. And he appreciates what you have done.

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

**146-11
ccjerryspizza2011.docx
Congratulating Jerry's Pizza on its 44th year of operation.**

WHEREAS, Jerry's Pizza is entering its 44th year of operation in Middletown; and

WHEREAS, Jerry Schiano moved from Monte di Procida in the Province of Naples, Italy to Brooklyn, New York, where he started out in the restaurant business as a dishwasher in the Little Venice Restaurant; he worked from 1963 – 1968 in family-owned and operated pizzerias in the New York City/Long Island area; and

WHEREAS, he moved to Middletown and on December 28, 1968, opened Jerry's Pizza at 885 Washington Street; it was one of the first businesses in the Washington Plaza; and

WHEREAS, Jerry married Toni Orlando in 1977 and they have two children, Carmela and William who continue the family tradition at Jerry's; and

WHEREAS, Jerry's was the first restaurant to offer pizza by the slice and calzones in Middletown and has been a favorite for Middletown Residents, Wesleyan students, as well as visitors; and

WHEREAS, on October 20, 2009, Jerry's Pizza, one of the last businesses in the Washington Plaza, moved to a new location on South Main Street where the family owned and operated restaurant continues to this day; and

WHEREAS, Jerry continues to be a presence in the pizzeria today and patrons see his daughter, Carmela and son, Will preparing all the delicious recipes; they have added newer specialty pizzas created by Carmela, following the family's tradition of wholesome quality foods, made fresh daily; and

WHEREAS, Jerry's is one of the oldest family run restaurants in Middletown, with three generations currently working at the restaurant; Jerry's Pizza has moved into the 21st century and remains a staple in the Middletown community.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That on behalf of the Middletown citizens, we congratulate the Schiano Family and Jerry's Pizza for 44 years as a successful pizzeria; and

BE IT FURTHER RESOLVED: That we wish them continued success with their restaurant and that for generations to come, Jerry's Pizza will still be serving that next slice of pizza.

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 September 6, 2011 at 7 p.m. meeting; Special Meetings of September 6, 2011 at 6 p.m., September 8, 2011 at 7 p.m., and August 30, 2011 at 7 p.m.; the minutes of the meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves them for approval and there is a second by Councilman Pessina. Councilman Serra abstains from the vote on the minutes of September 8, 2011, along with Council Members Drew, Daley, Klattenberg, Kasper, Faulkner, Santangelo, and Streeto; Councilwoman Daley states he also abstains from the meeting on August 30. Hearing no further discussion, the Chair calls for the vote on the minutes. They are approved unanimously with the noted abstentions. The Chair states the minutes are approved and adopted with the abstentions noted.

Agenda Items 5 and 6
Description

Public Hearing Opens on Agenda Items

Public Hearing Opens

The Acting Chair opens the public hearing on agenda items at 8:06 p.m.,

Elizabeth Nocera speaks on behalf of item 11-11 to approve the challenge grants. She thanks the Council for supporting the grants and we were awarded just under \$50,000. She highlights some of the programs. You will be hearing about the asset development survey to students between grades 7 and 12; it is the 5th anniversary and it is an opportunity to see how far we

have gone and if we need to still address needs of our youth. This will support youth summit and they will include non public school students. Thank you in advance for your support and on a personal note, on the confirmation to appoint Geen Thazhampallath, and she is glad to see him back and we miss his level of professionalism.

Salvatore Caracoglia comes forward to address the Charter and he would like to correct the minutes of September 6 which has transpired and he has some concerns. The way he understands it, the democrats eliminated the first amendment right and he goes to the community meeting to discuss what he has to say and what is going on in Middletown. In July, he asked the Charter be invoked and he asked to invoke Section 8 and the Common Council has the authority to look into complaints of citizens so that is what I did and my complaint clearly is that two officers of the Middletown Police Department, one has lied.

Point of Order

Councilman Drew states this is not on the agenda.

The Chair states what is not correct on the September 8 minutes. Mr. Caracoglia states two council members have threatened me. The Chair states what is on the agenda is the minutes; do the minutes accurately reflect the meeting. Mr. Caracoglia states he is confused by the suggestion given by Mr. Bibisi. The Charter states clearly the Council can investigate. He states this is what I am trying to clarify. The Chair states are you saying the minutes are inaccurate. Mr. Caracoglia states he is stating that his report which actually details and proves the two officers have lied; now Mr. Bibisi and now they only had four councilmen; all the dems were absent from the meeting. The Chair states that is in the minutes. They accurately reflect that. Mr. Caracoglia states since the Charter calls for this Council to have a committee and investigate his complaint. Mr. Bibisi suggested it go to Public Safety. The Chair states you are still not telling me what is inaccurate. Mr. Caracoglia states the Council has not followed the Charter. The Chair states the only thing in order is whether the minutes accurately reflect the meeting. Mr. Caracoglia states there is a gap. The Chair states your 5 minutes are up and if you want the minutes corrected, then you need to tell them where they are inaccurate and so far I am hearing nothing that these minutes are inaccurate. Mr. Caracoglia responds and the Chair declares him out of order.

Dale Aldieri, Vice Chair of the WPCA, encourages the Council to approve agenda item 11-3; the WPCA is behind the investigation to get the full facts and they are behind a third party investigation. They have an obligation to understand this change and impact on the department and WPCA. It is clear that there is more to the actions and the public needs to know the facts as determined by an independent investigation.

Jeff Daniels, President Local 466, Middletown comes forward and hands out material. He has a few things to address. Clearly what I handed to you is an MOU between the City and 466 talking about reorganization and is still part of the contract; he was against the reorganization but it was for the betterment of the City and to make it better for the employees and operation of the Department. The Deputy Director pushed this because of positive changes. Mr. Daniels states he fought that water was one entity and sewer another and he was told they would be cross changed. When Deputy Young came in, he said they would be the same. To date, they say they are missing a few, but he has that there are three Utility 1's and he is missing that; they are missing two Utility 2's; Utility 3's missing 2 and Utility 4's is all set. There have been changes in the treatment area and that is all set. He signed the MOU in 2008 and he agreed that all the positions would be filled to make the reorganization work. It is 2011. As President of the Union, did I come forward to file charges on the City? I don't because I care about my community and workforce, but clearly you have all this confusion. Still to date, we have the issues in Water and Sewer; there is no cross training. They get licensing and they have training to keep it. They don't get the training to keep the license. We don't keep them trained because of internal issues. You need to look at the supervisory issues. The Union, I look for jobs to come forward and they don't. We don't have the manpower and the cross training is not done. In Middletown, our objective is to keep well-trained people; we made the positions for the good of Middletown so they drop requirements. Our standards are set high and keep that in mind.

Ed Dypa states on agenda item 11-2, that preliminary issues brought up and that you drop the appropriation of \$10,000 for an investigation. He doesn't understand why a change of location why it needs investigation. Park and recreation had a change of location and there was no investigation. Is the Council saying any change in location will need to be investigated? I think it is time to look into what makes this a special issue for investigation and I don't understand that.

Earle Roberts states relevant to the waiver of the fees for Shiloh Church that a couple of months ago we did a lot of waiving for Mark Masselli and he hopes you keep it in mind that you feel is still binding. He did want to say something about Jerry's Pizza and what he did not say was he raised Peruvian llamas and offered us his expertise. I am opposed to the expenditure of \$10,000. You have enough opportunity to have the City resources and if you know where you are going with the investigation, I don't think it is necessary. They way he sees it, you might spend more. This does not make sense and you need to rethink the way to do it. Item 7, the appointment of the Parking Director; does agenda item 11-3 apply to the approval of this. Have you done scrutiny of work history and the new director had a whole bunch of credentials and does it merit the same and could it be part time. He is not discussing if it is needed or qualified, but if you do 11-3 you need to look at this. Regarding the WPCA, what he found interesting is the 3rd paragraph from the members to the Council and reads that section of the memo. All things in the letter should have been done and your resolution states the points in the press release are inadequate and have long since been resolved and the letter from the WPCA says it is not done. Regarding the waiving of filling of vacancies, change it to 20 days and charge the Personnel Review Committee to have a hearing and then have a final discussion with Mayor and make a recommendation if you need them or not.

Roger Beliveau asks the Council to support the appointment of Geen Thazhampallath as the Parking Director and thanks the Mayor for having confidence in him to direct the Department. He thanks Councilman Serra and Councilman Bibisi for their advice and kind words and support for the last 4 months. He thanks them for the opportunity to say thank you very much.

Steve Devoto on agenda item 11-17, waiving the building fees; he is opposed to the waiving of the fees. First there is a waiving of all the property taxes for a church on a \$1.5 million building and in excess of \$50,000 and in spite of that they use all the services in Middletown. That is an enormous yearly subsidy for a church. The building did not take years to raise the money and the church sold an historic structure and supported a drug store on the site and received \$2 million for it and a waiver of a small percentage of construction costs. It still needs to be inspected and he doesn't see the added waiver to be justified in this case.

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 8:37 p.m.

**Agenda Item
Description**

**7
Appointment and Confirmation of Parking Director**

The Chair states the next item is the appointment of the Parking Director and the candidate is here to answer any questions. Geen Thazhampallath is happy to answer any questions. Councilman Streeto asks if he really wants to come back. Mr. Thazhampallath states believe it or not Middletown is a part of me and he can't wait to come back. It is home and it is one consideration. He knows how the building works and the process is different from other institutions and for him to go to meetings and to know people in town. He wants to thank his predecessor for what he did and thanks Roger Beliveau for his kind words and the next level is to work with the businesses in town to see if it is working. Councilman Streeto states he will support him if he wants to come back.

Councilman Klattenberg states Geen, good to see you and over some years we worked closely on some projects and your ability to work with people and that is a huge benefit to Parking Director positions. He asks where the Department goes from here and has he thought about that. Mr. Thazhampallath states what is your background in relation to parking; he knew that his skill set was not parking, but in his current job, he looks after all the lots in town and they just hired the Company to do a parking study. He followed the back and forth occurring in Middletown and he was part of the beginning stages of planning the lot. Next steps, he believes the next step is what we will do with the garage across the street as a structure. That needs to be done; you probably have more information, but reading articles, it was applicable that we built a great lot and then we were going to tear it up and build a garage and he would like to study and look into what to do with the parking garage. You need to work with the right architectural thought processes. That is a huge next step. He would like to visit all businesses downtown; he plans to get out and listen to the business owners. There is pay pieces and connecting into the budget and he needs to work that out and looks forward to doing that. Councilman Drew states welcome back and it is exciting that you are coming back. You are widely respected across town.

You are a major asset and he is glad you chose to come back and will support the appointment. He states good choice, Mayor.

Councilman Pessina states welcome back; he works in New Haven county and crossed paths with your colleagues in law enforcement and I would ask anyone from Stratford about you. I can't tell you the compliments I have heard. You made an impact in that community and it was a prestigious job and coordinating everything you did in a short period of time and that tells me it is a great choice by the Mayor. You are a professional and he is looking forward to working with you. He also appreciated your help when he was at the Police Department.

Councilman Bibisi states Councilman Serra and I are on the Parking Commission and we were briefed on the candidates that came in and of all the candidates you came in first and excelled. You have your hands full with this position, but I have all the confidence in the world that you will excel. He looks forward to working with you.

Councilman Serra states the Council should know that Geen came in first in the oral with the Parking Advisory Committee and the Personnel Director made me aware that this was a unanimous decision for the candidacy for the first time. He asks what he plans on doing relative to the technology and philosophy aspect. Mr. Thazhampallath responds at a personnel level, he embraces education and if he finds that what he is doing will not bring value into town and one of the things he learned interning in the Mayor's Office is that we work for the citizens of town and I am a citizen and want to believe that we add value back and if I am not adding value back, I will go out and do what I have to, to get the degree or certificates to be doing everything I can. The compliments are nice, but he wants his boss to say they are getting value added. I would not have applied if I did not think I would add value back and it is lower salary and lower function from his current job. The ability to add value and there are people who do above their job and add value. I want to be in the same book with them. In the next 2 -7 years, the processes and procedures of several employees will be coming to natural retirement and he is in an environment now there have been numerous calls back to departments here because they are so strong. He has reached back many times. He will do what he can to add value. He is a citizen and cares about the town.

Councilman Daley states this is a good nomination and he will support it and Geen hit the nail on the head. He was thinking back to the Parking Director that we had in the 70's. Back then there was no parking technology and the thing that struck me that he brought to the job and that you will bring is the caring and commitment to serving the public. He was a very good parking director and got the job done. You indicated that same kind of desire. I know from different roles we have seen you in, that is the way you approach every job and the bug that bit you, something stuck about Middletown and many of us involved in the community for many years, we can relate to that and value that. I look forward to what you can do.

Councilman Santangelo states I appreciate your choice. He will support you and what I am hearing from you and listening to you, you figured it out. Your administrative skills are superb and you have good staff and figuring it out won't be a major problem. I think you will do a great job. I will support you.

Councilman Streeto states to the Mayor I think you deserve kudos for bringing an excellent professional back to our community and thinks Mr. Beliveau has done a great job. Mr. Thazhampallath states Roger wants to be back on the street. Mr. Thazhampallath states I will learn a lot from him.

Councilman Faulkner states he had concerns with the last director we had because we have a couple of issues in town, parking and traffic and I didn't focus on parking and I would like to see more engineering background and technical background with traffic and engineering and how your background fits that and the nuances of studying new techniques used in the country. Mr. Thazhampallath responds I am not an engineer but know my capabilities and skill set and know there are people who specialize in certain areas, engineering, traffic and parking and sometimes the best decision you can make is finding someone who can find the expert and go to the town and get the information that is needed. He will align himself with the best resources and consultant; he will make sure he gets the best people to support him for the best decision possible. We have over time seen that people are willing to put their faith in the experts and that is what he will do.

The Chair states he is glad to see you back mainly because your greatest asset is to bring people together; you may have competing interest and you would find the common ground. Parking is froth with competing interests. There is the interest of the business community; there is the interest of the

consumer looking for availability and a fair price and fair enforcement. There is the financial interest. The entire system has to pay for itself and those interests are pulling in different directions and takes someone to see how they work together. Your predecessor was the right guy for that time. He took no system and came up with a framework and he did that and when he left for Pennsylvania, the need at that point appeared to me was they wanted someone that knew the community and be a liaison with the community. I don't know what Parking Advisory asked or the interview panel. I am not sure what they asked but they came to the same conclusion. You came to us at the right time for the challenges that face us right now. That is why I made the choice I did.

The Chair states if no other members of the Council have questions, he recognizes Councilwoman Kasper to present agenda item 7-1.

Councilwoman Kasper reads and moves for approval agenda item 7-1, confirming the appointment and salary grade of Geen Thazhampallath as Parking Director. Councilman Faulkner seconds the motion.

Councilman Serra states this is a pleasure to vote yes on this; I met him back in 1994 as an intern and saw he was a talented individual. To see his maturation and knowledge of Middletown, Geen knows Middletown, and his skill set is in-depth and he is willing to learn and get trained. He will support him and remember every committee supported his candidacy.

Councilman Bauer states he will be the one sour note and what he hears from the public is that things are not going in the right direction. I was pleased that the predecessor raised questions and brought things in and made us question how we look at things and this will be a step back and I think we are slipping back to an ethos where we take a job and fitting it to a person instead of finding the person for the job. We should be looking for people to increase the bank of ideas rather than finding someone who will relate well to the parties we know.

Councilman Drew states Geen fulfills those imperatives and he has the ability and intelligence and creative modality of thinking and he will support the nomination. Councilman Pessina states he looks at it differently than Councilman Bauer; with his administrative and skills set he has, sometimes it is a good thing. If he doesn't have the parking certification behind him, his administrative abilities and type of person he is will give him an opportunity to look at parking with a different set of eyeglasses. I think my expectation, Geen will see different avenues in dealing with parking and when he does, he has the ability to get parties together and move the City in the right direction and if he in his heart feels that he is not valued enough and needs to get education or certification, then I truly believe he will do so. What more can we ask for and states I will support you, Geen.

The Chair hearing no further discussion, calls for the vote. It is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, and Drew; one nay vote by Councilman Bauer; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine in favor, one opposed, one abstention, and one absent and not voting. The Chair states the candidate is confirmed. He receives the congratulations of the public present and the Council.

Resolution No.
File Name
Description

147-11
pegthazhampallathparkdir.docx
Confirming the appointment of Geen Thazhampallath as the Director of Parking and approving salary at Grade 15, Step 5, Teamsters Local #361 (\$40.46 per hour), 40 hours.

(Approved)

Be it resolved by the Common Council of the City of Middletown: That Geen Thazhampallath be confirmed in the position of Director of Parking at Teamsters Local #361, Salary Grade 15, Step 5 (\$40.46 per hour) 40 hrs. Effective upon Council approval. Resume attached

Fiscal Impact: The salary dollars are currently budgeted; there is no fiscal impact.

Agenda Item
Description

8
Appropriation Requests and Agenda Item 11-2

The Council Clerk is asked to read the appropriation requests and the Certificate of the Director of Finance.

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 **Monday, October 3, 2011** at 7 o'clock p.m. to consider and act upon the following:

Common Council \$10,000, Account No. 1000-12000-55185, Contractual Services, General Fund
 Public Works \$25,000, Account No. 2380-22000-55417, Site Improvements, Bulky Waste Fund.

Any and all persons interested may appear and be heard.

ATTEST:
 SEBASTIAN N. GIULIANO
 Mayor

To: His Honor Mayor Sebastian N. Giuliano
 and Members of the Common Council
 From: Finance
 Date: October 3, 2011
 RE: Certification of Funds

This is to certify that funds for the appropriations requested at your meeting of October 3, 2011 are available as follows:

General Fund	\$10,000
Bulky Waste Fund	\$25,000

Respectfully submitted,
 Carl Erlacher
 Director of Finance

Agenda Item 11-2

The Chair states in accordance with the amended agenda, he recognizes Councilman Streeto. He states he has an appropriation and resolution. The Chair states you can't combine them and the resolution is first.

Councilman Streeto reads and moves agenda item 11-2 for approval; Councilwoman Kasper seconds the motion. The Chair calls for discussion.

Point of Information

Councilman Serra asks if he can make an amendment before discussion.

Noted for the Record

Council Members Klattenberg and Drew have left their seats in the chamber.

Councilman Serra states after the 9th paragraph, add "Be it further resolved: Councilman Klattenberg, Councilwoman Kasper and Councilman Bauer are appointed as the representatives of the Council as authorized in the previous paragraph; and" then the rest of the resolution. Councilman Streeto states he has no objection to this. The Chair states it is amended if there are no objections. There are none.

Councilman Streeto states some of the issues, this is responsive to members of the public from a letter from the WPCA to investigate moving the Water and Sewer Director, Deputy and Administrative Aide from Berlin Street. They received a press release in response and he is not sure if it was published and we received it on the 7th and it raised more questions than answers. Most seem invalid on their face and the first concern is the Department finances and Director Russo indicated they had a financial crunch two years ago and that has been resolved since. Councilman Bauer will address this in more detail because he serves on that committee and what happened at that time was a reduction in usage was a reduction in revenue and funds were moved from a line item and the loan was paid back by the Commission and at this point things are healthy. There is a deficit in collections today.

Noted for the Record

Council Members Klattenberg and Drew return to their seats at 9:13 p.m.; Councilman Bibisi leaves his seat.

Councilman Streeto continues the WPCA has gotten into more aggressive collection and most of the deficits are from the most recent period. Item 2, regarding construction projects, there have been projects going on for the last four years and item 3 concerns a federal lawsuit alleging harassment and he had a friend do a search and the suit is at the initial stages and he shares a case, Mayo vs Satan and staff. It was dismissed because Satan was not living in the district. My point is anybody can file suit against anybody for violating civil rights. He found four separate allegations of civil rights against the Police Department and I don't think they have affected the Police or the Department. Why are we applying a different standard to another Director. If they are in the same situation, they should be treated the same and it raises questions. Item 5, you heard from the Director of IT, it was a hardware problem and training of an individual and why is the Director

being punished for this. We also heard regarding to issue 6, the failure to move over water meters; it is an ongoing issue. Item regarding personnel issues, we have two versions as to what is happening and this is most disturbing. Someone may be mistaken as to what is going on and we need someone to look at this. The purported reasons will be analyzed and he hopes everyone will support this because the Council has been receiving misinformation. The date for the press release predates your tenure by over a year. I am not sure what a user field collection option is and the Commission has not enacted anything like that and to the degree there are typos and mistakes how carefully have the facts been checked. He has many more questions than answers and needs someone to find the information. I conclude by noting he has questions of moving the Director of Sewer without WPCA approval. In consequence and since the Chair and Vice Chair were not informed of the move, he questions the legality of it. He asks the Council to support the resolution.

Councilman Serra states he will support the resolution for one reason; it came from a bipartisan committee that has been dealing with the concerns for two years. This will answer the concerns of the WPCA but also the concerns brought up by the Union leadership as well as the public. It is a double-edged sword; the bottom line is, it was requested by a bipartisan committee and if there are problems, we will have what needs to be addressed given to us by an independent individual. The Union came forward with their concerns. That is why he will support this.

Councilman Pessina is perplexed by the whole letter because as he read it and reread it we are investigating a move from one physical location to another and no where does it say by virtue of the Mayor say he is limiting his duties as a Director. We are talking about moving the desk and he respects comments about the WPCA and he reads from Section 4, Chapter 4, it clearly says he is directly responsible for all departments, agencies, offices, persons, and boards and shall supervise and direct them. He is the CEO of the City. Other directors have been moved to City hall and there have been no letters of ramification and this resolution clearly says the Council shall not diminish the powers and duties of the Mayor and it seems to him, common sense, because the Mayor moved a Director from one location to another; he is being chastised and we want to spend \$10,000 on an outside legal source to find out why they say, we the above, finds the timing inexplicable. The WPCA gets it; he is the Mayor and CEO of the City and that is his charge. It is not our charge to second guess the Mayor by virtue of the Charter and he will go one step further, when he was first elected, there was an investigation, independent that was hired by this Council for the same amount of money to investigate on behalf of one majority member against an employee of the Police Department and we spent \$10,000 that ultimately went to the Ethics Commission and we lost. \$10,000 went out the door on a frivolous investigation and this is frivolous and an attack on the Mayor. That is why the Charter is written the way it is and he is not supporting this. There is nothing they can focus on that needs to be investigated and as part of this letter, one of the most important complicated functions is the action we are planning on, a united front. A united front has to start with your greatest resource, the employees. They are closest to the problems and they will help us and when you talk about united front, you better get employees and Unions together before you send this letter to us for a move. Clean your house first. You can't go forward with this without the backing of the employees and the retraining they need.

Noted for the Record

Councilman Bibisi returns to his seat at 9:20 p.m.

Councilman Bauer states he will share a different perspective and offer an amendment that helps this resolution. My first thing to share is he is looking at this resolution taking on two issues. The first issue is that we called into credibility the water and sewer operation and the second is what Councilman Pessina alluded to. The Council may have a credibility issue to exercise this part of our duties, our authority. We stumbled out of the blocks the last time we tried to invoke this. He tried to believe the Charter committees and voters must have known what they were doing and they gave the Council this authority. I think we have to return the confidence of the voters and use the authority properly. He would like to, when he reads the resolution and the whereas paragraphs and put your attention to 1, 2, and 6; I don't think they need to be there. Those comments color what the Council investigation should be looking at. Personally, I am a signatory to the WPCA letter and that letter when he signed it was not of the action, but of the symptom. There were more questions asked than statement of fact and it was a gut check to sign the letter and he felt vindicated when the press release was sent. It said there are problems here. If the Council just accepts the letter and accepts the intent of the press release, that is enough to go on. He moves to strike paragraphs 1, 2 and 6 from this resolution. We still have enough motivation to go forward and still support the true paragraphs. Councilman Streeto

accepts it as a friendly amendment. The Chair states if there is no objection, it is a friendly amendment.

Councilman Faulkner has an issue, because paragraph 1, as he was talking about it and it is significant because it tells what the relocation was from the water and sewer building to City hall; that is a big change. It takes them from the area they manage to a neutral place where they don't manage and that is key to him. Councilman Serra states he objects to the amendment as does Councilwoman Kasper.

The Chair calls the vote on amendment. The Chair states that he will call a vote on the amendment. It is one aye vote by Councilman Bauer and eight nay votes by Council Members Serra, Klattenberg, Daley, Santangelo, Kasper, Streeto, Faulkner, and Drew; and two abstentions by Council Members Pessina and Bibisi. The Chair states the amendment fails.

Councilman Bauer states he wanted a clearer stance; they have more questions and not evidence and we opened something up and we can't put the lid back on. We have to move forward. I wish we would do it without the paragraphs, but we still need to move forward. I want to talk about how to proceed and enough was said about the Council's stumbling on performing investigations. When you take on a project like this and I reluctantly step up and be part of this investigation. It has to take place in three parts; the first is an investigation where the designated delegates of the Council and the Council perform the initial interviews because I take the letter and press release as some guides and I don't think it is complete and before we engage the public's money, we need to perform interviews and it can be performed confidentially.

Councilman Serra states that should take place after the vote and the scope of inquiry and the public hearing with the concerns as well as the three individuals, you, Councilman Klattenberg and Councilwoman Kasper can do the scope. That should be discussed after in terms of direction.

Councilman Bauer states the one thing is what would give him confidence if the Council personally conducted the interviews and came back to the Council and came up with the discrete number of questions to seek specific areas of investigation. Councilman Serra states this committee goes as far as scope and the three individuals and public hearing; he doesn't think the Council would do that because there might be accusations after. Councilman Bauer states he would conditionally agree and if three have a charge until they bring something to the Council, there would be no authorization to spend funds. Councilman Serra states you have the authorization if this passes. You will be the ones to authorize and you have the responsibility. Councilman Bauer states when he reads Chapter 3, Section 8, it does specify the Council to do the investigation and he would feel more comfortable if they did it and there are a lot of people we have not heard from. He thinks they would want to investigate the key personnel and other key city officials and other elected officials.

Point of Order

Councilman Santangelo states Councilman Bauer made a good point; we are in debate and we should speak no more than 2 times and no more than 10 minutes. Those are the rules.

The Chair states you are invoking Chapter 3, Section 8 and the scope is right there. He doesn't believe your resolution identifies what you are investigating. You are debating what you are investigating and your three member committee has to figure out what you are investigating and come back to the Council.

Councilman Daley states he disagrees with you and it states it is in response to the WPCA letter. The Chair responds it is a decision. Councilman Daley states it may be more than one and it is about a lot more than moving an office and the other moves were done where the directors were involved in the decision making and the one thing I would agree with Councilman Pessina is that it is a perplexing situation and your press release states it is the last option before termination and the public should understand that and the last time the City went down that path, it cost a fortune and when you terminated a director, it cost a fortune. Frankly, I think the resolution could be crafted better, yes, but there is a need to investigate whether based on your press release and the trouble you feel exists in the Water and Sewer Department or whether it is because there are other reasons the move was made and the Council and public have the right to know. You are saying in the press release and you are saying you are considering termination. The Chair states you have the authority but it is not invoked correctly. Designate which ones and investigate it. This resolution does not do that and the letter that prompts it does not do that. Councilman Daley states to Councilman Pessina the ethics investigation, did the ethics fail to find ethics violation, yes

and Councilman Daley wishes that Councilman Pessina heard the testimony during the Board meetings and the ethics found on technical grounds and it did not mean they did not find nothing wrong. Councilman Daley wishes the administration had taken follow up action when they heard what came out of the Ethics Board.

Councilman Drew states the issue whether or not invokes the Council's power, is a smoke screen; it is looking at your office. He states Councilman Pessina, you believe in autocracy without any checks or balances. It gives the Council authority as a check and balance and autocratic authority is a misinterpretation. The WPCA does not operate the way the Public Works Department does because of state statutory authority. Water and Sewer is a different animal because of the State statute and the way you indignantly wagged your finger at the WPCA members was inappropriate and that makes me think there is something to look into. The Chair states there is an opinion from 1983 and it does not bear out your opinion. Attorney Howard states it is an opinion written in April 12, 1993, pursuant to a request of Mayor Garafalo and the powers and duties of Water and Sewer regarding personnel and it is extensive and which was then part of Charter revision and the same provisions are no longer in the Charter but remain as law and be considered ordinances and they never have been codified and put into the ordinances and the city Attorney said that the WPCA have certain responsibilities for water and sewer services, the authority is responsible for regulation of waterworks and sewer systems and they can supervise and direct those subject to union agreements, charter, etc., but the authority cannot interfere with personnel issues that fall under the mayor and the director and the WPCA should play a role. The WPCA can become involved with administration to ensure water and sewer services are being provided to the citizens and they have authority over the physical plant but they can't interfere with the mayor and personnel matters. Councilman Drew responds but they are not interfering they are asking for an investigation. The Chair states the Charter says you can investigate an office, department, or agency. It is not within the language of the Charter to investigate a decision. Councilman Streeto responds you can't investigate a department without investigating a decision. How else can you do it.

Councilman Serra states the chair should not be debating; you can give new information. The Chair states when the chair is a member of the body, he can't debate. He states I am not a member of this body.

Councilman Bibisi states he will not support this; basically it is a Charter violation. If we want to investigate it, let's table it and address it correctly and we can do it collectively and I can support that. Table it and it is a Charter violation. He states after what we heard today, we need to address this. The Chair states is that a motion

Motion to Table

Councilman Bibisi makes a motion to table this matter and his motion is seconded by Councilman Pessina. The Chair states the motion is to table and it cannot be discussed. He asks if it was a motion to postpone. The Mover and seconder withdraw their motion to table.

Motion to Postpone

Councilman Bibisi moves to postpone this matter and Councilman Pessina seconds the motion. The Chair states that can be discussed. Councilman Drew states that is political. The Chair states this is a political resolution. It is an open investigation for who knows what and spending \$10,000. Say what you want to investigate.

Motion to Recess

Councilwoman Kasper asks for a five minute recess; Councilman Klattenberg seconds the motion for a recess. The vote is called and the motion passes.

Meeting Recesses

The Chair declares a recess at 9:58 p.m.

Meeting Reconvenes

The Chair calls the meeting to order at 10:09 p.m.

The Chair states the motion is to postpone. He calls for the vote and it is three aye votes by Council Members Pessina, Bibisi, and Bauer; and eight nay votes by Council Members Serra, Klattenberg, Daley, Santangelo, Kasper, Streeto, Faulkner, and Drew. The Chair states the motion fails

Motion to Amend

Councilman Drew reads an amendment in the Now therefore paragraph after Common Council, add "of the Office of the Mayor, Personnel Department, and Water and Sewer Department concerning the move of the Director, Assistant Director, and Field Manager and the assertions made in the Mayor's Press Release; and"; Councilman Streeto seconds the motion. Councilman Pessina objects to the amendment.

Councilman Drew states he is surprised at the objection because just 5 minutes before the recess the two gentlemen said they would take a look at the department.

Councilman Pessina states your last word, move we are investigating a move of the director and you put in the Mayor, Personnel Department and Water and Sewer; how can we justify \$10,000 to investigate a move and in three weeks it is a fact we will have a new Council here and any resolutions passed in this Council are not binding to the new Council. Councilman Drew responds I am not ordering the Council to do anything. Councilman Pessina states you are investigating a move. Councilman Drew states you don't want an investigation. The Chair states I don't mind you investigating. Councilman Drew states his simple question is what are you afraid of. The Chair states do you want to vote the appropriateness of the amendment.

Councilman Bauer states for the decorum, we should be sticking to the issues and not try to make this any element of politics. I don't like to hear the politics here. The Chair states I have no objection investigating my office and I have a problem with a resolution containing conclusions. The Chair asks how do you know the reasons were inadequate. Councilman Drew responds the press release is years old and we did not hear your reasons. The Chair states the paragraph is out of place.

Motion to Amend

Councilman Drew offers an additional amendment which is to strike the 5th paragraph that states the reasons; it should be removed. The Chair asks if there is objection to that. There is none.

The Chair states Councilman Drew's amendment needs to be voted on. The Chair states striking the 5th paragraph and the language change is the motion. He calls for the vote. It is eight aye votes by Council Members Serra, Klattenberg, Daley, Santangelo, Kasper, Streeto, Faulkner, and Drew; and two nay votes by Council Members Pessina and Bibisi; Councilman Bauer states he votes nay. The Chair states it is eight in favor, three against and one absent and not voting.

The Chair states it is a motion to investigate of the Mayor's Office, Personnel, and Water and Sewer.

Motion to Call Question

Councilman Streeto is recognized and moves to call the question; Councilman Santangelo seconds the motion Councilman Klattenberg states he has not been heard. The Chair calls for the vote and it is ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Drew and one nay vote by Councilman Bauer. The Chair states the motion carries.

The Chair calls for the vote on the underlying motion. It is eight aye votes by Council Members Serra, Klattenberg, Daley, Santangelo, Kasper, Streeto, Faulkner, and Drew and three nay votes by Council Members Pessina, Bibisi, and Bauer. The Chair states the motion carries.

**Resolution No.
File Name
Description**

**148-11
ccwsmoveinvestigation.docx
Approving conducting an investigation, in accordance with the request of the WPCA as to the relocation of the director and Assistant Director of the Water and Sewer Department; approving the waiving of Section 78-10 Contracts for Professional Services of Chapter 78 to allow the hiring of an outside law firm or professional organization to conduct the investigation; and approving creating a subcommittee of the council to hire and sign the agreement on behalf of the common Council for such professional services.**

(Amended and Approved)

WHEREAS, the Mayor has recently relocated the offices of the Director of the Water and Sewer Departments and the Assistant Director of the Water and Sewer Departments from their present location at Berlin Street to City Hall; and

WHEREAS, the Water Pollution Control Authority questioned this action, which happened unilaterally and without notice to the WPCA; and

WHEREAS, the Water Pollution Control Authority has sent a letter to the Mayor and this Council dated September 7, 2011, signed by each member of that Authority, requesting an investigation into the reasons for this decision; and

WHEREAS, the Mayor has issued a press release dated September 7, 2011 offering an explanation for his unilateral action; and

WHEREAS, the disruption of the senior administration in the Water and Sewer Department at a time of the city application to join the Mattabasset District represents a possible threat to a rare and critical opportunity for the City of Middletown; and

WHEREAS, the Charter of the City of Middletown grants the power to the Common Council to investigate any City Department.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Section 78-10, Contracts for Professional Services of Chapter 78 of the Middletown Code of ordinances be waived to allow the hiring of an outside law firm or professional organization to conduct an investigation for the Common Council, of the Office of the Mayor, Personnel Department, and Water and Sewer Department concerning the move of the Director, Assistant Director, and Field Manager and the assertions made in the Mayor's Press Release; and

BE IT FURTHER RESOLVED: That a subcommittee of three Council members, proportional to the present party representation on the council, be appointed, in order to sign an agreement on behalf of the Common Council, and that a majority of the signatures of said subcommittee shall suffice to authorize such an agreement; and

BE IT FURTHER RESOLVED: That Council Members Klattenberg, Kasper, and Bauer are appointed as the representatives for the Council as authorized in the previous paragraph; and

BE IT FURTHER RESOLVED: That a report of findings and recommendations shall be completed by no later than October 31, 2011, unless such report date is extended by the Common Council.

Fiscal Impact: The hiring of a person or organization to do the investigation will cost not more than \$10,000.

Agenda Item 8
Description **Appropriation request**

Common Council Appropriation

Councilman Serra reads and moves for approval the \$10,000 Common Council request; Councilman Streeto seconds the motion.

Councilman Bauer asks through the Chair to the maker of the motion, just how soon will you be able to tap the appropriation should it pass. Councilman Serra responds fifteen days from publication. Councilman Bauer states we debated this a lot and I think I was conflicted on the vote and he voted no on the previous resolution and voted no because it is flawed. This is something we have to do and he will do it to the best of his ability. Councilman Pessina asks the committee not to be so quick to spend the \$10,000 and come back to the next Council for a reappropriate on the next Council if it is warranted. Councilman Santangelo asks that there be no grandstanding please.

The Chair calls for the vote. It is ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter passes with ten in favor one opposed and one absent and not voting.

Common Council **\$10,000, Account No. 1000-12000-55185, Contractual Services, General Fund.**
(Approved)

Bulky Waste Appropriation

Councilman Serra reads and moves for approval the bulky waste appropriation; Councilman Streeto seconds the motion. The Chair calls 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, all in favor and one absent and not voting.

Public Works **\$25,000, Account No. 2380-22000-55417, Site Improvements, Bulky Waste Fund.**
(Approved)

Agenda Item 9
Description **Department, Committee, Commission Reports and Grant Approvals**

The Chair recognizes Councilman Serra for Department, committee, commission reports and grant confirmation and approvals. Councilman Serra moves items 9A, 9B, 9C, 9D, 9E, 9F, 9G, 9H, and 9I, for approval. Councilman Streeto seconds the motion and asks to be heard after agenda item 10. The Chair states the Department and Committee reports and Grant confirmations have been moved and seconded; he calls for discussion. He

calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the items are accepted and approved

Agenda Item Description (Approved)

**9A
Town Clerk Certification
September 27, 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 September 6, 2011 at 7:00 p.m. and specials meetings on September 6, 2011 at 6 p.m., and September 8, 2011 at 7:00 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 September 22, 2011
Public Works Report with summary/Bldg Permits for August, 2011**

Agenda Item Description (Approved)

**9C
Grant Confirmation and Approval – Board of Education**

Name of Grant: As Listed Below
Amount \$2,412,596.37
Code: 2450-33000-
Grant Period: From: 7/1/2011 **To:** 6/30/201

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 751 - Macdonough Fresh Fruits-6/30/12 \$11,346; 752 - Macdonough Fresh Fruits-9/30/11 \$2,490; 769 - Middletown Teen Theater \$1,744; 813 - Adult Ed Provider (State) \$1,491,106; 814 - Adult Ed-Cooperating Eligible Entity \$11,383; 841 - Special Ed Medicaid \$18,345.92; 844 - Even Start Family Literacy Program \$6,815; 846 - United Way Discover-Chris Fahey \$19,805; 847 - School Readiness-Chris Fahey \$86,667; 852 - Universal Service Fund \$120; 883 - Adult Ed PIP \$205,800; 887 - Adult Ed PIP English Literacy Acquisition \$29,400; 894 - Swaim Strings Program \$100; 700 - Food Services Receipts \$200,557.74; 801 - Cigna Certified & Paras \$191,623.28; 803 - Workers' Compensation \$32,600.71; 804 - Preschool Program Fees \$4,376; 805 - Summer School Receipts \$330; 807 - Aetna Classified \$1,304.02; 809 - Maintenance/Rentals \$8,349.20; 823 - Curriculum Receipts \$25; 833 - Adult Ed Receipts \$84,500; 893 - Fingerprinting Receipts \$808.50; 898 - Student Activities-M.H.S. \$3,000 Total Special Programs Through 8/17/2011 \$2,311,854.28 ADDITIONS \$2,412,596.37 Total Special Programs

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

Agenda Item Description

**9D
Grant Confirmation and Approval –**

Name of Grant: USAR Re-imbusement
Amount \$24,000.00
Code: 3032-25500-51220
Grant Period: From: 10/1/201 **To:** 9/30/201

Type of State
Amount Loaned from General \$24,000.00
Department Administering Emergency Management

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 John Ricci Re-imbusement-United States Army Reserve for Emergency Management Services

Requested by: Bruce Driska

Agenda Item Description

**9E
Grant Confirmation and Approval –**

Name of Grant: Parks and Recreation Activity Account
Amount \$70,000.00
Code: 2210-32000-
Grant Period: From: **To:**

Type of
Amount Loaned from General
Department Administering Parks and Recreation 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 pay salaries and supplies for outreach and inclusion programming. To pay for other programs, staff and supplies for the various programs that we offer through the Parks and Recreation Department that are not directly funded by the City. We pay for bus trips and staff from this account. We make purchases of equipment that is needed for some of equipment that is needed for some of these programs.

Requested by: Raymond Santostefano

Agenda Item Description (Approved)

9F

Grant Confirmation and Approval –

Name of Grant: Senior Resources Agency on Aging Dental Grant

Amount \$3,060.00

Code: 3079-13000-

Grant Period: From: 10/1/201 **To:** 6/30/201

Type of Federal

Amount Loaned from General \$3,060.00

Department Administering Senior Center

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 Provide dental cleaning and screening in coordination with the Community Health Center at the Senior Center for Middletown area residents with and without insurance at no cost to the client. There is no financial impact to the city because the potential cost has already been budgeted for.

Requested by: Raymond Santostefano

Agenda Item Description (Approved)

9G

Grant Confirmation and Approval – Planning, Cons. & Dev.

Name of Grant: Coginchaug River Boat Launch

Amount \$50,000.00

Code: 3455-14000-59200

Grant Period: From: 5/25/201 **To:** 5/25/201

Type of State

Amount Loaned from General \$50,000.00

Department Administering Dept. of 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 Dept. of Energy and Environmental protection - Recreational Trails Program Design and create a pedestrian access path and car-top boat launch at the City transfer station/former landfill property and into the Coginchaug River

Requested by: William Warner

Agenda Item Description (Accepted)

9H

WPCA Letter to Council

Agenda Item Description (Approved)

9I

Emergency Purchase – Water and Sewer, Cahill, East Main St. Pump Station

Agenda Item Description (Approved)

10

Payment of City Bills

Councilman Serra moves to pay all bills that have been properly approved. Councilwoman Kasper seconds the motion. The Chair calls for the vote and the matter is approved with ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter is approved with one in opposition and no abstentions.

The Chair recognizes Councilman Streeto who states the hour is late and he suspects the majority are here for Shiloh and we should move it to the top of the agenda.

Motion to Amend

Councilman Streeto moves to amend the agenda by moving agenda item 11-17 to be heard at this time. Councilman Serra seconds the motion. The Chair calls for the vote and if there are nine ayes, the item will be discussed.

It is unanimous to approve with eleven aye votes. The Chair states there are nine votes and he recognizes Councilman Faulkner.

Agenda Item 11-17

Councilman Faulkner reads and moves agenda item 11-17 for approval and his motion is seconded by Councilwoman Kasper. Councilman Drew states he supported this resolution when it came to Public Works and the votes were not there to carry it out of committee. This Church is an institution in the community and provides services and the history of what the Church has gone through and it is a difficult story and they have gathered together to make it work. The City should speed the process along and he was concerned that additional expenses could push the construction back for many months. He will support the waiver.

Councilman Klattenberg states we talked about this a long time when the meeting began and he is surprised that the resolutions don't stand the test of time from term to term and he is working under the assumption that there was a policy in place and it bothers me that we don't and I don't want to vote in opposition but he will abstain and he would like to see a policy enacted. It was important that the building permit fee waivers being asked by the City, the Council had to take action and put a stop to it and there are economic reasons and there are legitimate opportunities for jobs and he would like the Council to support another policy put into place in the near future so there is a defined policy so it moves from Council to Council and I believe it will have to be an ordinance. Ordinance Study and Finance and Government Operations can work on this.

Councilman Pessina states he will support this; he knows a member of the public spoke about the taxes and use of City services and by 33 years in the police, I relied on the faith-based community. They led. They give back more and more to the community and sometimes we don't realize the great resource they are. He thanks them for their help in the past.

Councilman Streeto states at the beginning of the meeting it was noted it was my resolution banning these waivers and someone will quote back at you when you don't want to hear it. He is supporting it and I am not running for reelection, one of the differences was we had a lot of construction going on and right now we are starving for construction activity. I agree with Councilman Klattenberg that some review of waivers and policy is in order. There is a risk waiving building permit fees for our favorite groups. We suggest that in this climate, waivers should be the rule. We are encouraging construction jobs, we are doing a good thing. In projections like this, you probably get a lot of donations in supplies and labor and the fees may be a major expense.

Councilman Bibisi states he will support this; they negotiated for what was rightly theirs in a court case. They deserve the fee waiver and he will support it.

Councilman Daley states he will support this and commends the Chair of their building committee; you gave excellent reasons for supporting the waiving of the fees. Those are the reasons we should support this along with the fact the church is part of the community and does a lot of work. There will be no way to come up with a policy to resolve the issue. The ordinance states the authority rests with the Council and we have to make those calls and he goes on record and contrary to what Councilman Streeto said, waivers should not be the rule. We need the building permit fees to pay for services. This should not be considered a precedent. The scope of the project and your struggle is what I will base my vote on; the concerns raised by Mr. Devoto are well taken, but we do get pilot funds. He supports the waiver in this case. It is the exception and not the rule.

Councilman Bauer states although I believe in separation of church and state, the City can't succeed without a strong spiritual component. He will vote no. If you went to the Economic Development Committee, you might have gotten the waiver. Your charge, it looks like you will get the waiver and there will be a transfer where inspections will take place and someone else will have to pay for them. If you had come to the Economic Development Commission, I could have written about the cultural benefit to the City and you do owe the City something for the services being provided, but I think you will repay it with the programs planned, the outreach to the community and public space I think you will eventually repay.

Councilman Faulkner states this group has worked hard and if there is precedence it is what they went through. I think this business in the future

paying back to the community, this church has been contributing to the community all along. He looks forward to the building and visiting you.

Councilman Serra states this is a conflict of the past and present which makes us aware that we need to reaffirm or change resolutions of past Councils, if that is the ruling. It showed that Finance and Government Operations endorsed this and it was the spirit to pass it on to the Council and we need individuals on the Council to reaffirm or change prior Councils.

The Chair states he agrees with Councilman Daley and Councilman Faulkner. It doesn't set a precedence. The story is off the chart and now the goal is in sight. If denying a waiver of the building permit fee means losing a season, then it should be granted so you can pour the foundation. I don't think it has happened to any other church in Middletown. Seeing no further discussion, the vote is called. It is nine aye votes by Council Members Serra, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Drew; one nay vote by Councilman Bauer; and one abstention by Councilman Klattenberg. The Chair states it is nine in favor, one opposed, one abstention and one absent and the waiver is granted.

Resolution No.
File Name
Description

(Approved)

149-11
cchilohChristainChurchbldgpermitfewaiver.doc
Approving the waiving of the building permit fees for Shiloh Church except for the State portion of the fee which cannot be waived.

WHEREAS, Shiloh Christian Church is building a new facility to be located at the corner of Saybrook Road and Coe Avenue; and

WHEREAS, the new place of worship is expected to cost approximately \$1.5 million; and

WHEREAS, the building permit fee payable to the City of Middletown for a construction of this value is \$21,391; and

WHEREAS, the Church, which serves many members of the Middletown community, is a non-profit organization with limited funding for construction costs; and

WHEREAS, the Church has requested a waiver of the building permit fees.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Shiloh Christian Church is granted a waiver of the building permit fee but will be responsible to pay the State portion of the fee, which cannot be waived

FINANCIAL IMPACT STATEMENT

For construction valued at \$1,500,000, the City will not realize revenue in the amount of \$21,016 from the building permit fee. \$375 is the State portion of the Building Permit fee.

Agenda Item **11**
Description **Ordinances and Resolutions**

Agenda Item **11-1**

Councilwoman Kasper reads and moves for approval agenda item 11-1 and the motion is seconded by Councilman Faulkner.

Councilman Serra states we have a document in Personnel Review, the first draft for these ten individuals and we will be interacting with them and hopefully it will be on the November Council agenda and will begin December 1.

The Chair, hearing no further discussion, calls for the vote. The matter passes unanimously, with eleven aye votes. The Chair states the matter passes with eleven in favor and one absent and not voting.

Resolution No.
File Name
Description

150-11
ccnonbargainextpiggyback.docx
Approving continuing the benefits and cost of benefits as provided to the Teamsters, Local 671 to certain non-bargaining unit positions, as listed in the resolution, through November 30, 2011 or until such time as the council approves personnel rules that will cover such individuals.

(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, 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 shall continue to receive all the same benefits, costs of benefits as provided to the Teamsters Local 671, former MMPA through November 30, 2011 or until such time as rules are approved by the Common Council.

Fiscal Impact: The cost of benefits is in the budget; no additional impact.

Agenda Item 11-2

This item was moved and acted upon before Item 8, Appropriations.

Agenda Item 11-3

Councilman Klattenberg reads and moves for approval agenda item 11-3; his motion is seconded by Councilwoman Kasper.

Councilman Klattenberg states the reason this resolution is being presented is that it is very timely; thirty-three positions will need to be vacated due to retirement and the Personnel Director also concurred this was the appropriate time to look at them to streamline and make them more effective and sharing resources and those areas are where we should be looking at. He thanks Councilwoman Kasper for bringing this up and supports this enthusiastically.

Noted for the Record

Councilman Bauer has left his seat in the chamber.

The Chair recognizes Councilman Drew who states the thirty-three vacant positions were part of what they looked at when doing the budget.

The Chair calls vote. It is ten aye votes by the members present and voting. The Chair states it is ten in favor and two absent and not voting.

Resolution No.
File Name
Description

151-11
ccwaiver74-9fillingforstudy.docx
Approving the waiving of Section 74-9, filling of Vacancies and that no vacant position due to retirement, except for those that may impact public safety, be filled until such time as Finance and Government Operations Commission has time to review said position.

(Approved)

Whereas, the City of Middletown has initiated a program to encourage the retirement of eligible employees in various city departments, and

Whereas, the City is seeing numerous employee retirements in many city departments as a result of this program through March, 2012; and

Whereas, it has been the goal of the Common Council to find opportunities to reduce the cost of city services whenever possible, and

Whereas, with the combination of city government streamlining, reductions in service costs and/or improvements in program efficiencies will lead to significant benefits to taxpayers; and

Whereas, the Finance and Government Operations Commission has been charged with the study and evaluation of the operation of municipal departments, agencies and programs and to make recommendations to the Mayor and Common Council concerning ways to improve the effectiveness, efficiency and quality of government services and programs; and

Whereas, the Commission can best conduct such studies while positions remain vacant; and

Whereas, such studies can be done by consulting with directors, use of consultants as well as requesting through the Mayor's Office, assistance in conducting such studies including the establishment of task forces of City staff and or citizens.

Now, Therefore, Be it resolved by the Common Council of the City of Middletown: That Ordinance 74-9, Filling of Vacancies that do not impact public safety be waived and that no vacant position(s) due to retirement shall be filled until such time as the Finance and Government Operations Commission has had time to review said position as to its effectiveness and efficiency.

Fiscal Impact: Additional review of vacant positions may save funds in the current and future budgets; no impact on the current budget.

Noted for the Record

Councilman Bauer returns to his seat in the chamber.

Agenda Item 11-4

Councilwoman Kasper reads and moves for approval agenda item 11-4 and her motion is seconded by Councilman Pessina.

Councilman Bauer states he will vote in opposition; he doesn't think the system is quite fair to the taxpayers. I have never seen where there has been any adjustment but to raise payments. This is more the fox guarding the hen house when we do this when in fact 75% is for payroll and benefits. We need a more strenuous audit.

Councilman Daley states this is the curse of being here a while. Before this process of labor management committees, we had job descriptions through Personnel Review and then the Council and there was always the question of politics and fairness and our tendency to say no and the committees, from

what I've seen, take their job seriously and because they are limited with the number they can do, they are forced to prioritize and act on the cases most warranted. This is a good process compared to how it was done before and absent a proposal to improve on this, I will support this.

Councilman Serra concurs with Councilman Daley; the ordinance says we need to go every ten years with a management study and it costs hundreds of thousands of dollars and we are reaffirming that management study is what we want to do.

Councilman Bauer states that it is a shame; we will have to reaffirm it after the next election. Councilman Faulkner wondered how long it is for. Councilman Daley responds until the next contract.

The vote is called and it is ten aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, Faulkner, and Drew; and one nay vote by Councilman Bauer. The Chair states it is ten in favor, one against and one absent and not voting.

Resolution No.
File Name
Description

152-11
peCompliancewith Ordinance74-21(2).doc
Approving the continuation of the review of job descriptions and compensation by Labor Management Committees pursuant to Collective Bargaining Agreements to ensure the city meets the spirit of Ordinance 74-21, Classification Review.

(Approved)

Whereas, Ordinance 74-21 stipulates that a Classification Review shall take place to ensure that employees are being compensated according to the value of their work; and

Whereas, Under the former Thompson system, employee Classification requests went through the Personnel Review Commission for evaluation and review and/or the City has gone through a full Classification Review at significant expense; and

Whereas, Between 2000 and 2003 the City underwent a Classification review and adopted the Maximus system; and

Whereas, Since the adoption of the Maximus system, both Teamsters Local #671 and AFSCME, Local 466 Council #4 have instituted annual Labor Management Committees; and

Whereas, Since the implementation of the Labor Management Committees and pursuant to the Collective Bargaining Agreements with the parties; job descriptions and compensation are reviewed annually through the processes set forth in each Agreement.

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

Upon the recommendation of the Personnel Review Commission the Common Council concurs that the spirit of Ordinance 74-21, Classification Review, is being managed through the annual reviews set forth in the Collective Bargaining Agreements between the Teamsters Local #671 and AFSCME Local 466, Council #4 and that no further action needs to be taken on the part of the Commission or Council.

Fiscal Impact: None

Agenda Item

11-5

Councilwoman Kasper reads and moves for approval agenda item 11-5; her motion is seconded by Councilman Pessina.

The Chair calls for the vote and it is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, and Drew; one nay vote by Councilman Bauer; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine in favor, one opposed, one abstention, and one absent and not voting.

Resolution No.
File Name
Description

153-11
pepolicedeptinclusionofbuildingsuperintendentIIpolicedept.doc
Approving amending the job description for Building superintendent II, Police Department, to Building Superintendent III, to reflect technological changes as well as sharing space with a public entity, with reclassification to Salary Grade 8, AFSCME Local 466 and recruitment to occur according to Collective Bargaining Agreements.

(Approved)

Whereas, the current job description for the Building Superintendent II, Police Department (Salary Grade 7 – AFSCME Local 466) fails to address the various technological changes present in the facility; and

Whereas, the current job description also fails to address the challenges presented in having the building share space with a public entity; and

Whereas, the current job description did not reflect the actual duties being performed by the former incumbent, including but not limited to the supervision of subordinate employees, the coordination of projects and OSHA compliance.

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

That it approves the inclusion of Building Superintendent III, Days, Police Department, Salary Grade 8 – AFSCME Local 466 into the classified plan and the recruitment for said position shall be in accordance with the Collective Bargaining Agreement between Local 466 and the City of Middletown.

Fiscal Impact: \$4,368 to be funded through department 110 salary line

Position Description

Title:	Building Superintendent III	
Department:	Police	
Date:	September 2011	Salary Grade 8

Purpose of Position

The purpose of this position is to Supervise custodial operations and employees and to coordinate multiple facility operations services. Work is performed under the direction of the Chief of Police or his/her 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.

- Inspects and determines proper functioning of all equipment including boilers, chillers and air handling units; computerized air conditioning and heating units; computerized gas pump; lighting systems and generators; measures oil levels in underground tanks and boilers; checks all known asbestos areas and reports any new conditions.
- Oversees facilities projects and/or upgrades. Oversees interior and exterior projects and facility. Meets with contractors regarding bids.
- Coordinates repair/maintenance contracts with external service providers.
- Assists the Fire Marshall in inspecting sprinkler and fire alarm systems and smoke detectors. Checks all fire extinguishers and certification cards each month.
- Prepares daily work schedules and overtime schedules; coordinates the scheduling of outside contractors. Coordinates repair and maintenance of equipment. Coordinates special events.
- Oversees and instructs subordinates on proper building security systems and procedures.
- Orders supplies and equipment needed for custodial work as directed. Oversees inventory control. Orders and maintains and repairs custodial equipment. Prepares bid specifications as warranted.
- Expected to respond and coordinate operations during emergency situations, as ordered by the Chief or his/her designee.
- Investigates work problems and determines corrective action.
- Coordinates deliveries.
- Trains and instructs custodial staff in cleaning functions and safety and sanitation practices and requirements.
- Ensures compliance with safe working practices and procedures. Ensures compliance with OSHA and MSDS materials. Ensures compliance with City of Middletown policies, union contracts and City Personnel Rules. Inspects facilities to determine safe conditions, cleanliness and vandalism.
- Checks snow levels on flat roofs during winter months; periodically cleans gutters and drains and removes leaves and debris.
- Assists tradesmen working in the facility; performs minor plumbing, carpentry and painting.
- Assembles and installs or moves new office furniture.
- Changes filters and oils air handling units throughout facility.
- Reviews and submits time cards.
- Performs grounds maintenance functions; mows lawns, trims trees and bushes; plants and mulches flowers, etc.
- Addresses building issues as they pertain to lease tenants located in/around building.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent with vocational/technical training and five years of progressively responsible custodial/facility maintenance experience or any combination of education and experience that provides equivalent knowledge, skills and abilities. Position requires proficiency in computer operations and 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 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 billing invoices, purchase requests, work orders, architectural drawings, blueprints, maintenance manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing.

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, grounds maintenance and custodial equipment, and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as maintaining equipment.
- 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 ten to twenty 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 11-6

Councilman Faulkner reads and moves for approval agenda item 11-6; his motion is seconded by Councilman Pessina. The Chair calls for the vote and it is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Kasper, Streeto, and Drew; one nay vote by Councilman Bauer; and one abstention by Councilman Faulkner. The Chair states the matter passes with nine in favor, one opposed, one abstention, and one absent and not voting.

**Resolution No.
File Name
Description**

**154-11
pecityhallreclassificationBuildingsuperintendentIIICityHall.doc
Approving amending the job description for the Building Superintendent II, city Hall to Building Superintendent III, Grade 8 AFSCME Local 466 to address technological changes as well as supervision and general oversight of the custodial staff with a reclassification of the incumbent into the new position.**

(Approved)

Whereas, the current job description for the Building Superintendent II, City Hall (Salary Grade 7 – AFSCME Local 466) fails to address the various technological changes present in the facility; and

Whereas, the current structure of having two (2) Building Superintendent II positions; one on days and one on nights fails to have a supervisor on staff to monitor the work assignments; prepare work assignments and have general oversight of the custodial staff; and

Whereas, the current (daytime) incumbent has been performing a higher level of work for the City and shall be reclassified into the position of Building Superintendent III, City Hall.

Be it resolved by the Common Council of the City of Middletown: That it approves the inclusion of Building Superintendent III, Days, City Hall, Salary Grade 8 – AFSCME Local 466 into the classified plan and the incumbent shall be reclassified into the position pursuant to the Personnel Rules, Reclassification of Positions, as adopted on January 5, 1998.

Fiscal Impact: \$4,368 to be funded through salary reserves

Position Description

Title:	Building Superintendent III	
Department:	City Hall	
Date:	September 2011	Salary Grade 8

Purpose of Position

The purpose of this position is to maintain buildings and equipment; train and supervise custodial staff located at City Hall. Position reports to the Director of Public Works.

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.

- Inspects and determines proper functioning of all equipment including boilers, chillers and air handling units; measures oil levels in underground tanks and boilers; checks all known asbestos areas and reports any new conditions.
- Assists the Fire Marshall in inspecting fire alarms and smoke detectors. Checks all fire extinguishers and certification cards each month.
- Prepares daily work schedules and overtime schedules for evening custodial staff; coordinates the scheduling of outside contractors. Coordinates repair and maintenance of equipment. Coordinates special events.
- Works and coordinates with Honeywell or similar contractor in the maintenance and management of the municipal heating and cooling systems. Manages computer functions for the operation.
- Ensures compliance and maintenance of generator located at City Hall.

- Manages mail delivery system with outside vendor. Ensures compliance with contractual obligations. Manages electronic postage system.
- Orders supplies and equipment needed for custodial work. Oversees inventory control. Orders, maintains and repairs custodial equipment.
- Coordinates deliveries.
- Supervises custodial staff in cleaning functions and safety and sanitation practices and requirements; trains temporary workers as authorized. Supervises and reports deficiencies to the department head. Trains and instructs new employees. Ensures compliance with Collective Bargaining Agreement.
- Maintains inventory of supplies and cleaning chemicals. Maintains MSDS logs on all chemicals. Ensures OSHA compliance.
- Checks snow levels on flat roofs during winter months; periodically cleans gutters and drains and removes leaves and debris.
- Assists tradesmen working in the facility; performs minor plumbing, carpentry and painting.
- Assembles and installs or moves new office furniture.
- Changes filters and oils air handling units throughout facility.
- Reviews and submits time cards.
- Performs grounds maintenance functions; mows lawns, trims trees and bushes; plants and mulches flowers, etc.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent with vocational/technical training and five years of progressively responsible custodial/facility maintenance 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 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 billing invoices, purchase requests, work orders, architectural drawings, blueprints, maintenance manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing.

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, grounds maintenance and custodial equipment, and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as maintaining equipment.
- 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 11-7

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

Councilman Daley states this is a good example where the Economic Development Committee, we would not waive the building permit fees. This will be good for the community. He will support this.

Councilman Bauer states he did vote for this because it maintains a positive cash flow in the process of adding to the grand list and he will vote yes.

Councilman Streeto states this is a great project.

There is no further discussion; the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven in favor and none in opposition and one absent and not voting.

File Name
Description

pcdAdvancedSportsPlexBusinessIncentive.doc
Authorizing the Mayor to execute a three year partial real estate property tax abatement o Advanced SportsPlex and Training Center as authorized by C.G.S. 12-65b and Section 272-9(F) of the Middletown Code of Ordinances.

(Approved)

WHEREAS, Advanced SportsPlex and Training Center (ASTC) submitted an application under the Tax and Business Incentive Program (Reference: Section 272-9 of Middletown Code of Ordinances) requesting a three year partial real estate property tax abatement, and

WHEREAS, ASTC will create a new business of an indoor sports facility by building out an incomplete structure by creating a 24,000 square foot indoor turf field, a 10,500 square foot sports training and administrative space and employing 5 persons and up to 30 or more part time training positions, and

WHEREAS, at the September 12, 2011 Meeting of the Economic Development Committee (EDC) the Committee voted unanimously to recommend assisting ASTC by recommending a three year partial tax abatement, and

Now, therefore, be it resolved that Common Council of the City of Middletown: That the Mayor is hereby authorized to execute and deliver a tax abatement agreement, with ASTC in the form as authorized by C.G.S 12-65b and Section 272-9 (F) of the Middletown Code of Ordinances,

FISCAL IMPACT: To encourage business development, the Tax and Business Incentive Program provides for a three year tax abatement. The development will increase the assessed value of the property by over \$750,000 and abate \$33,278 in taxes.

Agenda Item 11-8

Councilman Drew reads and moves for approval agenda item 11-8; his motion is seconded by Councilman Pessina.

The Chair, hearing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes, eleven in favor, none in opposition, and one absent and not voting.

Resolution No.
File Name
Description

156-11
pryouthsprtalloc2011-12.doc
Approving the allocation of the Parks and Recreation sports/Recreational Grants, totaling \$40,000, to be disbursed according to the recommendations of the Parks and Recreation Commission as outlined in the resolution.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the 2011–2012 City of Middletown budget allocated \$40,000.00 for Sports/Recreational Grants, account 1000-26500-59200-0738-00000-0000-000 and

Be It Further resolved: That the Parks and Recreation Commission recommended the funds be disbursed as follows:

Agencies	Amount
Middletown Tiger Youth Football & Cheerleading	\$10,000.00
Middletown Youth Soccer, Inc.	\$10,000.00
Prof. Gallitto Boys Basketball	\$5,500.00
Ahern Whalen Baseball League	\$7,500.00
Prof. Gallitto Girls Basketball	\$3,200.00
Middletown Little League	\$3,800.00

Fiscal Impact: There is no impact on the current budget.

Agenda Item 11-9

Councilman Santangelo reads and moves for approval agenda item 11-9 and his motion is seconded by Councilman Streeto.

Councilman Pessina states he wants the public to know we did not have an opportunity to discuss this at Public Safety because the Chair walked out. Councilman Santangelo states that was uncalled for. Your buddy asked me to leave and I told him if I left there would not be a quorum. The gentleman insisted that I leave. The Chair asks if you are done. . . Councilman Santangelo comments it was uncalled for. The Chair states enough from both of you. It is 11 o'clock and you are acting like two year olds.

Councilwoman Kasper states this extension of the contract was brought to Finance and Government Operations and was approved.

The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven in favor, none in opposition, no abstentions, and one absent and not voting.

Resolution No.
File Name
Description

157-11
pdDogPoundResolutionFY12.doc
Authorizing the Mayor to sign the agreement between the City of Middletown and the Town of Portland for the detention and care of impounded dogs with said agreement in effect to June 30, 2016.

(Approved)

Be It Resolved by the Common Council of the City of Middletown: That Mayor Sebastian N. Giuliano is hereby authorized to sign an agreement between the City of Middletown and Town of Portland for the detention and care of impounded dogs; and

Be It Further Resolved: That the agreement remain in effect to June 30, 2016

FINANCIAL IMPACT INFORMATION

The agreement provides revenue to the City of Middletown from the Town of Portland for the following amounts:

Fiscal year July 1, 2011 to June 30, 2012 the amount of \$ 21,771.00
Fiscal year July 1, 2012 to June 30, 2013 the amount of \$ 31,392.00
Fiscal year July 1, 2013 to June 30, 2014 the amount of \$ 32,334.00
Fiscal year July 1, 2014 to June 30, 2015 the amount of \$ 33,304.00
Fiscal year July 1, 2015 to June 30, 2016 the amount of \$ 34,303.00

Agenda Item

11-10

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

Councilman Bauer states for the record this is a project where the City, it is a \$1.5 million project and the City comes up with 20% of the money and he will support it and the vig for the DOT is over \$100,000 because they control the money.

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 with eleven in favor, none opposing, none abstaining, and one absent and not voting.

Resolution No.
File Name
Description

158-11
pwwestlakeminerbrookbridgeagreement.doc
Authorizing Mayor Sebastian N. Giuliano to sign the agreement between the City and the State of Connecticut for the construction, inspection and maintenance of the replacement of the Westlake Drive Bridge over Miner Brook utilizing federal and municipal funds.

(Approved)

Be It Resolved by the Common Council of the City of Middletown: That Mayor Sebastian N. Giuliano is hereby authorized to sign an agreement between the City and the State of Connecticut for the Construction, Inspection and Maintenance of the Replacement of the Westlake Drive Bridge (Bridge No. 05954) over Miner Brook Utilizing Federal and Municipal Funds; and

Be it Further Resolved: That the City of Middletown has adopted as its polity to support the nondiscrimination agreements and warranties required under Connecticut General Statutes § 4a-60(a)(l) and § 4a-60(a)(l), as amended in the State of Connecticut Public Act 07-245 and sections 9(a)(l) and 10(a)(l) of Public Act 07-142

FINANCIAL IMPACT STATEMENT

Funds for this project will come from Federal funds, LOCIP Funds and Road Improvement Bond funds already approved.

Agenda Item

11-11

Councilman Drew reads and moves for approval agenda item 11-11; his motion is seconded by Councilman Pessina. Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes eleven in favor, none opposing, none abstaining, and one absent and not voting.

Resolution No.
File Name
Description

159-11
ysecducatinalincentiveaward2011-12.doc
Approving the Educational Incentive Challenge Grant programs, as presented in the resolution, for extended day programming as recommended by the Youth Services Advisory Board.

(Approved)

WHEREAS, a powerful and growing body of evidence demonstrates that programs outside the school day keep youth out of trouble and improve their prospects for the future; and

WHEREAS, studies find that programs outside the school day improve graduation rates and academic achievement; and

WHEREAS, many extended day programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights; and

WHEREAS, the Common Council recognized the significant need for extended day programming in Middletown by approving the inclusion of the Educational Incentive Challenge Grant initiative in the adopted budget for fiscal year 2011-12; and

WHEREAS, the Common Council approved the Challenge Grant guidelines authorizing the Youth Services Advisory Board to release a Request for Proposals and make recommendations for program funding on August 7, 2006.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the following appropriations are hereby approved:

ORGANIZATION	PROJECT	AMOUNT
Green Street Arts Center	Junior School Program	\$4,999
Middlesex Hospital	iCARE – Identifying Children and Responding Early	\$2,500
Middletown Youth Services	Youth Leadership Development Program	\$10,000
Oddfellows Playhouse	Neighborhood Troupes for At-Risk Youth	\$10,000
Rushford Center	Rams in Action and Cougars in Action	\$5,000
Salvation Army	Teen Center Program	\$5,000
Spencer School	Extended Day Academy	\$2,500
YMCA	Kid’s Korner at Macdonough School	\$10,000
TOTAL APPROPRIATION		\$49,999

AND BE IT FURTHER RESOLVED: That the citizens of Middletown are urged to ensure that every child has access to a safe, engaging place where students extend their learning day through enrichment and academic activities by supporting programming outside the school day.

Agenda Item 11-12

Councilman Serra reads and moves for approval agenda item and his motion is seconded by Councilman Pessina. 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 passes with eleven in favor, none opposing, none abstaining, and one absent.

Resolution No. 160-11
File Name taauthmayortosignagreementwadsworth.docx
Description Authorizing the Mayor to sign the extension of agreement between the City of Middletown and Wadsworth Grove Cooperative, Inc. for a tax abatement for the low and moderate income housing with said agreement to terminate when the State of Connecticut discontinues funding this program.

(Approved)

WHEREAS, Wadsworth Grove Cooperative, Inc. and the City of Middletown entered into an agreement for the abatement of real estate taxes on property of the owner that provides low and moderate income housing; and

WHEREAS, the State of Connecticut has repealed the forty year limitation for this program and has continued to reimburse the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Sebastian N. Giuliano is hereby authorized to sign the extension of the agreement between the City of Middletown and Wadsworth Grove Cooperative, Inc. for the low and moderate income housing tax abatement with the term of this agreement to terminate when the State of Connecticut discontinues funding for this program.

BE IT FURTHER RESOLVED: That all remaining terms and conditions of the original agreement are ratified and confirmed.

Agenda Item 11-13

Councilman Serra reads and moves for approval agenda item 11-13 and his motion is seconded by Councilman Pessina. The Chair states the matter has been moved and seconded and calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven in favor, none in opposition, none abstaining, and one absent and not voting

Ordinance No. 21-11
File Name sec47-39 47-40 47-41.doc
Description Approving a new Article XVII, Middletown Fireworks Fund, and a new Section 47-39. Purpose, Section 47-40. Administration, and Section 47-41. Waiver, be added to Chapter 47 of the Middletown Code of Ordinances.

(Approved)

Be it ordained by the Common Council of the City of Middletown: That a new Article XVII and new Section 47-39 Purpose, Section 47-40 Administration and Section 47-41 Waiver be added to Chapter 47 of the Middletown Code of Ordinances to read as follows:

Middletown Fireworks Fund

Section 47-39. Purpose.

There shall be a Fund created to be known as the Middletown Fireworks Fund to help defray the costs of July 4th fireworks. The Fund may accept contributions from individuals, businesses, corporations and other private sources.

Section 47-40. Administration.

This fund shall be subject to audit in the same manner as other City Funds. The oversight and administration of this Fund will rest with the Director of Parks & Recreation who shall file a quarterly income, expense and cash balance report on behalf of the Middletown Fireworks Fund to the Director of Finance and the Finance and Government Operations Committee. The Fund shall remain open until this Ordinance is repealed by the Common Council.

Section 47-41. Waiver.

The provisions of ordinance section 44-11, financial procedures concerning the receipt of grants, are hereby waived for donations to this Fund. Grants or contracts received by the Fund, however, if any, shall comply with the provisions of ordinance section 44-11 as well as any other applicable provisions of the Code of Ordinances or state or federal law.

Agenda Item 11-14

This item was removed at the beginning of the agenda.

Agenda Item 11-15

This item was removed at the beginning of the agenda.

Agenda Item 11-16

Councilman Streeto reads and moves for approval agenda item 11-16; his motion is seconded by Councilman Klattenberg. The Chair, hearing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven in favor, none in opposition, no abstentions, and one absent and not voting.

Resolution No.
File Name
Description

161-11
peamendingwaterplantoperator.doc
Approving amending the job description for the position of Water Treatment Plant Operator 1, with a change in the minimum training and experience requirement and no change in salary.

(Approved)

Whereas, the Water & Sewer Director has requested a change in the minimum training and experience requirement from 2008 job description for the position of Water Treatment Plant Operator. I

Be it resolved by the Common Council of the City of Middletown: That the job description for Water Treatment Plant Operator, previously adopted in 2008 be amended and modified with no changes in Salary.

Fiscal Impact: No direct impact on the current budget as the position is funded for a Salary Grade 8.

Position Description

Title:	Water Treatment Plant Operator I	
Department:	Water	
Date:	February 2008	Salary Grade 8, Local 466

PURPOSE OF POSITION

The purpose of this position is to maintain and operate treatment plants, pump stations, storage tanks, telemetry network and to perform routine maintenance and emergency service work. Maintains wells and pump stations; performs general maintenance work. The work is performed under the direction of the Water Treatment Plant Superintendent 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.

- Collects samples and performs laboratory analysis on water from reservoirs, wells, distribution systems and throughout the treatment process to evaluate quality control. Conducts laboratory testing for water quality analysis and performs required process control testing. Inspects and samples filter media.
- Makes chemical dosage rate adjustments based upon laboratory results with the approval of the Water Treatment Plant Superintendent or designee. Calibrates backwash flow rates.
- Monitors and maintains the operation of treatment plants pump stations and systems; takes readings and change charts; monitors and replaces filters; changes oil in motors and pumps; maintains and runs generator for backup power.
- Cleans settling basins and tanks; cleans and calibrates instruments; changes screens at gatehouse; transfers chemicals to day tanks and changes chlorine cylinders.

- Tracks and maintains inventory of bulk chemicals for water treatment and of laboratory reagents and supplies. Orders reagents and supplies and researches new products with approval.
- Collects and inputs data to assist in the preparation of monthly state reports.
- Performs confined space entries into Water Treatment Plant unit processes to review integrity, operation and maintenance requirements.
- Performs other related functions as assigned or required, including but not limited to operating boats, general maintenance to building and equipment and operates personal computers.
- Operates and controls microprocessor, personal computer, electric motors, pumps and valves to regulate flow of water and chemicals into treatment plant and distribution system as directed; monitors instrumentation and adjusts controls to regulate flow and treatment of water.
- Makes process control adjustments as directed to maintain water quality.
- Removes and replaces major pieces of equipment. Uses hand tools to repair, maintain and replace motors, pumps and equipment. Makes plumbing and minor electrical or mechanical repairs to equipment.
- Maintains availability to respond to emergency situations on a rotating on-call basis; or as determined by the Director of designee.

MINIMUM TRAINING AND EXPERIENCE REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS

High School diploma or equivalent. Completion of vocational program in water, wastewater, plumbing, electrical or mechanical repair preferred. One (1) year of water and sewer operations or *one (1) year of water and sewer facility* maintenance experience preferred. Additional education or equivalent experience may be substituted. Connecticut certification as a Class II Water Treatment Plant Operator is required no later than two (2) years from initial date of employment. Must obtain a certification as a Class IV Water Treatment Plant Operator within five (5) years of the date of appointment to the position. The City as its sole discretion may grant one twelve (12) month extension to the licensing requirement for each of the licenses required. Must hold a valid Connecticut motor vehicle operator's license and the ability to obtain OSHA 40-hour HazMat Technician certification.

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; and the ability to work independently
- Requires the ability to utilize a wide variety of reference, descriptive, advisory and/or design data and information such as state and federal regulations, reports, drawings, diagrams, manuals, invoices, test results, standard methods, catalogs, procedures and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Superintendent and other department personnel, other City personnel, vendors, utility companies and the public.
- Ability to apply common sense understanding to carry out instructions furnished in written, oral or diagrammatic form.

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, algebra and geometry.

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, laboratory instruments, pumps, motors, generators, leak detectors, measuring instruments, detectors, and/or related materials used in performing essential functions.
- Ability to coordinate eyes, hands, feet and limbs in performing skilled movements such as performing laboratory analysis.
- Tasks involve the ability to exert physical effort which may involve some lifting, carrying, pushing and pulling of objects weighing fifty to one hundred 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.
- Must have the physical ability to utilize respirators, as required by OSHA regulations.

Environmental Adaptability

- Ability to work under conditions that require exposure to environmental factors. This exposure may cause some discomfort and presents a risk of injury.
- Ability to work in extreme weather conditions

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

**Agenda Item
Description
(Approved)**

**11
Mayor's Appointments**

The Chair reads the Mayor's appointments and Councilman Streeto moves them for approval; his motion is seconded by Councilman Pessina. There is no discussion; the vote is called. It is unanimous to confirm with eleven aye votes. The Chair states the vote is unanimous with eleven in favor and one absent and not voting; the appointments are confirmed.

