



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

- Regular Meeting** A Regular Meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building, on Tuesday, September 4, 2012 at 7:00 p.m.
- Present** Deputy Mayor Robert P. Santangelo, Council Members Thomas J. Serra, Ronald P. Klattenberg, Mary A. Bartolotta, Gerald E. Daley, Hope P. Kasper, Grady L. Faulkner, Jr., Philip J. Pessina, Joseph E. Bibisi, Linda Salafia, Todd G. Berch, and Deborah A. Kleckowski; Corporation Counsel Daniel B. Ryan, Sergeant-at-Arms Officer James Lacasse, and Council Clerk Marie O. Norwood.
- Absent** Mayor Daniel T. Drew,
- Also Present** Hartford Courant Reporter Shawn Beals, Middletown Press Reporter Jim Salemi, and twenty-five members of the public
- Meeting Called to Order** Deputy Mayor calls the meeting to order at 7:03 p.m. and asks Councilman Klattenberg to lead the public in the Pledge of Allegiance.
- Call of Meeting Read** The Call of Meeting was read and accepted. Deputy Mayor Santangelo declares the Call a Legal Call and the Meeting a Legal Meeting.
- Motion to Recess** Councilman Serra moves to recess this meeting and his motion is seconded by Councilman Pessina. The Acting Chair declares the meeting recessed at 7:05 p.m.
- Meeting Reconvenes** The Acting Chair reconvenes the regular meeting to order at 7:35 p.m.
- Motion to Amend Agenda** Councilman Serra moves to amend the agenda by adding agenda item 10-9, a resolution approving the Educational Incentive Grants. Councilman Pessina seconds the motion. The Acting Chair asks if there is any discussion. Councilwoman Kleckowski asks how come we are getting this so late. The Council Clerk responds that the Youth Services Commission met late on Wednesday and the resolution was not completed until Thursday, the day the agenda went out. A copy of the resolution was sent to the Council members. Councilman Serra states that he moves to withdraw agenda item 10-2 because it needs to be advertised 15 days prior. Councilwoman Kasper seconds the motion. The Acting Chair, hearing no further discussion, calls for the vote. It is unanimous to approve waiving the rules to amend the agenda as stated. The motion carries with eleven affirmative votes.

Agenda Item
Description

3
Presentations

Councilman Serra asks Dr. Larson and Dr. Sullivan and Councilman Daley to come forward. Councilman Serra reads agenda item 3-1 honoring Dr. Larson; Councilman Daley reads the resolution honoring Dr. Sullivan, agenda item 3-2. Councilman Daley and Councilman Serra move them for approval and Councilman Pessina seconds the motions.

Councilman Serra says we all know what was occurring the last number of years and the problems we had and in his hand is a list of 18 accomplishments they made in those few months, and he reads from the list, including hiring principals reorganizing central office, reduced and balanced the budget, negotiated new bus agreement to name a few. Eighteen accomplishments in five months. They have done a super job and he thanks them with another gift. Councilman Serra states he told Dr. Larson he was a triple "S" and he did do a super job therefore we will give him this t-shirt, a Superman Tee with triple "S," Super Sub Superintendent. He gives tees to Dr. Larson and Dr. Sullivan.

Dr. Larson states it was a pleasure working with Dr. Sullivan; we were co-superintendents and the reason I came back is Gene Nocera came to me and asked. He said he would never work as an interim superintendent but we have lived here for 19 years and this is my school system and that is the reason he came back. He thanks the Council and Board for the opportunity to do this. Thank you very much.

Dr. Sullivan states it is funny when he said he would never be one again and I vowed I wouldn't be an interim superintendent or assistant again but when he

called, I first said no, but the second time I accepted it. I became attached to the school system and I became attached to the faculty and I thank you for the honor.

The Acting Chair states the matters have been moved and seconded and calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries unanimously eleven to zero. He thanks them for their work in Middletown.

Resolution No.
File Name
Description
(Approved)

169-12
cclarsonthankyou2012
Thanking Dr. David Larson, Interim Superintendent of Schools.

WHEREAS, David H. Larson, Ph.D. was appointed as Interim Superintendent of Schools in the City of Middletown on March 14, 2012 until August 1, 2012; and

WHEREAS, Dr. Larson is a Senior Educational Consultant with Futures Education and an Educational Consultant with the University of Connecticut CommPACT Schools Project; he was the Executive Director of the Connecticut Association of Public School Superintendents Association; and

WHEREAS, he has been honored with numerous educational awards since his retirement as Middletown Superintendent of Schools in 2000 including 2009 American Association of School Administrators Distinguished Service Award; 2006, Honorary Doctorate Degree from Briarwood College; 2005 New England Association of School Superintendents Leadership Award; 2004 Southern Connecticut State University Educational Leader Award; 2002 University of Bridgeport Outstanding Alumni Award; and

WHEREAS, Dr. Larson has continued to be active professionally as a member of the Connecticut State Board of Education Administrative Preparation and Certification Task Force; Connecticut State Department of Education Teacher Evaluation Advisory Committee; Connecticut Department of Educational Comprehensive Goals Review Committee, as well as authoring numerous articles for various educational journals and magazines; and

WHEREAS, he brought his forty-seven years of extensive experience in education in various positions from teacher, assistant principal, principal, assistant superintendent of schools, assistant superintendent of schools for curriculum instruction and superintendent of schools and educational consultant to oversee Middletown's schools during a transitional period; and

WHEREAS, his guidance helped an inexperienced Board of Education end the school year on a positive note and as well as guiding them through the process of recruiting and hiring principals for three schools and a new Superintendent of Schools for Middletown.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That on behalf of the citizens of Middletown, including parents, students, staff, and faculty that we thank him for serving as the Superintendent of Schools From March 14, 2012 to August 1, 2012; his leadership, administrative excellence and commitment to Middletown and the school community facilitated the completion of the school year on a positive tone and reinstated the primary focus for education in Middletown, which is helping all students achieve their highest potential.

Resolution No.
File Name
Description
(Approved)

170-12
ccsullivanthankyou2012
Thanking Dr. John W. Sullivan, Interim Associate Superintendent of Schools.

WHEREAS, John W. Sullivan, Ed. D. was appointed Interim Associate Superintendent of Schools on March 26, 2012 for the City of Middletown; and

WHEREAS, Dr. Sullivan has served on the Board of Directors and Executive Committee for the Connecticut Association of Public School Principals, the Executive Committee for LEARN (Regional Educational Service Center), the Governing Board for the American Association of School Administrators and the Board of Directors of the New England Association of School Superintendents; and

WHEREAS, John has over thirty-nine years of educational experience as special education teacher, principal, program director, administrative assistant to the superintendent of schools, assistant principal, principal, superintendent of schools, and adjunct professor; and

WHEREAS, he has also served as Interim Principal in East Lyme and Interim Superintendent of Schools in Higganum; and

WHEREAS, he has held the office of President-Elect, CAPSS; Co-chair, Legislative Committee, CAPSS; and the Area Chair for the Middlesex/Shoreline Superintendent's Association; and

WHEREAS, as the Interim Associate Superintendent, he has assisted in leading the Middletown School System during a transitional period, helping staff, faculty, and administration, as well as guiding the Board of Education in the process of recruiting and hiring a new superintendent of schools and other necessary staff.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That on behalf of the citizens of Middletown, including parents, students, staff and faculty, we thank John Sullivan for serving as the Interim Associate Superintendent of Schools; his efforts to maintain the consistency of education in Middletown as well as his dedication to excellence in education has supported the faculty and staff in the unforeseen period of transition at the end of the 2011 – 2012 school year.

The Acting Chair asks for a motion to approve the minutes of the regular Common Council meeting of August 6, 2012 at 7 p.m. meeting; Special Meetings of August 6, 2012 at 6 p.m., August 9, 2012 at 7 p.m., and August 9, 2012 Immediately following the 7 p.m. meeting; 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. The Acting Chair asks if there is any further discussion; hearing none, he calls for the vote. It is unanimous to approve them with eleven aye votes. The Acting Chair states the minutes are approved.

Point of Personal Privilege

The Acting Chair asks for a moment of personal privilege; three months ago he received a letter in the mail from Jane Santangelo Mazzotta. What Jane wrote was Leo B. Santangelo was her grandfather and she wanted to show the picture of him to her son and she came to the chamber to the area of the Mayor's photographs and what they discovered was it was a picture of her Uncle Harold and she sent a picture of Leo. And now Leo B. Santangelo is now on the wall. The family was notified of the correction.

Public Hearing Opens

The Acting Chair opens the public hearing on agenda items at 7:45 p.m.

Stephen Devoto states he speaks to agenda item 10-1. He authored the Middletown Eye article about subsidy versus tax abatement. This is a discussion about the money and not planning and zoning. There are two ways of looking at this. You got one in your Council packet and I took a different position. If nothing is done, you get \$22,000 for ten years and if the project is done you get \$2.6 million in ten years. If the project is built and assessed value and without any abatement then we are foregoing \$3.2 million dollars and you assume nothing happens in ten years or this happens even without the abatement. It is a risk assessment and it is a challenging question. When you think about the \$3.2 million perspective what is the City getting for this abatement and that ties in to the long range planning and not the immediate planning and zoning issues. He reads from documents relating to this. In 2000, he reads from the charettes and in 2011 from a MOU which talked about the umbrella design regulations the commission mandated complete public accessibility and mixed use. He reads about the water front studies from 2000 and 2011. In 2011 they expanded the study to Merit Hall. This lot what would the City want for the abatement study and we want a sense that it is connected; here along the river, the public space gets really narrow and north and south the public space is really wide. He is urging the Council when it comes before planning and zoning what we see is okay, but for \$3.2 million the City deserves something. We are putting in \$16 million for water and sewer. We are raising the value of these properties. Ask for something in return, ask for public access.

Jennifer Alexander states she is excited about the potential of our riverfront. What we do there changes our City for the next 50 or 100 years and this is an important decision. She participated in many discussions regarding the riverfront and this is a moment where this vote is coming up for the movement of the sewage plant and it is time for a new open conversation on this topic. The waterfront is complicated. It is recreational, there are transportation issues parking and improving roads and you have water transit and pedestrian. How does it connect to downtown and Main Street business prospects. We need downtown to stay strong and this could be a gold mine. There is a residential aspect to the riverfront and entertainment and tourism from Long River Village to Harbor Park and Silver Street to the river. A lot will be recreational. I love this concept. There is so much potential for the land in between. We have a lot of good questions. She reviews some of the issues the Council raised. The developer has questions and he thinks there is consensus for this and we know there isn't yet. She requests that the City not approve this today. They have an option for the property and whether a pool faces the riverfront or parking lots or land that can be used for the City, don't rob us of that conversation. The treatment plant hasn't been voted yet.

Earle Roberts states that was a thorough presentation. I know Mr. Smith on and off and he is an honest entrepreneur and if I look at the overall plan and you know how I feel about abatements, but everyone is equal. This one is not as bad as some others like Kleen Energy. The questions asked tonight and Councilman Berch spoke about advantages and 10-5 he sees as an advantage for those people and those rents. When it comes to the issue about the train tracks and Councilman Klattenberg brought up the other appurtenances, those are questions for the Planning and Zoning Director and he should have signed on like the southern part of the state and where is the State of Connecticut about comments on Route 9. They are not here. Harbor Park Improvement Agency, where are they tonight. I am suggesting that Mr. Smith has an option on the property and he can make application and is asking for an abatement but keep in mind fairness and balance. In this market he has a different reality

check for getting his money. Two concerns is withdrawing from the Connecticut River Assembly and the second was an article in paper by Director Warner about zoning changes. The fact that it is on his mind, fine, but pulling from the Connecticut River Assembly, I served 6 years and I attended meetings and our people are not attending meetings and that reflects on the P and Z director. The bed bugs agenda item 10-6, never heard this ever in Middletown and where is the Health Department on this issue and where do we stand before we dump \$50,000 into furniture.

The Acting Chair asks if there are other speakers.

Ken McClellan states when he first saw this he was concerned and echoing comments and doing abatements for noncommercial entity and you should consider that and do you want to set that precedent. As he listened to plans for the river plan, the high end apartments, have been part of it for a long time. This developer is taking a huge risk by being the first one there. It is the first step to take before everything else falls in line. You have to have someone start it. He is taking a risk and giving us something, a starting block. The financing, he doesn't know if it has to be voted on this evening.

Quentin Phipps, Executive Director of the Downtown Business District, he reads the letter he wrote to the Mayor and Council into the record. It is regarding the development of the riverfront and downtown wants to be part of the development and the recent proposal is exciting and they want to ensure it meets the needs of the larger area. They want the City to assess this apartment complex and make a presentation to the downtown area. Their large concern is they don't have enough information to take the first step and he would love to have Mr. Smith come to a downtown meeting. He asks the Council to take time to have full community conversations. On the financial end, I would caution on a few things. If you are going to use abatements, it is conceptual, he would caution is the capping of fees. That does not make long term financial sense.

Public Hearing Closes

The Acting Chair closes the public hearing at 8:13 p.m.

Motion to Recess

Councilman Serra moves for a five minute recess; Councilman Pessina seconds the motion. The Acting Chair calls for the vote and it is unanimous to recess. The Acting Chair declares the recess at 8:13 p.m.

Meeting Reconvenes

The Acting Chair calls the meeting to order at 8:21 p.m.

Noted for the Record

Councilwoman Kleckowski leaves the Chamber at 8:22 p.m.

The Acting Chair asks the Council Clerk to read the appropriation request and the certificate of the Director of Finance:

Appropriation Notice

MAYOR'S OFFICE
MUNICIPAL BUILDING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **TUESDAY, SEPTEMBER 4, 2012 AT 7:00 p.m.** to consider and act upon the following bond ordinance:

Town Clerk's Office \$24,000, Account No. 1000-04000-51110, Full Time Salaries, General Fund.

Russell Library \$6,350, Account No. 1000-07000-53380, Building/Grounds, General Fund.

Any and all persons interested may appear and be heard.

ATTEST:
DANIEL T. DREW
Mayor

**Certificate of Director
Of Finance**

To: His Honor Mayor Daniel T. Drew
and Members of the Common Council
From: Finance
Date: August 29, 2012
RE: Certification of Funds

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

General Fund \$30,350
Respectfully submitted,

Carl Erlacher

Director of Finance

Appropriation Request Town Clerk's Office

Councilwoman Kasper is recognized and moves for approval the \$24,000 Town Clerk Appropriation request. Councilman Pessina seconds the motion. The Acting Chair asks if there is any discussion. Hearing none, he calls for the vote. It is unanimous to approve with ten aye votes. The Chair states the matter is approved ten to zero. Councilwoman Kleckowski is not present for the vote

Town Clerk's Office (Approved) \$24,000, Account No. 1000-04000-51110, Full Time Salaries, General Fund.

Noted for the Record Councilwoman Kleckowski takes her seat at 8:23 p.m.

Appropriation Request Russell Library

Councilman Faulkner reads and moves for approval the appropriation request for the Russell library; Councilman Klattenberg seconds the motion. The Acting Chair calls for discussion; hearing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the matter passes unanimously eleven to zero.

Russell Library (Approved) \$6,350, Account No. 1000-07000-53380, Building/Grounds, General Fund.

**Agenda Item 8
Description **Department, Committee, Commission Reports and Grant Confirmations****

Councilman Serra reads and moves for approval agenda items 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, and 8I; his motion is seconded by Councilwoman Kasper. The Acting Chair asks if there is any discussion; seeing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matters pass unanimously eleven to zero.

**Agenda Item Description (Approved) 8A
Town Clerk Certification
September 4, 2012**

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on August 6 at 7:00 p.m. and specials meetings on August 6, 2012 at 6:00 p.m., August 9, 2012 at 7:00 p.m., August 9 after the 7 p.m. meeting and August 30, 2012 at 7 p.m. have been advertised in the local newspaper.

Attest:
Sandra Russo Driska
City & Town Clerk

**Agenda Item Description (Approved) 8B
Monthly Reports
Finance Department – Transfer Report to August 24, 2012
Public Works Report with summary/Bldg Permits for July, 2012**

**Agenda Item Description (Approved) 8C
Grant Confirmation and Approval – Board of Education, Various Grants**

Name of Grant: As Listed Below
Amount \$4,659,034.52
Code: 2450-33000-
Grant Period: **From:** 7/1/2012 **To:** 6/30/2012
Type of Various
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 752 - Macdonough Fresh Fruits-9/30/12 \$1,732; 769 - Middletown Teen Theater \$23,032; 790 - Liberty Bank-Pathways-College/Career \$5,000; 810 - Idea-Part B, Section 611-Public \$1,286,332; 812 - Idea-Part B, Section 619 \$40,466; 813 - Adult Ed Provider \$1,349,737; 814 - Adult Ed-Cooperating Eligible Entity \$8,010; 818 - Idea-Part B, Section 611-Non-Public \$74,404; 826 - Interdistrict Cooperative \$46,307; 831 - After School Program-Farm Hill \$123,500; 837 - School Readiness \$270,000; 841 - Special Ed Medicaid \$3,967.20; 842 - Family Resource Center-Macdonough \$110,000; 850 - Family Resource Center-Farm Hill \$110,000; 852 - Universal Service Fund \$1,209.74; 854 - United Way-Youth Services

Development \$64.17; 865 - Youth Services Bureau \$31,623; 876 - Hartford Symphony Donations \$1,000; 889 - Youth Service Bureau-Enhancement \$7,382; 700 - Food Services Receipts \$217,235.41; 801 - Retirees/Cobra Insurance Receipts \$508,234.06; 803 - Workers' Compensation \$50,551.38; 804 - Preschool Program Fees \$3,496; 805 - Summer School Receipts \$23,309; 807 - Aetna Classified \$1,287.52; 809 - Maintenance/Rentals \$14,655.45; 823 - Curriculum Receipts \$2,822.55; 833 - Adult Education Receipts \$343,677.04 Total Grants Estimated 8/20/2012 \$4,659,034.52
Requested by: Patricia Charles, ED.D.

**Agenda Item
Description**

(Approved)

8D

Grant Confirmation and Approval – Parks and Recreation, Activity Account

Name of Grant: Parks and Recreation Activity Account

Amount \$70,000.00

Code: 2210-32000-

Grant Period: From: To:

Type of Local

Amount Loaned from General \$0.00

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 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 these

Requested by: Raymond Santostefano

**Agenda Item
Description
(Approved)**

8E

Grant Confirmation and Approval – Senior Center, Aging Dental Grant

Name of Grant: Senior Resources Agency on Aging Dental Grant

Amount \$3,060.00

Code: 3079-13000-

Grant Period: From: 10/1/201 To: 9/30/201

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 eligible Middletown area seniors 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)**

8F

Grant Confirmation and Approval – Public Works, Comm. Innovations

Name of Grant: Community Innovations Grant Program

Amount \$42.33

Code: 2340-22000-

Grant Period: From: 8/1/2012 To:

Type of Local

Amount Loaned from General \$0.00

Department Administering Public Works 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 A local donation in the amount of \$42.33 has been received for local public awareness and education programs that support clean renewable energy.

Requested by: William Russo

**Agenda Item
Description**

8G

2011-2012 Recruitment Hiring Report, 4th quarter, Human Relations

**Agenda Item
Description**

(Approved)

8H

Emergency Purchase, Russell Library, Replacement Chairs and Pest Control

Agenda Item 8I
Description Water and Sewer Department, West Silver Street
(Approved)

Agenda Item 9
Description Payment of Bills
(Approved)

Councilman Serra moves to pay all City bills that have been properly approved and his motion is seconded by Councilwoman Kasper. The Acting Chair asks for discussion; hearing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the matter passes unanimously eleven to zero.

Agenda Item 10-1

Councilman Daley reads and moves for approval agenda item 10-1; his motion is seconded by Councilman Serra. The Acting Chair asks if there is any discussion.

Motion to Postpone

Councilman Serra moves to postpone this indefinitely because of concerns raised and the developer should make the community aware of what he would like to do there. Councilman Pessina seconds the motion.

Councilwoman Bartolotta is recognized by the Acting Chair and states she has concerns about this and she would not vote for it this evening and she would like you to come back and not have such a large abatement. The Chair states we are discussing the motion to postpone

Councilman Klattenberg states we heard from Mr. Smith as developer on the timing issue and it is fairly sensitive to know if the Council will support it or not. On the one hand, what Councilman Serra is offering to think about it some more, but it leaves you in limbo. I don't disagree with the approach and you are looking for something more certain and I wasn't supporting the abatement to give you a level of certainty. Whether it is tonight or four months from now the issue is how this development interacts with the infrastructure and when he voted for the sewage treatment plant as one of the most important votes he has made and this one as well because it defines an area. It is the first block in this space and it is important what is happening with all the spaces. He will not support the request to postpone.

Councilwoman Kleckowski wanted to make an amendment to date certain of December 4 after the vote in November. Councilman Klattenberg's point is important to have time to know what is going on. Councilman Serra accepts it as a friendly amendment. The date is the December meeting.

Councilman Faulkner states he would support the motion to postpone. He wanted to say, I know this is important and appreciates this company put the proposal together. It is the first time he is hearing this and he would like to see a little more of this.

Councilwoman Kleckowski is recognized to change the date to December 3.

Councilwoman Kasper states she will not support postponing; she was ready to vote on this and the abatement is too large for the taxpayers and she is concerned how it fits with the total plan and Planning and Zoning has not had an opportunity to look at their plan.

The Chair states we are talking about postponement. Corporation Counsel Ryan states we are voting on a motion to postpone to December 3 and the discussion should be confined to that.

Call the Question

Councilman Berch moves to call the question; Councilwoman Kleckowski seconds the motion. The Acting Chair calls for the vote and it is unanimous to move the question with eleven aye votes. The Chair states the motion carries unanimously, eleven to zero.

The Acting Chair calls for the vote to postpone to December 3; it is eight aye votes by Council Members Serra, Daley, Faulkner, Pessina, Bibisi, Salafia, Berch, and Kleckowski; and three nay votes by Council Members Klattenberg, Bartolotta, and Kasper. The Chair states the motion to postpone carries, eight to three.

Resolution No. 171-12
File Name PCDwaterfrontresolutions

Description

Approving a seven year property tax fixing/abatement agreement with Waterhouse Development company at 225 River road, after obtaining a Certificate of Occupancy, with conditions as outlined in the agreement and resolution including capping of building permit fees and water and sewer hook-up charges at \$450,000 and authorizing the Mayor to sign the agreement as well as supporting a Green Building Tax Credit Application and HUD applications for financing.

(POSTPONE TO DECEMBER 3, 2012)

Whereas, the city's riverfront was once the economic engine that established Middletown position in the State of Connecticut, before and after the foundation of our country; and

Whereas, as transportation methods changed, the riverfront suffered from neglect and isolation from the rest of the downtown; and

Whereas, beginning in 1965 the City began decades of planning and public input that has resulted in the following public planning documents: 1965 Riverfront plan, 1986 Riverfront Plan and Map; 2000 Planimetric Concept Riverfront Site Plan; 2000 Mullin Report; 2001 Arthur Cotton Moore renderings; 2002 Riverfront Renaissance Plan Summary Document; and 2011 Riverfront Technical Memorandum;

Whereas, any new development along the riverfront has been hindered for the last 40 years by the presence of the city's sewer treatment plant and the City is now in a position to remove the sewer plant if the voters of Middletown approve funding at a November referendum; and

Whereas, the City has been approached by a developer to invest \$36 million to construct approximately 175 units of high end, luxury housing at the brownfield property known as Jackson Manufacturing at 225 River Road; and,

Whereas all previous studies have identified the subject property as a location for high end, luxury housing; and

Whereas, the cost to realize the city's vision of high end, luxury housing for this property the developer must 1) acquire the property, 2) conduct environmental remediation of the property to a residential standard and 3) construct a product of a quality that can demand higher than current market rents; and

Whereas, the developer has done extensive market analysis, environmental and geotechnical investigation, analyzed the costs associated with the project and is in the process of lining up major private investment; and

Whereas said due diligence has determined that in order to undertake the project of a quality currently presented, assistance from the city is required; and

Whereas, the State of Connecticut General Statutes Section 12-81(r) allows municipalities to enter into written agreements to grant seven year tax fixing / abatements to developers who remediate and redevelop contaminated property; and

Whereas, the State of Connecticut General Statutes Section 12-65(b) allows municipalities to enter into written agreements to grant seven year /fixing / abatements to developers who develop land with a cost of improvements in excess of \$3 million; and

Whereas, City Ordinance Section 272-9 allows for waiving of building permit fees, in whole or in part, and water and sanitary sewer hookup charges (subject to approval by the WPCA).

Now, therefore, be it resolved by the Common Council of the City of Middletown: That the Mayor is authorized to enter into a tax fixing/abatement with Waterhouse Development Company to create a seven (7) year tax fixing / abatement, after obtaining a Certificate of Occupancy, structured in the following manner:

Year 1- fixed at 2012 assessment
 Year 2- fixed at 2012 assessment
 Year 3- fixed at 2012 assessment
 Year 4- fixed at 2012 assessment
 Year 5- 80% abated
 Year 6- 70% abated
 Year 7- 60% abated
 Year 8- 0% abated

Be it further resolved, the Common Council supports the capping of building permit fees and water and sewer hookup charges at \$450,000; and

Be it further resolved: That the seven year property tax fixing / abatement agreement shall contain the following performance standards as conditions:

- 1) The Waterhouse Development Company and its investors and affiliates will invest a minimum of \$34 million to construct approximately 175 units of open market housing offering 100% of the units with no income restrictions; and
- 2) Waterhouse and its investors and affiliates will not seek any financing, from the state or federal government or any other source which would require income restrictions; and
- 3) The project design will reflect the concept presented to the Economic Development Committee at their regular meeting on August 13, 2012 including studio apartments with rents of a minimum of \$1,000 per month, a pool, a club house, and secure covered parking for at least half of the project required parking under the building, and the developer shall use best efforts to obtain a Green Building Tax Credit from the State of CT that will allow the building to meet a LEED certification; and ,

1. **Be it further resolved:** That the Mayor is authorized to sign any contract / agreement with the Waterhouse Development Company to effectuate this resolution and to support a Green Building Tax Credit application and applications for HUD (non- income based) financing.

Fiscal Impact – The property currently pays \$22,000 per year in real estate property taxes. Keeping the status quo will result in \$220,000 in tax payments over the next 10 years. Advancing this resolution will begin the process leading to the development proposed. Estimating the assessed value of the building at \$20 million would result in annual real property tax payment of \$538,000 and an annual South Fire tax of \$72,960. Totalling the permit fees and abatements results

in a payment of \$2,636,200 over the first ten years (not including South Fire payments and personal property taxes for approximately 200 motor vehicles)

NOTE: Any and all estimates of assessed value are simply estimates. The actual assessed value will be determined by the Assessor at the time the building is under construction and at completion.

Agenda Item 10-2
Description **Item removed at the beginning of the meeting**

Agenda Item 10-3

Councilman Berch reads and moves for approval agenda item 10-3; his motion is seconded by Councilman Faulkner. The Acting Chair, hearing no discussion, calls for the vote. It is ten aye votes by Council Members Serra, Klattenberg, Bartolotta, Daley, Kasper, Faulkner, Pessina, Bibisi, Salafia, and Kleckowski and one nay vote by Councilman Berch. The Acting Chair declares the motion approved, ten to one.

Resolution No. 172-12
File Name pcdRemingtonInternationalLubricants
Description **Approving the lease for International Lubricants, Inc. for 12,000 square feet at the rate of \$4.00 per sq. ft. with a 2% per annual increase for a term of five years and a rent credit for two years in exchange for leasehold improvements at 180 Johnson Street which will include relocating Fat City Motorcycle and abate lead and asbestos in accordance with the State Department of Health Guidelines and authorizing the Mayor to sign the documents to implement the lease agreement.**

(Approved)

WHEREAS, International Lubricants, Inc. is seeking to lease approximately 12,000 square feet of space at the former Remington Rand property (180 Johnson Street) for the purpose of research & development, marketing, production, warehouse and distribution for its lubricants business.

WHEREAS, the terms of the proposed lease for 12,000 square feet at a rate of \$4.00 (Four Dollars) per square foot per year with 2% annual increase for a term of 5 years.

WHEREAS, the lease terms provide for a rent credit for the first two (2) years of rent in exchange for \$xxxxx of leasehold improvements to be made by International Lubricants, Inc.

WHEREAS, the lease will require the city to relocate Fat City Motorcycle and abate lead and asbestos in accordance with state Department of Health guidelines; and

WHEREAS, At the August 13, 2012 meeting of the Economic Development Committee, the committee membership voted unanimously to approve the proposed lease with an affirmative recommendation for the Common Council's consideration.

WHEREAS, the Planning and Zoning Commission, at their September 12, 2012 meeting will review the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into a lease agreement with International Lubricants, Inc. at the former Remington Rand property (180 Johnson Street).

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

That the Mayor is hereby authorized to sign all documents necessary to implement the lease agreement with International Lubricants, Inc. at 180 Johnson Street.

FINANCIAL IMPACT –It is important to secure additional revenue to run the Remington Rand building and pay back the \$225,000 operating cost loan from the general fund. This resolution will authorize a new tenant who will pay \$4,000 per month after the two year rent credit. As with all income properties the long term goal is to maximize the rent roll and minimize expenditures to increase net operating income. City is still negotiating the cost to relocate Fat City and abate the lead and asbestos. But over the course of the 5 year term the financial impact will be positive, over 15 jobs will be created and our building will be improved with their build out.

Agenda Item 10-4

Councilwoman Kasper reads and moves for approval agenda item 10-4; Councilman Pessina seconds the motion. The Acting Chair asks if there is any discussion on this matter. Councilwoman Bartolotta states Fat Motorcycle, how much is it to move; the Acting Chair responds he thought it was about \$20,000. The Acting Chair asks Director Warner to come forward. The lead and asbestos, they don't have those numbers yet and they have federal funding for that and moving Fat City would be \$10,000 to \$20,000 and he is not asking for any money. If it became a deal breaker, he would come back. Councilwoman Bartolotta responds what the cost expectation is. Mr. Warner responds lead and asbestos would be \$50,000 and the move, \$20,000. Councilwoman Bartolotta asks how he came up with that figure. Mr. Warner responds it is warehousing and he has a small office area and they would have to be moved. Councilman Berch asks about the lead and asbestos.

Motion to Waive Rules

Councilman Serra moves to waive the rules to allow questions to this director; Councilwoman Bartolotta seconds the motion. It is unanimous with eleven aye votes to allow this.

Mr. Warner continues, he has gotten three quotes from State bid contracts and it will allow avoiding going out to bid because the bids are from the State contracts and he will use the best one. Councilman Berch you don't have a bid for this. Mr. Warner responds he has them for other areas. We are responsible to do it and we are abating the rents because they will do the work on the space and we will own the improvements.

The Acting Chair, hearing no further discussion, calls for the vote; it is unanimous to approve with eleven aye votes. The Acting Chair declares the motion carries with eleven aye votes.

Resolution No.
File Name
Description

173-12**pcdreminingtonnewtenants(2)**

Approving the proposed leases for William Clayton – Bait Storage, Yusuf Salaam – KO Fitness Center, James Parker – Stacey Stucco, Little Honey's Bakery, and Rabid Fitness, LLC at 180 Johnson Street and authorizing the Mayor to sign the lease agreements for these companies.

(Approved)

WHEREAS, the Economic Development Committee voted unanimously to approve the proposed leases for William Clayton- Bait storage, Yusuf Salaam KO Fitness Center, James Parker Stacey Stucco, Little Honey's Bakery, Rabid Fitness, LLC, at the former Remington Rand building (180 Johnson Street) with an affirmative recommendation for the Common Council's consideration.

WHEREAS, the Planning and Zoning Commission, at their September 12, 2012 meeting will review the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into a lease agreement with the above listed tenants at the former Remington Rand property (180 Johnson Street).

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

That the Mayor is hereby authorized to sign all documents necessary to implement the lease for the above listed companies at 180 Johnson Street.

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

Agenda Item**10-5**

Councilman Klattenberg reads and moves agenda item 10-5 for approval and his motion is seconded by Councilman Pessina. The Acting Chair states they have a motion and second and asks if there is any discussion. Hearing none, he calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries unanimously with eleven aye votes.

Resolution No.
File Name
Description

174-12**tanewfield-stoneycresttowerstaxabatementauth**

Approving the tax abatement agreement with Newfield Towers Realty and Stoneycrest Towers Realty as long as PILOT funds are available to offset the abatement and authorizing the Mayor to sign the tax abatement agreements.

(Approved)

WHEREAS, Newfield Towers Realty Company's and Stoneycrest Towers Realty Company's tax abatement agreements with Middletown expired on October 1, 2011; and

WHEREAS, the agreement provisions reduced tenant rents in the amounts equivalent to the tax abatements; and

WHEREAS, as part of the expired agreements, the City of Middletown received grant-in-aid in the form of payment in lieu of taxes under Section 8-216 of the Connecticut General Statutes; and

WHEREAS, the property owners would like to renew the tax abatement agreements while PILOT funding for the program continues to be available to municipalities and with the understanding if the funds are not available, the owners would be responsible for any shortfall.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew is authorized to sign the tax abatement agreements with Newfield Towers Realty Company and Stoneycrest Towers Realty Company.

Fiscal Impact: There is none; the PILOT monies will make up the difference between the taxes due and what the companies pay and the agreement is only in effect so long as funding is available.

Agenda Item 10-6

Councilman Daley reads and moves for approval agenda item 10-6; his motion is seconded by Councilman Serra. The Acting Chair recognizes Councilman Pessina who states a member of the public made a statement that the Health Department was not involved on this issue at the library when in fact Art Meyers said these were recommended by the Health Department. He didn't want the public to have false notions and the Health Department worked with Art Meyers. The Acting Chair states he mentioned not knowing about bed bugs and there is an epidemic of bed bugs in the area.

Seeing no further discussion, the Acting Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries eleven to 0.

Resolution No.
File Name
Description

175-12**rlcnrchairs**

Approving the creation of a new CNR line item for the Russell Library entitled Replacement Chairs in the amount of \$30,000 and that said line item be approved for fiscal year 2012 – 2013.

(Approved)

WHEREAS, the Russell Library is replacing approximately 200 fabric-covered chairs throughout the library in public areas as recommended for preventative maintenance and as an emergency purchase; and

WHEREAS, the approximate cost is estimated to be \$50,000 and the Library is requesting \$30,000 funding from the City for this emergency purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a new line item be created entitled Replacement Chairs, in the Russell Library CNR in the amount of \$30,000 and that said item be approved for the current CNR fiscal year of 2012 – 2013.

Fiscal Impact: Not all the funds have been allocated for CNR 2012-13 and the cost will come from the unallocated funds.

Agenda Item 10-7

Councilwoman Bartolotta reads and moves for approval agenda item 10-7; her motion is seconded by Councilman Serra. The Acting Chair hearing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries Eleven to zero.

Resolution No.
File Name
Description

176-10**pkd2013parkingfundnewlineitems**

Approving creating new budget line items for the Parking Department for the Parking Fund entitled Broad & Main Street Project Improvements and Maintenance - \$75,000; Kings Avenue Project Improvement and Maintenance - \$40,000; Parking Garage & Walkway Project & Maintenance - \$10,500; Meters, Poles and Housing Maintenance & Improvements - \$30,500; Parking Lot Public Safety Improvements & Maintenance - \$85,000; Bank, Administrative, or Transactions Fees - \$4,000; Supplemental P/T or Seasonal Staffing - \$4,000; and approving funding the line items in accordance with the resolution from funds due to the Parking Fund for a total of \$249,000.

(Approved)

Whereas, the City of Middletown Parking Fund was created by the City of Middletown Ordinance 10-09 in April 2009;

Whereas, the Ordinance 10-09 requires that anticipated expenditures from the Parking Fund be reviewed by the Parking Advisory Committee and approved by the Common Council;

Whereas the Parking Fund will receive \$249,000 dollars from the General Fund as the 2012FY profit sharing allocation to be utilized for parking improvements, maintenance, infrastructure, repairs, parking related IT needs, meters, public safety items, projects and other miscellaneous service related needs;

Whereas, the Director of the Department proposes the additional expenditure budget lines for the 2013 Fiscal Year as approved by a 6-0 by the Parking Advisory Committee at its August 21, 2012 meeting:

Broad & Main Street Project Improvements & Maintenance	\$75,000.00
Kings Avenue Project Improvement & Maintenance	\$40,000.00
Parking Garage & Walkway Project & Maintenance	\$10,500.00
Meters, Poles and Housing Maintenance & Improvements	\$30,500.00
Parking Lot Public Safety Improvements & Maintenance	\$85,000.00
Bank, Administrative, or Transactions Fees	\$4,000.00
Supplemental P/T or Seasonal Staffing	\$4,000.00

Be it Resolved by the Common Council of the City of Middletown: That the proposed budget lines for the City of Middletown Parking Fund, as outlined above and prepared by the Director of the Parking Services Department in conjunction with the Parking Advisory Committee and the Finance Department, be approved.

Fiscal Impact: There is no fiscal impact on the general fund; the Parking Fund will receive a share of profits for parking improvements.

Agenda Item 10-8

Councilman Faulkner reads and moves for approval agenda item 10-8; his motion is seconded by Councilman Serra.

The Acting Chair thanks the Council Clerk for submitting the grant and he found out today that it will pay for the equipment that was installed in the Council Chamber; the Mayor’s staff helped with this and he again thanks Marie Norwood for applying for the grant.

Seeing no discussion, the Chair calls for the vote on this matter; it is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries eleven to zero.

Noted for the Record

Councilman Faulkner leaves the chamber at 8:44 p.m.

Resolution No.
File Name
Description

177-12
ficouncilchamberaudiovisualgrant
Approving accepting \$83,205 PEGPETIA Grant Funds to offset the general fund appropriation to fund audio visual upgrades in the Council Chamber with the difference of \$34,855 charged to the Bond Ordinance Authorization.

(Approved)

Whereas, a \$118,060 appropriation request was approved at the February 9, 2012, Council Meeting to fund audio visual upgrades to the Council Chambers; and

Whereas, the Common Council Clerk applied and received a grant in the amount of \$83,205 to offset the costs of the audio visual upgrades; and

Whereas, a Bond Authorization was approved on June 14, 2012, for various technological municipal upgrades, including reimbursement to the General Fund for the appropriation of \$118,060.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the grant funds in the amount of \$83,205 be accepted to offset the General Fund appropriation on behalf thereof and only the difference of \$34,855 is charged to the Bond Authorization.

Agenda Item 10-9

Councilman Klattenberg reads and moves for approval agenda item 10-9; his motion is seconded by Councilman Serra. The Acting Chair, hearing no discussion, calls for the vote. It is unanimous to approve with ten aye votes. Councilman Faulkner is out of the chamber. The Acting Chair states the motion passes ten to zero.

Resolution No.
File Name
Description

178-12
YSEducationallncentiveAward2012-13
Approving the Educational Incentive grants for extended programs outside the school day for fiscal year 2012-13 as stated in the resolution with the associated costs totaling \$49,500.

(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 2012-13; 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	Afterschool Arts and Science Program	\$7,500
Middlesex Hospital	iCARE – Identifying Children and Responding Early	\$2,500
Middletown Youth Services	Developmental Assets – “It’s Bigger Than You Think” Production	\$5,500
NEAT	North End Design Project/We Are Us	\$5,500
Oddfellows Playhouse	Neighborhood Troupes/Arts Explorers	\$7,500
Rushford Center	Rams in Action and Cougars in Action	\$2,500

Spencer School	Afterschool Academy	\$3,500
Wesleyan Collaborative	Prospect Math/Science	\$7,500
YMCA	Kid's Korner – Citywide Scholarships	\$7,500
TOTAL APPROPRIATION		\$49,500

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.

Noted for the Record

Councilman Faulkner takes his seat in the chamber at 8:45 p.m.

Agenda Item**11****Description****Mayor's Appointments**

The Acting Chair reads the Mayor's Appointment; Councilman Serra moves it for approval and Councilman Klattenberg seconds the motion. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Acting Chair states the motion carries eleven to zero

LONG HILL ESTATE AUTHORITY:

Appointment of John Coughlin to August 31, 2015.

Meeting Adjourned

The Acting Chair asks for a motion to adjourn. Councilman Serra so moves and is seconded by Councilman Klattenberg. There is no discussion. The vote is called and it is unanimous to approve with eleven aye votes. The Acting Chair declares the meeting adjourned at 8:48 p.m.

ATTEST:

MARIE O. NORWOOD
Common Council Clerk