



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
MAY 5, 2014**

Regular Meeting The Regular Meeting of the Common Council was held in the Council Chamber of the Municipal Building on Monday, May 5, 2014 at 7 p.m.

Present: Mayor Daniel T. Drew, Corporation Counsel Daniel B. Ryan, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer, Sergeant-at-arms Chief of Police William McKenna, and Council Clerk Marie Norwood

Absent Councilman Robert P. Santangelo

Also
Present Fifty Members of the Public

1. Mayor calls meeting to order.

The Chair leads the public in the Pledge of Allegiance and calls the meeting to order at 7 p.m. He welcomes everyone to the meeting.

The Chair declares the call a legal call and the meeting a legal meeting at 7:02 p.m.

2. Accept/Amend the Agenda.

Councilman Thomas J. Serra reads and moves for approval to Accept/Amend the Agenda by adding agenda item 10G, the upgrade to the City's Bond rating; substituting Agenda item 7B, the appointment of Michiel Wackers as Director of Planning, Conservation, and Development; and substituting agenda item 13, Mayor's Appointments.. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

3. Presentations

A. Congratulating Officers Lathrop and Froberg.

Councilwoman Hope P. Kasper reads and moves for approval Congratulating Officers Lathrop and Froberg. Councilman Thomas J. Serra seconds the motion.

Councilwoman Kasper reads the resolution congratulating Officers Froberg and Lathrop. The Chair states without objection the resolution can be approved by acclamation. The Chair recognizes Chief McKenna who states he wants to let the Council and Mayor know is a 2-1/2 veteran and a one year veteran. These are the younger guys of our agency who are out there on their own making the motor vehicles stops; they also volunteer for our schools as well. I am very proud as a Chief to see the support of the 4 to 12 shift, a very busy shift. There are also other officers here. He wants the Public Safety Commission to know that he appreciates the endorsement for the awards and MADD is nationally recognized awards committee and we are very proud. The Officers thank the Council and Public Safety and the Mayor. They thank the department for their support as well. The Chair states that the officers on the Police force are extraordinarily professional and competent. Congratulations and thank you for all you continue to do.

Resolution No. 52-14

**File Name ccmaddawardfrobergathrop
Description Congratulating Officers Lathrop and Froberg.
(Approved)**

WHEREAS, in 2012, every 51 minutes, a person died in drunk driving crashes; in America, that is 28 people a day; and

WHEREAS, on average, one in three people will be involved in a drunk driving crash in their lifetime; and

WHEREAS, since MADD began 32 years ago, the number drunk driving deaths has been cut in half; and

WHEREAS, MADD recognizes the work police officers contribute to removing drunk drivers from public highways through their Law Enforcement Appreciation Awards; and

WHEREAS, Officer Justin Lathrop and Officer Stephen Froberg have been selected to receive MADD 2014 OUI (Operating under the influence) award for their arrests; Officer Lathrop had 15 OUI arrests while Officer Froberg had 9; and

WHEREAS, MADD will honor these Middletown officers, along with others throughout Connecticut at the 28th annual Mothers Against Drunk Driving Law Enforcement Recognition Ceremony to be held June 12, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we congratulate Officer Lathrop and Office Froberg for their efforts in the Traffic Unit to prevent accidents and save lives; their efforts, recognized by the leading organization to prevent drunk driving and underage drinking, is an honor for them as well as the City of Middletown; and

BE IT FURTHER RESOLVED: That we thank Officers Lathrop and Froberg, Sergeant Clark and the Traffic Unit for making Middletown roads safer for our citizens.

Recess Called

Councilman Thomas J. Serra moves for approval a recess to go back to questions to directors. It is unanimous to approve. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The Chair declares a recess at 7:10 p.m.

Meeting Reconvened. The Chair calls the meeting to order at 7:41 p.m.

B. In honor of National Public Safety Telecommunicators Week.

Wayne Bartolotta, Central Communications Director is asked to come forward; he asks Councilman Serra to join him as he has been the member on the Telecommunications Committee. Councilwoman Kasper reads the resolution. Councilman Serra seconds the motion. The Mayor states the resolution, without objection, can be approved by acclamation. He congratulates the Director and thanks him and his staff. Councilman Serra states being on the committee it is incredible what you learn; another reason for the radios is Pratt and Whitney has digital radios, as well as the surrounding towns. The dispatchers get a grade monthly and they are always nearly 100% for doing their job all the time. This is deserved. Director Bartolotta states thank you; I appreciate it on behalf of my staff. They are truly dedicated; nobody knows who they are, where they are, or how they do it but they keep on doing it. He invites them to the center to see what they do and how they do it. Thank you. Councilwoman Kleckowski states congratulations. In Middletown, we all know without a doubt when we dial 911 someone is on the other end of the phone. They have the hardest job day in and day out to answer the calls and handle emergencies. Someone is always at the other end of the phone and emergency services are always dispatched timely. They are the unsung heroes. Mr. Bartolotta states they truly are. They take 134,000 calls in a year. That does not include field calls. Councilman Giuliano whispered in my ear they don't get a chance to make a mistake. She states thank you and your staff. Councilman Giuliano states it is a stressful job and you have to get it right; he doesn't know how they don't have ulcers or chew their nails to the bone. In my household, there are health issues and we make the call and the people who need to be there are there. Dispatch gets it right. Mr. Bartolotta states we encourage a visit from the Council to see what they do. They deal with it and continue to go to the next call. It is difficult and they do it very well.

Resolution No. 53-14

File Name ccnationalpublicsafetytelecommunicator

Description In honor of National Public Safety Telecommunicators Week.

(Approved)

WHEREAS, the second week in April is National Public Safety Telecommunicators Week in recognition of over 500,000 dispatchers and support personnel working in public safety communications; and

WHEREAS, this week is to honor those individuals who use telephones, radios, computers, and technical skills who support law enforcement, fire services, emergency medical services, and other governmental field personnel; and

WHEREAS, these individuals respond to the public needing assistance; they dispatch and coordinate the activities of our public safety personnel in emergencies and on routine matters; and

WHEREAS, the telecommunicators are the driving force for emergency rescue services; they have to respond promptly, clearly and calmly; the public depends on them in emergency situations for guidance and support; and

WHEREAS, the skill and expertise of public safety telecommunicators should be recognized for their important function in keeping people safe.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we recognize the expertise and skill of the individuals in our communication center and those involved with safety telecommunication; their knowledge and actions are the essential, invisible force during emergencies; and

BE IT FUTHER RESOLVED: That we thank all the individuals involved with our public safety telecommunications for their dedication and diligence in a stressful environment; the City of Middletown is a better place to live and work because of these individuals.

4. Mayor requests motion to approve minutes of:

The minutes 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, the Chair requests a motion to approve the minutes of: Regular meeting of April 7, 2014 at 7 p.m. and Special meeting of April 7, 2014 at 6 p.m. and Special meeting of April 10, 2014 at 7 p.m. Councilman Serra moves for approval the minutes and Councilman James Streeto seconds the motion. The chair calls for the vote. Councilman Serra abstains from the vote on the minutes of April 10, 2014; Councilman Faulkner abstains from the vote on April 7, 2014 at 6 p.m. The vote was called and it was unanimous to approve except for the noted abstentions. Councilman Santangelo is absent from the meeting.

5. Public Hearing Opens on Agenda Items

The Chair opens the public hearing on agenda items, inviting the members of the public to speak on any agenda item and to keep comments to within five minutes. Tina Ranno comes forward to read a statement from Town Clerk Linda Bettencourt who is away on family leave. Her statement is in support of Michiel Wackers as Director of Planning, Conservation and Development. She states he is one of the most knowledgeable and dedicated employees in the City. He understands the numerous and complicated projects in Middletown will be undertaking in the near future. He is brilliant. She compliments Mayor Drew for promoting qualified and dedicated employees from within the ranks of City employees. He will move Middletown to an even brighter future and hopes the Council will unanimously vote for him.

Stephen DeVoto supports the appointment of Michiel Wackers. He compares the Director of Planning and Zoning with the Superintendent of Schools and their importance to the City. Mayor Drew did not ask the Planning and Zoning Commissioners, or Inland/Wetland Commissioners or any of the Conservation Commission members regarding the appointment. He did leave a message with Chairman Russo that people could talk to him and he appreciates that. That would have made a stronger leader. He states that other directors like the Chief of Police or Public Works would not be appointed without public comment. He supports the appointment for three reasons. First he facilitates the involvement of the public and sites the webpage for the department. Secondly he has written an astonishing array of reports that benefit the City. He mentions a few. Final reason is he has been on Planning and Zoning for five months and as staff he is exemplary. He hopes the Council will approve him as director.

Richard Pelletier states he worked with Michiel and finds him to be a fine individual and supports him. His ability to take quite complex issues and explain them so I can understand them clearly is special. He hopes the Council approves this appointment.

Mr. V. James Russo states he is not sure he is allowed to speak to you on several expenditures. The Chair states it has to be specific to the agenda. He thanks the Council. The Chair states if you would like to speak to general expenditures, the Council does have a generalized public hearing at which you can speak on any matter of concern. He has the Clerk for the next date; it is July 10. Councilman Giuliano states we are holding a public hearing on the budget on May 12 and his remarks might be more appropriate at that meeting. The Chair states that would also work.

6. Public Hearing on Agenda Items Closes.

The Chair states he is very proud to have nominated Michiel; he is extraordinarily bright. He is extraordinarily honest. He understands everything that is going on in the City, all of the major projects. He understands the genesis of those projects and the history and has been involved with all the open space and conservation initiatives. He has been involved with all our major development issues and in losing Bill Warner we have lost a tremendous amount of experience and knowledge. We have the ball passed off to someone running full speed and going toward the goal. Michiel is talented and has been with the City for eleven years. He is highly educated and is certified as a planner. He has done an extraordinary job for us and the only logical choice for us within the City. He has the competence of this body and the public and will do an extraordinary job for the City for many years to come. He asks Michiel to come forward.

7. Appointment and Confirmation of Michiel Wackers, Director of Planning, Conservation and Development.**A. Questions to candidate**

The Chair recognizes Councilman Bauer. The Chair states before you ask questions, he asks Michiel if he had any comments first. Mr. Wackers states thank you for considering me as Director; it is an honor. Everyone who has spoken, he tends to be a reserved person, but he appreciates the comments made. He states he works with a tremendous group of people and community. It truly is an honor. I am sorry to see Dan Russo is not hear and will keep him in my prayers. Councilman Bauer states Deputy Director Wackers, it was touched on tangently, and he would appreciate his talking about what he has done specifically with the technology and the website. Can you explain that for the public. Mr. Wackers states it is one of the things he had been able to learn; there was a barebones website. He was able to take it on and make it useful for the Department and the community as a whole. It is a complete record of the department since 1927 to the present. The Staff sees the value in it and they scan in everything; there are over 15,000 documents. It is a valuable tool for me; as we lose people, we lose institutional knowledge and this was done to create the institutional knowledge. He has used it as a tool to get public opinion. He has done a dozen or more surveys. When they did the Riverfront focus groups and charette and he used it to get people to come out. Councilman Bauer asks if he has the confidence to keep the position technological with what other technology the City is considering. Mr. Wackers responds yes; the website is hosting outside the City for a minimal cost. They would like continued flexibility on the site. If they can provide the same flexibility, they would consider moving it in-house. Councilwoman Russo Driska asks where he sees the City's next major steps and how will you proceed as director in that direction. Mr. Wackers states the City is at a good point in development; they are focusing more on downtown but we have a lot more to do on those changes. As time goes on there will be demographic changes and that will affect how we see development in Middletown. They do need to position themselves looking out. There will be smaller households, less people per household in the future. How people are going to need greater services, especially since a greater portion of the population will be elderly or seniors. There will be greater emphasis on development downtown. There is a desire to have housing downtown. The center, there is virtually nothing and there has to be to reinforce the housing values around downtown and the City can foster those types of changes. Councilman Serra states what partnerships will you cultivate to obtain what you want for Middletown. Mr. Wackers responds the City has good partnerships with the public sector and nonprofit sector. Strong partnerships he will try to maintain. They did a study regarding public and private partnerships. He discusses that the grand list of the City with private development is 200% and with public and private partnerships, the grand list grows about 800%. It unlocks greater development. They will continue that. We will be there for these partnerships if it will help the City. Councilman Serra states within the answer is the Chamber, etc. Mr. Wackers responds the Chamber is probably Middletown's secret weapon. Councilman Serra asks an oxymoron; what is your strongest strength and your weakest strength. Mr. Wackers states his weakest strength? He states his strongest strength is his ability to listen. My weakest is in having that ability to listen, he takes the opportunity to formulate his thoughts before speaking and maybe some people that means I am not responsive enough, but I am waiting to have the right answer for everyone. Councilman Faulkner states If have had the pleasure of working with you with Citizens Advisory and it has been a frustrating and enlightening few years with that. Do you have any thoughts that we need to do with that committee to make it effective. Mr. Wackers states it is an important committee. Some specific things, it is a very large committee and turnover is frequent. He would look at the membership with a core of regular members and alternates to keep the quorum consistent. The good thing is that it is mandated to reassess what it is doing and committee members become experts in what they are doing. If there is a good core group, it can take off.

B. Approving a resolution confirming the appointment of Michiel Wackers as the Director of Planning, Conservation, and Development, Teamsters, Salary Grade 20, Step 4 (\$48.76).

Councilwoman Mary A. Bartolotta reads and moves for approval confirming the appointment of Michiel Wackers as the Director of Planning, Conservation, and Development, Teamsters, Salary Grade 20, Step 4 (\$48.76). Councilman Thomas J. Serra seconds the motion.

Councilman Giuliano states listening before you speak is not a weakness. I didn't ask questions because I didn't need to. You have been here through the interesting times in Middletown and I have confidence in your ability to run this department. Middletown is seen as the land of Oz; why are things working here and not in other places. It is a lot of factors, but in no small part it is that department. The reputation among developers is that we are not obstructionists; we are helpful and guide them through the process. We get them to cross their tees and dot their T's. He is proud to cast this vote in your favor and look forward to your tenure as the Director of Planning, Conservation and Development. Councilman Bauer states he will vote yes; it is an important vote. He was listening to letter form the Town Clerk, the appointee is as intelligent as the Town Clerk suggests. He is a man of character and the values he has, I do believe we have the most important development that will go on under his tenure and he will put that good character into it. I also have a grudging self-respect for your ability to walk in here with a position and holding it under repeated questioning and I hope that same skill will be used against the vendors and some of the other stakeholders you run across while doing the City's business. Councilwoman Driska states I support you; a member of the public brought something up that the mayor didn't do this all inclusive sort of thing; as a former director of this City it is important to mention that we do have union contracts we have to abide by and in our Teamsters contract that there is a clause and people have the right to apply for those jobs and if the qualifications are met they get those jobs. She is a firm believer in what the Mayor did, to fill it from within when a person is clearly qualified and in this instance you were more than qualified to take over this position. You can step into the shoes and go with it. You are informative and truthful and the ability to listen and process before you speak is one of your best strengths. She will support this. Congratulations. Councilman Daley states he had no questions for same reasons stated by Councilman Giuliano. You have helped the department achieve what it has achieved. I am confident that you have not only the intelligence and the character and good judgment and professional credentials to fill the job. You have big shoes to fill; Bill Warner did a tremendous job and I know you will fill those shoes and you know he will be watching as well as the rest of us. Seeing the memo you prepared for the meeting and putting the work in, I wish you the very best and look forward to working with you on the riverfront. It is an exciting time for Middletown. Councilman Faulkner states he will support you; I appreciate working with you and appreciate what you do. Your ability and willingness to communicate is an asset to the public. You always want to hear from the public and you provide the opportunity to do that. You are a heck of a nice guy and this is a tough job; you have to be tough but don't forget to be nice. Councilman Serra states Middletown is on a roll and you have been part of that development. He states remember what Ben Franklin said: well done is better than well said and I am certain you will be doing it well. I will be supporting you. Councilman Chisem states you worked well with me on Planning and Zoning. You are quiet and you think. I came to you with a question and you said let me think on this and by the time I got home you had the answer. You do a good job.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 54-14

File Name Gccconfirmmwackers

Description Approving a resolution confirming the appointment of Michiel Wackers as the Director of Planning, Conservation, and Development, Teamsters, Salary Grade 20, Step 4 (\$48.76).

(Approved)

WHEREAS, Michiel Wackers was hired by the City of Middletown as a Community Development Specialist on July 7, 2003; and

WHEREAS, Michiel Wackers was promoted to the position of Deputy Director of Planning, Conservation and Development on July 1, 2005; and

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN that it confirms the appointment of Michiel Wackers to the position of Director of Planning, Conservation and Development, Salary Grade 20 – Step 4 (\$48.76) Teamsters; and

BE IT FURTHER RESOLVED: That this resolution confirms that the position of Director of Planning, Conservation and Development has administrative oversight of Remington Rand and all business incubator space in Middletown; and

BE IT FURTHER RESOLVED that this appointment shall take effect upon adoption.

8. **Mayor requests Council Clerk to read appropriation and bond ordinance requests and the Certificate of Director of Finance.**

Appropriation Notice



CITY OF MIDDLETOWN

MAYOR'S OFFICE
MUNICIPAL BUILDING

NOTICE OF PUBLIC HEARING

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, May 5, 2014 at 7 p.m.** to consider and act upon the following:

- Heath Department \$9,500, Account No. 1000-26500-59200-0726, Shelter Grant, General Fund.
- Police Department \$150,000, Account No. 1000-18000-51340-0180, Overtime, General Fund.
- Special Accounts \$30,000, Account No. 1000-27000-52141, Police HQ Energy Audit, General fund.

Any and all persons interested may appear and be heard.

ATTEST:



MAYOR DANIEL T. DREW
Mayor

Dated at Middletown, Connecticut, this 23rd day of April, 2014.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the (860) 638-4812 (TDD/TTY) or the Town Clerk's Office at (860) 638-4910 at least ten days prior to the scheduled meeting.

Certificate of Finance

MEMORANDUM

TO: His Honor, Mayor Daniel T. Drew and
Members of the Common Council

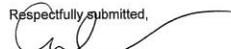
FROM: Finance Department

DATE: April 30, 2014

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on May 5, 2014 are available as follows:

General Fund	\$189,500
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Respectfully submitted,

 Carl Erlacher
 Director of Finance

RECEIVED
 4-30-14
 [initials]

**A. Health Department \$9,500, Account No. 1000-26500-59200-0726, Shelter Grant, General fund.
(Approved)**

Councilman James Streeto reads and moves for approval Health Department \$9,500, Account No. 1000-26500-59200-0726, Shelter Grant, General fund.. Councilwoman Deborah A. Kleckowski seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**B. Police Department \$150,000, Account No. 1000-18000-51340-0180, Overtime, General Fund
(Approved)**

Councilman James Streeto reads and moves for approval Police Department \$150,000, Account No. 1000-18000-51340-0180, Overtime, General Fund; Councilman Serra seconds the motion.

Councilwoman Bartolotta brings to the public attention that they asked the deputy police chief and he broke it down and this will carry him to the end of the year. Councilman Faulkner thanks Councilwoman Bartolotta for the report. We have to find a way to do some of these things in our routine day and not with overtime. The Chair states in his proposed budget they tried to reduce it and the number accurately reflects the situation. Councilman Serra states it is more than one reason. Fourteen individuals are in other places as well as officers at the school. When we get where we are supposed to be, it won't be so bad.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**C. Special Accounts \$30,000, Account No. 1000-27000-52141, Police HQ Energy Audit, General Fund.
(Approved)**

Councilman Thomas J. Serra reads and moves for approval the appropriation for Special Accounts \$30,000, Account No. 1000-27000-52141, Police HQ Energy Audit, General Fund.. Councilman Gerald E. Daley seconds the motion.

Councilman Faulkner states we have had trouble with the building and will this fix this; the Chair responds hopefully it will tell us what needs to be fixed. The building has had problems since it was built. This should tell us what needs to be done. Councilwoman Bartolotta states they asked these questions at Finance and Government Operations and we were satisfied it was moving in a final direction for change.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

9. Old Business:

A. Authorizing the Mayor to sign the "Acceptance Certificate as outlined in the May 12, 2008 Agreement between the city of Middletown and Kleen Energy Systems, LLC, approving the initial rate of service for the Kleen Energy Water District at \$8.67 per thousand cubic feet metered, billed, and collected by the Water Department, and approving establishing a separate revenue fund account for the Kleen Energy Water District.

Councilman Serra moves to leave it on the table. The Chair states the Council should vote on this; Kleen Energy is looking for a sweeter deal and he does not see this as a bad deal for the city. Councilwoman Kasper states she will move for approval. Councilman Serra states he was under the assumption this isn't the best we can do. The Chair explains the situation that he is not satisfied they are willing to produce a better deal on behalf of the taxpayers. If they approach us and do better for the tax payers, he will come back with an adjusted rate. He recommends to approve this. Councilman Giuliano states he wants to make clear this deal is on the table and you want us to confirm and stand behind this deal. The Chair states it was done under your administration; it is a cost of service agreement to use water to cool their facility. They asked to renegotiate, but they don't seem to do inclined to help the taxpayer. Councilman Giuliano states we don't prejudice ourselves. The Chair states you are approving a deal that is in effect. Councilman Daley states this is what is happening now. The Chair states they are doing it themselves and this was to kick in by a certain time. It is our property. I think frankly this is a reasonable agreement and more reasonable than I would have negotiated and they want a better deal than this. Councilman Daley states will the asset be protected. The Chair responds yes. Councilwoman Kasper states as member of WPCA, they voted to establish that rate and it is detailed expenses at that rate and is it retroactive. The Chair states that is part of the discussion we are having; he doesn't think it is retroactive back to 2008. Councilman Bauer endorses adopting this agreement. He recognizes the sticker shock on the other party. The City side, we had presented a proposal that is going to give reliability to the system as you can expect from the rest of the delivery of the water in Middletown. We are offering a rate that does the job but keeps the resources in good working order and integrated with the City system. He encourages its adoption. Councilwoman Bartolotta makes it clear to the public it is our water and our well and we need to keep it in our hands to keep it in a proper order. The Chair explains if they could meet certain conditions about the equipment and resource and recover additional money for the taxpayers, but at this point we are getting nowhere that would benefit the taxpayers. We can readopt a water rate. Councilman Bauer asks for a roll call vote.

Councilwoman Hope P. Kasper reads and moves for approval Authorizing the Mayor to sign the "Acceptance Certificate as outlined in the May 12, 2008 Agreement between the city of Middletown and Kleen Energy Systems, LLC, approving the initial rate of service for the Kleen Energy Water District at \$8.67 per thousand cubic feet metered, billed, and collected by the Water Department, and approving establishing a separate revenue fund account for the Kleen Energy Water District. . Councilwoman Mary A. Bartolotta seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 55-14

File Name wskleenenergy12-05-13waterdeptfinal

Description Authorizing the Mayor to sign the "Acceptance Certificate as outlined in the May 12, 2008 Agreement between the city of Middletown and Kleen Energy Systems, LLC, approving the initial rate of service for the Kleen Energy Water District at \$8.67 per thousand cubic feet metered, billed, and collected by the Water Department, and approving establishing a separate revenue fund account for the Kleen Energy Water District.

(Approved)

WHEREAS, the Kleen Energy Water District Facility at the Kleen Energy Plant has been completed; and

WHEREAS, the City will assign the operational jurisdiction to the Water Department on behalf of the City of Middletown; and

WHEREAS, the Water Pollution Control Authority recommends the City accept the facility for consideration as set forth in the contract.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew sign the "Acceptance Certificate" as more specifically outlined in the May 12, 2008 Agreement between the City of Middletown and Kleen Energy Systems, LLC; and

BE IT FURTHER RESOLVED: That the WPCA recommends the attached line item budget for the facility for the rest of the fiscal year, commencing on January 6, 2014; and

BE IT FURTHER RESOLVED: That a separate revenue fund account for the Kleen Energy Water District be established with the initial rate of service set at \$8.67 per thousand cubic feet (hereinafter referred to as the "Kleen Energy Water District Rate") and metered, billed and collected by the Middletown Water Department.

10. Department, Committee, Commission Reports and Grant Confirmation Approvals:

A. City Clerk's Certificate (Approved)



B. Monthly Reports: Finance Department - Transfer Report to April 24, 2014 (Approved)

Table with columns: Date, Department, Budget Item, From Account No., To Account No., Amount. Lists various budget transfers for FY 2013-2014.

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

Form titled 'CITY OF MIDDLETOWN REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT'. Includes fields for Grant Number, Amount Requested, and a list of grant descriptions.

D. Grant Confirmation and Approval – Rec. and Community Services

(Approved)

**CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457**

**REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT**

Grant Number: 158 Date of Request: 4/23/2014

Name of Grant: Recreation and Community Services Activity Fund

Amount Requested: \$70,000.00 Code: 2210-32000-89022-0321-03205-0000 400
2010-32000-44236-0321-03205

Grant Period: From: 7/1/2013 To: 6/30/2014

Type of Grant: Local Amount Loaned from General Fund: \$0.00

Department Administering Grant: Recreation & Community Services

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

Description of services to be provided by this Grant:
To pay salaries, supplies for outreach and inclusion programming. To pay for other programs, staff and supplies for the various programs that we offer through the Recreation & Community Services Department that are not directly funded by the City. We pay for bus trips, supplies, and staff from this account.

Signature: 

Requested by: Jody Krupa

Status: |

Status Date: |

**E. Parking Department – Informational Report
(Approved)**

FROM: Geen Thashampallath
TO: Full Common Council Members
RE: Meeting Packet Cover Sheet & Attachment Guide for May 5, 2014 Regular Meeting
DATE: April 30, 2014

ATTACHMENTS:

1. Arcade Renovation and Repair Update (Not an Agenda Item-Informational)
 - a. Memorandum to Mayor dated 4/29/14
 - b. Structural Engineer Report Summary dated 6/2013 & reinspection conducted 4/29/14
 - c. Findings & Recommendation Letter from Structural Engineer dated 2/6/14
2. Resolution to Create New Line and Transfer (Agenda Item)
 - a. Co sponsored by Councilman and Councilwoman Robert Santangelo and Sandra Driksa Rujan a Resolution to Transfer Excess Funds of \$10,000 for Parking and Market Study in collaboration with Economic Development.
3. Revenue Generation Options for FY 15 (Not an Agenda Item-Informational)
 - a. Excel Street Titled Potential Revenue Generation Implementation for Council for FY 2015*

I am happy to answer any questions during Questions to Directors or otherwise. My direct line is 860 638 4926. Geen

MEMORANDUM

TO: Mayor Daniel T. Drew
 Jon Samolis, Aide to Mayor
 Members of the Council
 Dawn Warner, City Risk Manager
 Brig Smith, City Counsel
 Donna Imms, City Purchasing



FROM: Geen Thashampallath
DATE: April 29, 2014
RE: Arcade Repair Project Update

I am happy to report that we are nearing a competitive bid to perform repairs to the Arcade Parking Garage. It was our planned intention to perform this bid and actual construction in the Spring 2014. The estimated patch paving and repairs, including setting to the lower level, could be in the range of \$75,000 to \$85,000 to be expended from an authorized \$125,000 appropriation at the November 2013 City Council meeting. I should reiterate that the arcade structure, though aged and deteriorating, is structurally safe per our external structural engineering firm Alfred Benesch and our internal PW engineers. I have attached the structural engineer's summary report pages.

I do regret to report a trip and fall, by an incoming police officer prior to her shift, did occur earlier in April. This claim is being appropriately processed by the insurance office. I believe the officer has returned to work. Also, 1 drip damage claim for \$400.00 did occur during the winter to an officer's private car. That claim was also processed by the insurance office.

Per your request here is a timeline on the repair project:

- ✓ November 4, 2013 received appropriation to do repairs to arcade based on verbal estimates pending physical review of the arcade by structural engineers;
- ✓ December 1, 2013 as a purely precautionary step, in anticipation of winter storms, closed lower level to the public and moved all monthly parkers to the upper level. However, due to various Public Safety equipment & police needs, we kept lower level open and available to police and city staff only. Simultaneously, we investigated the possibility of moving PD to the Middle Oak Garage. Estimated charge from Middle Oak management was approximately \$6500 per month or \$78,000/year for 100 spaces;
- ✓ December to March 2014 awaiting Spring 2014 weather to perform bid and actual construction. Technical work and construction patching would not have been feasible during snow and ice season. Simultaneously, the engineering, bid and construction documents were being worked on by engineering firm.

- ✓ March 6, 2014 hired Xenalis Construction to perform a Saturday repair to concrete and joint at the entrance of the Arcade;
 - ✓ April 21, 2014 Met with Engineering Firm and City Purchasing to prepare proper bid documents including advertising requirements, cover pages, legal notices ect...
 - ✓ April 28, 2014 spoke with Engineer and State of Connecticut (management firm of Courthouse) regarding paving top level and joint repair project. The State has a simultaneous repair project slated within the year;
 - ✓ April 29, 2014 on-site re-inspection of the arcade garage by the structural firm;
 - ✓ April 30, 2014 Public Works and Parking staffs remove concrete chunks that may have dislodged or were potential dislodging hazards as remarked by re-inspecting Engineers.
- May 5, 2014 target to submit bid documents/engineering specs to City Purchasing;
 - May 16 to May 30 bid period, estimated cost of repairs, paving and engineering, \$50,000 to \$75,000
 - June 1-August 30, Actual renovation and repairs to the Arcade with patch paving of top level during a standard 90 day window for completion.

All repairs and patching are temporary in nature in anticipation of a new garage building project in the next two years. If you or council members have any questions, I am more than happy to answer or discuss accordingly.

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SECTION 1 – EXECUTIVE SUMMARY

1.1 General

Parcell Associates, now Alfred Benesch & Company (Benesch), was previously retained to perform Structural Condition Assessments of the Middletown Municipal Parking Garage both in 1992 and more recently in 2008. The 2008 assessment was performed to assess progressive deterioration noted in the structure and to evaluate the viability of the existing garage for the near future (5 to 10 years) until the planned new garage structure will be constructed. Due to delays in the project schedule for the new garage, the City has again retained Benesch to update the 2008 report and to again assess the viability of the existing structure for a similar 5 to 10 year horizon.

The Middletown Municipal Parking Garage is located on the block bordered to the west by Main Street, to the east by DeKoven Drive; to the north by Court Street; and to the south by Dingwall Drive (formerly College Street). The garage has two levels: a lower level at-grade accessible from Dingwall Drive and a framed upper level accessible from Court Street. The structure of the garage consists of pre-cast concrete single-tee beams supported on pre-cast concrete columns. It was constructed in 1965, was subsequently rehabilitated in 1979, and was partially demolished in 1993 to make room for the courthouse.

Benesch performed a visual inspection of the garage structure on May 15-16, 2013. Inspection of the pedestrian bridge to the west, as well as the five-level courthouse garage to the north was not included in the scope of the work.

The conditions observed during the current inspection were generally consistent with the 2008 report. Some repairs were observed during the current inspection which addressed concerns / deficiencies noted in the 2008 report. Most notably, the advanced deterioration in the tee beam flanges in the proximity of the entrance from Court Street has been repaired.

The major changes observed include several localized areas exhibiting greater deterioration and some new deficiencies noted. These deficiencies include deterioration to the pedestrian ramp and sidewalk at the stairs in the northwest corner of the lot, as well as deterioration of several of the CMU wall blocks on the lower level. The cast-in-place diaphragm beams along the column lines exhibited some of the most marked changes, with the spalls / scale / cracking / hollow areas noted previously having worsened in many locations. Additional minor issues were found, such as pop outs in columns, sagging electrical conduit, increased crack sizes in the single-tees, degradation of the pavement on the upper level, and spalls in the concrete parapet on the upper deck. Further details on other changes are highlighted in the body of this report.

Based upon our observations, it remains our opinion that the Parking Garage is in a moderate to advanced state of deterioration. As such we feel that the undertaking of extensive repairs or rehabilitation efforts would not be practical and that the planned replacement of the garage is justified.



It is apparent that the waterproofing system on the deck has failed and water and chlorides have been penetrating the deck for quite some time, resulting in corrosion of the reinforcement and deterioration of the concrete. These factors have led to cracking and spalling in the surrounding concrete, rendering the tees permeable to further water infiltration. The signs of this can be seen throughout the structure in the form of efflorescence and rust stains, stalactites, punky concrete, scaling and spalling.

Due to the planned replacement of the garage, only issues deemed as safety hazards will be addressed so as to keep the garage in safe operation until construction can begin on the new structure. In the meantime, it is recommended that the garage be inspected biannually by City staff to identify any new safety issues that may arise. Any conditions representing a safety concern should be brought to the attention of a structural engineer.

Below is a summary of the distress noted during the inspection. The deficiencies titled "Unsafe / Needs Immediate Attention" represent safety concerns and are accompanied with recommendations for repair. Other non-safety related deficiencies noted are also listed below. These conditions should be monitored for further deterioration as part of the routine inspection of the garage.

Partial framing plans are included in the Field Notes in Appendix C. Note that the single-tees are numbered in accordance with the column lines on which they are located.

Unsafe / Needs Immediate Attention

1. There are areas of delaminated / potentially loose concrete in the cast-in-place diaphragm beams along column lines A through D as well as in the cast-in-place cantilever slab at the west fascia. This loose concrete poses a potential hazard of falling on pedestrians or vehicles. These areas have generally worsened since 2008, either in size or in depth.
Recommendation: Remove any loose concrete with hammer. (May be performed by Municipal Staff)
2. The cast-in-place wall at the south perimeter has a large delaminated & spalled area immediately below a light pole. The anchorage of the light pole appears compromised.
Recommendation: Remove the light pole if deemed not necessary at this location. (To be performed by utility company)
3. The pedestrian rail at the south edge of the upper level has two locations with missing pickets presenting a falling hazard.
Recommendation: Install new pickets or install a cover over the openings.
(Estimated Construction Cost = \$500)



4. At the southeast corner of the garage, there is a portion of the parapet along the closed pedestrian ramp which has a grade separation of greater than 30" and does not have a railing.
Recommendation: Install a railing in this location or block off the bottom of the closed ramp to restrict pedestrian access to the area.
5. There are several rusted electrical junction boxes with missing or loose covers and exposed wiring. It is not certain if the exposed wiring is live.
Recommendation: Repair and secure the rusted electrical junction boxes to protect the wiring and the general public. (May be performed by Municipal Staff).
6. The CMU wall along the north face of the structure, lower level, is deteriorated at random locations throughout, typically at the metal bracket supports in Bay 3 and 4. The CMU blocks are spalling and hollow in these areas, with the remnants of the CMU faces were visible piled on the floor. The backer rods between the CMU wall and the single-tee flange in these locations are sagging and failing and there is heavy efflorescence on the CMU faces, indicating water infiltration. (New item this report).
Recommendation: Remove any loose concrete or pieces of block in this affected area. It should be noted that the falling pieces of CMUs could be dangerous to pedestrians and property. (May be performed by Municipal Staff).
7. The pedestrian ramp at the northwest corner of the garage upper level has deteriorated areas of concrete at joints in the ramp, up to full depth (approximately 2" deep). These areas pose a tripping risk to pedestrians and would make the use of wheelchairs difficult. (New item this report).
Recommendation: Deteriorated concrete should be removed from these areas and replaced with new concrete. (May be performed by Municipal Staff)
8. There is a large hollow / delaminated / spalled area of concrete on the sidewalk at the right side of the base of the pedestrian steps, at the northwest corner of the top level of the garage. Additionally, there is an area of hollow and loose concrete at the south stairway, where the top stair meets the parking deck. These areas of deteriorated concrete pose a tripping risk to pedestrians and impede the use of the stairs. (New items this report).
Recommendation: Deteriorated concrete should be removed from these areas and replaced with new concrete. (May be performed by Municipal Staff).



Additional Deficiencies Noted

1. The flange for single-tee 21 is approximately 3" lower than that of single-tee 22 at midspan in Bay 4. This misalignment was difficult to see directly, as a gland obscures this location, but a difference of approximately 3" was observed through impressions in the gland.
2. Typical deterioration noted in the single-tees includes hairline cracks in the flanges at ends, exposed shallow reinforcing steel and random edge spalls in the flanges.
3. Column 26/A has a large spall on the west face with an exposed rusted steel plate and exposed rusted reinforcing bar.
4. Columns along column lines B, C, & D exhibit horizontal hairline cracking at the single-tee seat elevation.
5. Several bearing pads are generally failed and have lost the ability to provide any movement. This condition has created a restraint to the tees at the bearing area thereby resulting in stress buildup. Additional pads are curling, warping and near failure.
6. The steel bearing plates embedded in the ends of the single-tees show peeling paint with light to moderate surface rust. There are hairline cracks originating from the right-angle corners of these plates and radiating diagonally down the webs of the tees, at random locations.
7. The expansion joint between lines 21 and 22 is in poor condition and has locally failed. There are missing areas of the expansion joint and parts of the joint have been paved over. A rubber gland has been installed on the underside of the joint in order to collect the water passing through the joint and to channel this water to gutters.
8. The cast-in-place diaphragm beams along column lines A, B, C and D have many spalled and delaminated areas.
9. There is a large spalled / delaminated area in the cantilevered slab at the west fascia along the expansion joint between lines 21 & 22. The area is approximately 55" long by 25" wide and is spalled up to 4" deep (full depth) exposing rusted reinforcing bars and electrical wires.
10. The bituminous wearing surface on the upper level exhibits extensive cracking, unraveling, cold joints and deterioration throughout with several sealed/patched areas.
11. The pedestrian railing at the upper level, mounted on the cast-in-place curb around the perimeter is damaged and bent in several locations due to vehicle impact. There are areas of curb that are spalled throughout the upper level, with exposed rail anchors at some locations. Furthermore, there is a 20' length of metal beam rail at the east curb, near single-tee line 21, which is pulled/pushed out of plane. Further lengths of metal beam rail are loose, tilted out of plane or disconnected from the curb along the east face, at random locations.



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IC

February 6, 2014

Mr. Geen Thazhampallath
Director of Parking
City of Middletown
245 deKoven Drive
Middletown, CT 06457

Subject: Middletown Municipal Parking Deck - Preliminary Cost Estimates

Dear Mr. Thazhampallath,

The intent of this letter is to provide the results of the preliminary cost estimating effort we performed for the City with respect to addressing the deficiencies of the Middletown Municipal Parking Deck. The assignment was undertaken in order to provide the City with budgetary numbers to assist in decision process in determining the best course of action for the parking deck structure.

The options considered in this evaluation were developed through discussions with the City during the Scoping phase of this assignment.

The options under consideration are as follows:

- **Option 1:** Perform only critical repair items associated with public safety
- **Option 2:** Perform critical repair items and also make repairs to address water infiltration
- **Option 3:** Demolish the existing parking deck structure and replace it with a surface parking lot

The results of this estimating work are included in this report.

BACKGROUND

The Middletown Municipal Parking Deck is located on the block bordered to the west by Main Street; to the east by deKoven Drive; to the north by Court Street; and to the south by Dingwall Drive (formerly College Street). The garage has two levels: a lower level at-grade accessible from Dingwall Drive and a framed upper level accessible from Court Street. The structure of the garage consists of pre-cast concrete single-tee beams supported on pre-cast concrete columns. It was constructed in 1965, was subsequently rehabilitated in 1979, and was partially demolished in 1993 to make room for the courthouse.

Alfred Benesch & Company most recently performed a structural inspection of the parking deck in the summer of 2013. This inspection found the structure in a moderate to advanced state of deterioration. Recommendations were made to address several items identified as safety concerns in order to keep the structure in safe operation until the replacement garage (currently under design) is ready to be constructed.

Mr. Geen Thazhampallath
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Subsequent to this report we were approached by the City to prepare cost estimates for the recommended work items. Beyond addressing the critical repairs identified in the report (Option #1) we were also asked to consider two alternate options. The first alternate (Option #2) would be to address the critical items as well as to make additional repairs to eliminate (to the greatest extent possible) the water infiltration through the structure. This would involve the replacement of the pavement and expansion joints as well as the installation of a waterproofing membrane. The second alternate option (Option #3) would be to demolish the existing structure and replace it with a surface parking lot.

METHODOLOGY

The cost estimates included in this evaluation were developed based on estimated quantities of work from observations made during the inspection phase and during a subsequent field visit performed on January 10, 2014. Unit costs as published by the Connecticut Department of Transportation were applied to these quantities where appropriate. Where unit costs were not available, estimates were based on assumed labor and material costs. This effort was also supplemented with Contractor input and opinion of cost. The cost estimate information provided in this report is based on preliminary information and is provided for budgetary purposes only. With further development of construction documents, more defined estimates of construction cost can be determined.

DISCUSSION OF OPTIONS

I. Option 1: Perform Only Critical Repairs

Under this option, only the recommended critical items would be addressed. Please refer to the 2013 inspection report for further information pertaining to these noted deficiencies. The items included under this item are as follows:

- Removal of loose concrete from overhead in localized areas.
- Removal of light pole at the south wall
- Repair of the pedestrian railing at localized areas on the upper level.
- Install fencing at the base of the closed traffic ramp (SE Corner) to restrict access.
- Remove loose concrete from spalling of the concrete block wall at the north wall.
- Repair spalled concrete from the pedestrian ramp, sidewalk, and stairs where a tripping hazard exists.

One additional item that was noted in the inspection report was the condition of the electrical boxes located under the traffic ramp. No cost has been included for work associated with this item as it is not clear if these boxes are live. Prior to the determination of a course of action (and associated cost), the City should identify if these circuits are active. If so, a licensed electrician should be consulted to determine what action is required.

The estimated cost for this Option is \$16,000. An itemized estimate for this option is attached.

II. Option 2: Perform Critical Repairs & Address Water Infiltration

Under this option, a more comprehensive repair would be performed. This would address all of the critical items included under Option 1 but would also include repairs to address the water infiltration through the parking deck structure.

Mr. Geen Thazhampallath



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The items included under this option are as follows:

- Perform critical repairs included in Option 1.
- Remove the Existing Pavement Surface from the Upper Level
- Perform localized repairs to the concrete deck surface as required.
- Install new membrane waterproofing system on the concrete deck surface.
- Install new bituminous pavement.
- Install new expansion joints.
- Install pavement markings.

This alternate includes the following assumptions:

- Existing bituminous concrete pavement thickness is 2".
- Proposed bituminous concrete pavement thickness will be 2".
- Only limited concrete repairs will be required on the top surface of the topping slab.
- Proposed expansion joints assumed to be asphaltic plug type or similar.
- Membrane waterproofing will be woven glass fabric type or similar.

The estimated cost for this Option is \$528,000. An itemized estimate for this option is attached.

III. Option 3: Demolish Existing Structure and Construct New Surface Lot

This option consists of the demolition of the existing parking deck structure and maintaining the lower parking level as a surface parking lot. This work includes drainage upgrades, the reconfiguration of the parking spaces to improve flow characteristics, resurfacing of the lot and the installation of lighting facilities.

In order to maintain existing pedestrian connections, this option assumes that a small portion of the existing structure will remain in place at the northwest corner, at the existing upper level entrance from Court Street. By maintaining this portion, the existing stairs from the lower level to the upper level as well as from the upper level to the pedestrian bridge will be able to be maintained. A portion of the existing ramp from the upper level to the pedestrian bridge will also be able to be maintained by taking this approach.

Please refer to the attached plan showing the proposed configuration of the surface lot as well as the limits of the existing structure to remain. The proposed surface lot as detailed will have a capacity of 157 cars.

The items included under this option are as follows:

- Demolition of the existing parking deck structure (within limits shown). This includes the removal of the existing traffic ramp between the two parking levels (currently closed). The site walls at the perimeter of the lot will remain in place.
- Installation of drainage structures for the new surface lot.
- Paving and striping of the new surface lot.
- Installation of lighting for new surface lot.
- Reconfiguration of the ramp from the upper level to the pedestrian bridge.
- Installation of a railing along the edges of the parking deck structure to remain.

Mr. Geen Thazhampallath
Page 14



- Additional modifications to the portion of the existing parking deck to remain. This includes repaving and the installation of a waterproofing membrane, installation of curbing and new drainage structures as required, and localized patching of concrete.

Due to the length of the temporary ramp required (approx. 160'), no ramp access is provided from the new surface lot to the remaining portion of the upper parking deck level. Alternate "ramp" access to Main Street is available along the Dingwall Drive sidewalk.

The estimated cost for this Option is \$1,207,000. An itemized estimate for this option is attached.

CONCLUSIONS AND RECOMMENDATIONS

The three options evaluated in this estimating process provide three distinct alternates for the maintenance of the parking deck structure moving forward and likewise three distinct estimated costs.

As the parking deck structure is nearing the end of its useful life and a new garage structure for the site is in the design stage, the cost of Option #2 appears to far exceed the benefits to be achieved by the repairs. If water infiltration (and the associated efflorescence leakage) is a significant source of claims for the City, an alternate approach would be to close off the areas where water is known to infiltrate the structure.

Furthermore with regard to Option #3, the benefits of this option likewise do not appear to justify the expense the City would incur to undertake the demolition of the parking deck structure with its own funds. Assuming State or Federal funding is secured for the new garage currently in design, the cost of the demolition could likely be included in the project costs lessening the financial burden on the City.

Due to these considerations, our recommendation is to proceed with Option #1 and perform only the critical repair items at this time. We would further recommend that the City continue to have the structure inspected on a regular basis until the new garage structure is ready for construction. We would recommend a structural inspection by a licensed Professional Engineer at intervals not exceeding 2 years. We would further recommend that the City staff perform periodic walkthroughs to identify any changes in the condition of the structure. Should additional deficiencies be noted during these walkthroughs, they should be immediately brought to the attention of a Professional Engineer.

Please feel free to contact me if you have any questions regarding any of the information contained in this report.

Very Truly Yours,

ALFRED BENESECH & COMPANY



Steven J. Drechsler, P.E.
Project Manager

(70106.00)

encl.

MIDDLETOWN MUNICIPAL PARKING DECK MIDDLETOWN, CT		Project No.: 70106.00 Date: 2/5/2014			
PRELIMINARY COST ESTIMATE OPTION 1 - PERFORM ONLY CRITICAL REPAIRS					
ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
1	REMOVE LOOSE OVERHEAD CONCRETE. REMOVE LOOSE / DELAMINATED CONCRETE IN THE SUBIRRIGAS ALONG COLUMN LINES A B 3' AND IN THE CANTILEVER SLAB AT THE WEST FACIA.	A L.S.	1	\$1,300.00	\$1,300.00
2	REMOVE LIGHT POLE AT THE SOUTH WALL. REMOVE LIGHT POLE AT DAMAGED FOUNDATION.	L.S.	1	\$1,100.00	\$1,100.00
3	REPAIR PEDESTRIAN RAIL AT THE UPPER LEVEL. REPAIR LOCATIONS WHERE RAILING PICKETS ARE MISSING.	EA.	9	\$150.00	\$1,350.00
4	INSTALL FENCING AT THE BOTTOM OF THE CLOSED VEHICULAR RAMP. INSTALL FENCING TO DETER PEDESTRIAN ACCESS DUE TO SHORT PARAMET WALLS.	L.F.	20	\$75.00	\$1,500.00
5	REMOVE LOOSE CONCRETE FROM CMU BLOCK WALL. REMOVE LOOSE CONCRETE AT THE NORTH WALL AT LOWER LEVEL DUE TO SPALLING OF CMU BLOCKS.	L.S.	1	\$600.00	\$600.00
6	REPAIR CRACKED CONCRETE AT THE PEDESTRIAN RAMP. HAZARD. INCLUDES CONCRETE REMOVAL AND PATCH.	S.F.	60	\$70.00	\$4,200.00
7	REPAIR CONCRETE SURFACE AT STAIR LOCATIONS. SPALLS CONCRETE FROM THE CORNER AT THE BASE OF THE NORTHWEST STAIR AND AT THE TOP OF THE SOUTH STAIR. INCLUDES CONCRETE REMOVAL AND PATCH.	S.F.	40	\$70.00	\$2,800.00
Subtotal:					\$12,850.00
Add 20% Contingency:					\$2,570.00
Total:					\$15,420.00
Say:					\$16,000.00



MIDDLETOWN MUNICIPAL PARKING DECK MIDDLETOWN, CT		Project No.: 70106.00 Date: 2/5/2014			
PRELIMINARY COST ESTIMATE OPTION 2 - PERFORM CRITICAL REPAIRS AND ADDRESS WATER INFILTRATION					
ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
1-7	PERFORM CRITICAL REPAIRS: REFER TO OPTION 1 FOR ITEMIZED ESTIMATE.	L.S.	1	\$12,850.00	\$12,850.00
8	REMOVE EXISTING PAVEMENT SURFACE. MILL AND REMOVE THE EXISTING BITUMINOUS CONCRETE PAVEMENT FROM UPPER LEVEL. 2" OF PAVEMENT IS ASSUMED.	S.Y.	7000	\$5.00	\$35,000.00
9	REPAIR EXISTING CONCRETE SLAB. MAKE LOCALIZED REPAIRS TO THE TOP SURFACE OF THE PARKING DECK SLAB. THIS ACCOUNTS FOR LOCALIZED DEGRADATION AND MODIFICATIONS AT JOINT LOCATIONS.	L.S.	1	\$25,000.00	\$25,000.00
10	INSTALL NEW MEMBRANE WATERPROOFING. INSTALL MEMBRANE WATERPROOFING SYSTEM OVER THE EXISTING CONCRETE TOPPING SLAB.	S.Y.	7000	\$33.00	\$231,000.00
11	INSTALL NEW BITUMINOUS PAVEMENT. INSTALL NEW PAVEMENT ON THE UPPER LEVEL. PAVEMENT THICKNESS TO MATCH THE EXISTING IF ASSUMED.	T	740	\$150.00	\$111,000.00
12	INSTALL NEW EXPANSION JOINTS. INSTALL NEW EXPANSION JOINTS WHERE THE TWO EXISTING JOINTS ARE LOCATED.	L.F.	150	\$40.00	\$22,000.00
13	INSTALL PAVEMENT MARKINGS. INSTALL PAVEMENT MARKINGS ON THE NEW PAVEMENT ON THE UPPER PARKING LEVEL.	L.S.	1	\$3,000.00	\$3,000.00
Subtotal:					\$439,850.00
Add 20% Contingency:					\$87,970.00
Total:					\$527,820.00
Say:					\$528,000.00



MIDDLETOWN MUNICIPAL PARKING DECK MIDDLETOWN, CT		Project No.: 70106.00 Date: 2/5/2014			
PRELIMINARY COST ESTIMATE OPTION 3 - DEMOLISH EXISTING STRUCTURE AND CONSTRUCT NEW SURFACE LOT					
ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	TOTAL
1	DEMOLISH EXISTING GARAGE STRUCTURE. REFER TO OPTION 1 FOR ITEMIZED ESTIMATE.	L.S.	1	\$560,000.00	\$560,000.00
2	INSTALL NEW DRAINAGE SYSTEM FOR SURFACE LOT. INSTALL NEW CATCH BASINS OR AND CONCRETE PIPE FOR NEW SURFACE LOT.	L.S.	1	\$54,000.00	\$54,000.00
3	REMOVE EXISTING PAVEMENT ON LOWER LEVEL. RECLAIM EXISTING BITUMINOUS PAVEMENT.	S.Y.	7000	\$6.40	\$44,800.00
4	INSTALL NEW PAVEMENT FOR SURFACE LOT. INCLUDES FORMATION OF SUBGRADE, PROCESSED AGGREGATE BASE AND BITUMINOUS CONCRETE.	S.Y.	7000	\$33.00	\$231,000.00
5	INSTALL PAVEMENT MARKINGS. INSTALL PAVEMENT MARKINGS ON THE NEW SURFACE LOT PAVEMENT.	L.S.	1	\$3,000.00	\$3,000.00
6	INSTALL LIGHTING FOR SURFACE LOT. INCLUDES INSTALLATION OF 12 LIGHT STANDARDS WITH FIXTURES, FOUNDATIONS, AND WIRING.	L.S.	1	\$60,000.00	\$60,000.00
7	MODIFY EXISTING PEDESTRIAN RAMP. RECONFIGURE THE EXISTING PEDESTRIAN RAMP FROM THE PORTION OF THE DECK STRUCTURE TO REMAIN TO THE PEDESTRIAN BRIDGE.	L.S.	1	\$15,000.00	\$15,000.00
8	INSTALL NEW PEDESTRIAN RAILING. INSTALL PEDESTRIAN RAILING AT THE EDGES OF THE PORTION OF THE STRUCTURE TO REMAIN.	L.F.	120	\$50.00	\$6,000.00
9	ADDITIONAL MODIFICATIONS TO PARKING DECK STRUCTURE TO REMAIN. INCLUDES REPAIRS, INSTALLATION OF A NEW MEMBRANE, INSTALLATION OF DRAINAGE STRUCTURES AND CURBS (AS NECESSARY), AND LOCALIZED CONCRETE REPAIRS.	L.S.	1	\$30,000.00	\$30,000.00
Subtotal:					\$1,205,800.00
Add 20% Contingency:					\$241,160.00
Total:					\$1,206,960.00
Say:					\$1,207,000.00



2A

Resolution

Whereas, the City of Middletown Common Council properly authorized and passed a budgetary appropriation during its November 2014 meeting for \$125,000 for repairs and renovations to the existing Arcade Parking Garage;

Whereas, the Arcade Parking Garage repair project will cost an estimated \$85,000 dollars for various travel way repairs, public safety repairs, basic remedial paving and pot hole filling, concrete repairs, netting for the lower level and other signage and light fixture repairs recommended by the Alfred Benesch structural engineering company thereby providing a remainder of funds of \$40,000 dollars;

Whereas, a vital and economically important market and parking study is being completed in collaboration with the Economic Development Commission requiring an input of \$30,000 from the existing parking repair appropriation and/or budget;

Whereas, the Parking Advisory Board approved utilizing the projected remainder of the Arcade repair appropriation for this market and parking study;

Be it Resolved by the Common Council of the City of Middletown: that a new budgetary line be created and that a transfer of \$30,000 from line 1000-27000-53282-0000-00000-0000-000 to the newly created line be approved.

Resolution Submitted Jointly by: Councilman Robert Santangelo Councilwoman Sandra Driska Russo

3A

Potential Revenue Generation Implementations for Council Consideration for FY 2015

LINE	Revenue Generation Options	Estimated Revenue
1	Transfer of 1 year from State of Connecticut to \$1	250,000.00
2	Transfer of 1 year from State of Connecticut to \$1	218,000.00
3	Transfer of 1 year from State of Connecticut to \$1	150,000.00
4	Transfer of 1 year from State of Connecticut to \$1	113,000.00
5	Transfer of 1 year from State of Connecticut to \$1	86,000.00
6	Transfer of 1 year from State of Connecticut to \$1	50,000.00
7	Transfer of 1 year from State of Connecticut to \$1	12,000.00
8	Transfer of 1 year from State of Connecticut to \$1	10,000.00
9	Transfer of 1 year from State of Connecticut to \$1	20,000.00
10	Transfer of 1 year from State of Connecticut to \$1	20,000.00
11	Transfer of 1 year from State of Connecticut to \$1	20,000.00
12	Transfer of 1 year from State of Connecticut to \$1	20,000.00
13	Transfer of 1 year from State of Connecticut to \$1	20,000.00
14	Transfer of 1 year from State of Connecticut to \$1	20,000.00
15	Transfer of 1 year from State of Connecticut to \$1	20,000.00
16	Transfer of 1 year from State of Connecticut to \$1	20,000.00
17	Transfer of 1 year from State of Connecticut to \$1	20,000.00
18	Transfer of 1 year from State of Connecticut to \$1	20,000.00
19	Transfer of 1 year from State of Connecticut to \$1	20,000.00
20	Transfer of 1 year from State of Connecticut to \$1	20,000.00
21	Transfer of 1 year from State of Connecticut to \$1	20,000.00
22	Transfer of 1 year from State of Connecticut to \$1	20,000.00

Note: Some options are mutually exclusive of each other. Citizens can be done in Combination

F. Grant Confirmation and Approval - Planning, Conser. & Dev. Arcade (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 158 Date of Request: 4/24/2014

Name of Grant: Arcade/MetroSquare Municipal Brownfield Assessment and Inventory Grant

Amount Requested: \$200,000.00 Code: 5195-14200-53200-X-X-2014

Grant Period: From: 5/1/2014 To: 6/30/2016 5195-14200-43242-X-X-2014

Type of Grant: State Amount Loaned from General Fund: \$200,000.00

Department Administering Grant: 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 Grant:
This is \$200,000 grant to enable the City to complete environmental assessments on two blocks within the downtown as part of a large mixed-use redevelopment.

Signature: [Signature]
Requested by: William Wisner
Status: []
Status Date: []

G. Finance Department Report - Bond Rating Change

Councilman Bauer asks, through the Chair, to the Chairman of Finance and Government if 10D went through Finance and Government. He can't remember if they got to see that. Councilman Serra states this was done down in the basement when we had the meeting there; it was a while ago.

Councilman Thomas J. Serra reads and moves for approval Department, Committee, Commission Reports and Grant Confirmation Approvals:. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**11. Payment of Bills When Properly Approved.
(Approved)**

Councilman Thomas J. Serra reads and moves for approval Payment of all City bills when properly approved. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska; 1 nay votes by Councilman David Bauer and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 10 affirmative votes, 1 in opposition and 1 absent.

12. Resolutions, Ordinances, etc.:

A. Approving creating, establishing and appointing a Charter Revision Commission.

Councilman Carl R. Chisem reads and moves for approval creating, establishing and appointing a Charter Revision Commission. Councilman James Streeto seconds the motion.

Councilwoman Kleckowski states we would like to support the Charter revision and agree there are issues to discuss and I shared them with the Majority Leader and we do believe the issues should be put into the resolution so that we can meet with our caucuses and add a few amendments so that the ideas being put forth and to allay concerns.

Point of Order: Councilwoman Russo Driska asks if it is appropriate to do that now. Chair responds he is checking with Corporation Counsel. Councilman Giuliano comments he might be willing to withdraw his motion to postpone. The Corporation Counsel states there is a motion brought by Councilman Giuliano to postpone and seconded and procedurally if he withdraws his motion temporarily, the concept of a recess is doable. Councilman Giuliano states he will hold his motion in abeyance if that is okay. Councilman Serra states Charter Revision cannot be held to what we tell them to do. You go to the Commission and they consider them. It is not necessary to do that. Councilman Giuliano states what we have been given by the General Counsel says the exact opposite. The Chair states we are not going to talk over each other. He asks Councilman Giuliano if he will withdraw his motion or not. He states he will hold it back pending a recess. He reserves the right to remake it. The Chair states you can hold your motion in abeyance according to the Corporation Counsel. The Chair asks if there is a motion to recess or the underlying motion.

Meeting went into Recess

Councilwoman Deborah A. Kleckowski reads and moves for approval a recess . Councilman Sebastian N. Giuliano seconds the motion. The chair calls for the vote. It is 9 aye votes by Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 2 nay votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 9 affirmative votes, 2 in opposition and 1 absent.

Meeting Reconvened

Councilman Giuliano states the resolution is nondescript in offering guidance to the commission as to which provisions we would like them to consider and that is within the authority of the Council. Also I heard from the City Attorney, it was generated from his office. It did not go before his commission. He would postpone this to go before his commission and to have the opportunity to offer suggestions as to what the Council wishes the Charter Revision Commission to consider. The Chair asks if it is a formal action. Councilman Giuliano responds yes, he would postpone to the next regular Council meeting so that it can go before the next General Counsel

meeting. Councilman Daley states he would discourage putting it off for a month. If we are going to ask citizens to serve on the commission, that we give them adequate time so that it can be placed on the general election. He has been on the Council involving City government and I don't think the establishment of a Charter Revision Commission has ever gone through a Council committee. This is a unique type of initiative and generally it comes right from the Council itself. As far as providing input to the Charter Revision, the process provides for that as outlined in the General Counsel's memorandum. All the steps and because of these things required by Statute, it is important to move on it tonight. He advises not to postpone. Councilwoman Kasper agrees with Councilman Daley. I do think the commission will need considerable time to review what they need to do and going to the General Council Commission, I don't think that there is anything in the ordinance that allows them to review this. I urge the members of the Council to go ahead with this. The Chair states Corporation Counsel would like to make a statement. Corporation Counsel Ryan states under the Statute, the council can't dictate what the Charter revision Commission does anyway; he sat on the last Charter Revision Commission and there was plenty of interplay between the council and that commission and there is nothing to prevent the Common council or members suggesting things to the Commission. It would be helpful. Councilman Bauer states he is hearing how important it is, but his problem is we don't share what has motivated this to the public. We have issues and talking about legal but this is the charter and common sense should have some place in it. If the main body of rules of the City are up for change, we need to say from the beginning what motivated us to have this resolution in the first place. If that can't be articulated, that doesn't smell right. We are doing this and another important thing is who we are going to be putting on this. Councilman Streeto points out that the scope of Charter revision is not limited by what we send them; it is advisory. I note this resolution is amendable from the floor and if there are points that Councilman Giuliano might want addressed, you are free to add them. I don't understand where the need to postpone to articulate the specifics comes from. Making sure there is more time, it is better than trimming a month off. The Charter of the City should be scrutinized continuously. Councilman Serra states it is not a new idea and was brought to the April 2 Finance Committee and we did not appropriate the 25,000. The idea was there. Yes we can only suggest to the Charter Revision Committee. There has been interaction with the caucus to add a few names to this commission. But this was also in the Middletown Press relative to my suggestions for Charter Revision. I have suggestions from the republican liaison for Charter revision. Everyone was aware of this and it should go forward. The four year term has been talked about and there should be no conflict with State Statute; moving the budget approval date back so we can get some idea of what the State is doing; check the bonding level; and there are ideas from the Republican caucus. If we are going to have it on the November ballot, it is necessary to go forward now. Councilman Daley states he would suggest that the resolution later in the agenda, naming the members which will be amended to add members, in that same resolution paragraph 3 does provide some information about the Charter Revision and interaction with the Council and some of the purposes are listed. I have been around for as many Charter revision commissions as anyone here and the biggest impediment is when they aren't given enough time to do the work in a comprehensive way. Postponing it will be killing it. He urges everyone to vote against postponing it.

The Chair recognizes Councilwoman Kleckowski for any recommended changes to the resolution. Councilwoman Kleckowski thanks the council for a recess; she did share a list and some of our top priorities are the referendum initiative, the cap on bonding, when there is an appropriation from the General fund, to have a supermajority, voting for the Board of Education as a separate budget upon confirmation from the Board of Education and the four year term. The Chair asks how they are proposing to incorporate that into the resolution. He suggests we pass the resolution as written with the notation as submitted and give the document to the Council Clerk that these are priorities of the Republican Caucus and this document be passed to the Charter Revision Commission. Councilwoman Kleckowski states she is good with that but there is a hesitation. The problem is the discussion that it doesn't make the resolution solid by law; we have not had the time to read it because it was just presented to us, but the resolution has to have those pieces in the resolution. The Chair, states that Corporation Counsel pointed out it does not have to have that, but there is a whole process; Councilman Daley pointed out that you can relay them to the Commission because they will have a public hearing. We can submit this document and there is a lot of procedural disagreement. This document can be submitted to the Charter Revision Commission and they would have your priorities.

The Chair reads the motion and suggests adding a segment with a comma and forwarding to the members the written document containing the priorities of the Republican Caucus.

The Chair states the motion was moved by Councilwoman Kleckowski and seconded by Councilwoman Bartolotta. The Chair recognizes Councilman Giuliano and asks if he would like to be heard again about the procedure. He responds he would like to be heard on the amendment that was moved and seconded. He states if he understands the law, the entire charter is on the table, but if there are certain issues we want the commission to specifically address, we have to put them in the resolution. The commission can reject everything we send them. But they must address what you put in the resolution; therefore I would amend the amendment to make them part of the resolution so that they do get addressed. Chair states we have an amendment on the floor and need to address that. Councilwoman Kleckowski states she will second this motion. The chair states we have a motion to amend the amendment over procedural wrangling over whether or not we should include all of this language in the substantive resolution itself or add the language to the one line that is here or to instruct the Charter Revision to review all that same

language that we are talking about. Corporation Counsel states the suggestions made by the republican caucus, they can be an addendum and should and would be considered by the Charter Revision Commission and they can do what they want and consider these. Councilman Giuliano states if they are in the resolution they have to address them, even in the negative. Corporation Counsel states this document can be incorporated by reference into the resolution. Councilwoman Kleckowski states that works. The Chair asks if Councilman Giuliano withdraws his motion to amend the amendment.

The Chair states we now have before us a new resolution that includes the entire line of 12A and the instruction to the Charter Revision Commission to take into consideration the document written out by Councilwoman Kleckowski and attached thereto, which will go to the Council Clerk and be forwarded as part of the original and initial correspondence to the commission. The Chair asks for further discussion. He calls for the vote on the amendment.

Councilwoman Deborah A. Kleckowski reads and moves for approval adding the language to the motion Approving creating, establishing and appointing a Charter Revision Commission, and forwarding to the members the written document containing the priorities of the Republican Caucus. Councilwoman Mary A. Bartolotta seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The Chair states the amended resolution is before the Council with the language change in the first line. He calls for the vote. It is ten ayes to approve, one nay vote and one person absent.

VOTE: Motion carried 10 - 1

AYES: Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska

NOES: Councilman David Bauer

ABSENT: Councilman Robert P. Santangelo

ABSTAIN: None

RECUSED: None

Resolution No. 56-14

File Name cccharterrevisioncomm2014

Description Approving creating, establishing and appointing a Charter Revision Commission.

(Amended and Approved)

WHEREAS, pursuant to C.G.S. Section 7-187 et seq., the Common Council of the City of Middletown is the appointing authority for a Charter Revision Commission, acting by a two-thirds vote of its entire membership; and

WHEREAS, it is time for the City to consider revisions to its Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That pursuant to C.G.S. Section 7-187 et seq., a Charter Revision Commission be and is hereby formed, established, created and/or appointed to initiate a comprehensive review and amendment of the Middletown City Charter including the attached, written document containing the priorities of the Republican Caucus for the Commission's consideration; and

BE IT FURTHER RESOLVED: That pursuant to C.G.S. Section 7-187 et seq., a Charter Revision Commission be and is hereby formed, established, created, and/or appointed to amend the charter in such other manner and respects as deemed necessary and appropriate; and

BE IT FUTHER RESOLVED: That the members of the Commission shall be appointed by action of the Council subsequent to approval of the resolution thereby acting within thirty (30) days of this action.

Additions and Amendments to the Charter Revision Commission:

- Treasurer no longer elected – Finance Director appointed to the Treasurer position.
- Initiative Referendum – Not solely with the Office of the Town/City Clerk, but in conjunction with the Office of General counsel.
- Council President to preside over Council meetings

- Cap on bonding – 2 mil or 2.5 mil – over the referendum; only one Public Hearing.
- Appropriation from the General Fund requires supermajority vote.
- Vote on Board of Education budget separate from the General Fund Budget upon confirmation of Board's budget by the Board of Education.
- Increase Council and Mayor to four-year terms that are staggered.
- Police Community Board

B. Approving the 2014 Community Development Block Grant fund disbursements as listed in the resolution; approving the disbursements in the 2012 Entitlement; and authorizing the Mayor to submit the amendments to the Consolidated Plan and the 2014 Annual Action Plan to access \$414,465 in CDBG entitlement funding and \$5,775.50 in old entitlement funding.

Councilman Grady L. Faulkner, Jr. reads and moves for approval the 2014 Community Development Block Grant fund disbursements as listed in the resolution; approving the disbursements in the 2012 Entitlement; and authorizing the Mayor to submit the amendments to the Consolidated Plan and the 2014 Annual Action Plan to access \$414,465 in CDBG entitlement funding and \$5,775.50 in old entitlement funding. Councilman James Streeto seconds the motion.

Councilman Gerald E. Daley moves for approval amending the 2014 Community Development Block Grant fund disbursements by amending the Russell Library Job and Career Program increase from \$10,000 to \$14,000; The Community Health Center, Inc. Wherever You Are Support Fund decrease from \$6,000 to -0-; and the Middlesex County Chamber of Commerce Middletown Worker Preparation Program increase from \$17,000 to \$19,000. Councilman Carl R. Chisem seconds the motion.

Councilwoman Driska is recognized and speaks to the amendment. She commends Michiel for including the application and scoring process on line. It was easy to follow and do. She spent a lot of time on these in reviewing the applications and interviewing the candidates. She would like to know the motivation for the proposed amendment because the Support Program by the Community Health Center was a phenomenal program. We were careful not to grant full amounts to some of these programs. We weighed the decisions carefully and eliminating an entire program is concerning. Councilman Daley responds he was guided by Michiel's memorandum; he reads from it stating that the priorities of the CDBG plan is jobs. He doesn't specifically address why. He thinks it was the least impact on other programs to do it this way.

The chair calls for the vote on the amendment. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 1 nay votes by Councilman James Streeto and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 10 affirmative votes, 1 in opposition and 1 absent.

The chair calls for the vote on the underlying resolution as amended. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 57-14

File Name PCD_2014_CDBG_entitlement

Description Approving the 2014 Community Development Block Grant fund disbursements as listed in the resolution; approving the disbursements in the 2012 Entitlement; and authorizing the Mayor to submit the amendments to the Consolidated Plan and the 2014 Annual Action Plan to access \$414,465 in CDBG entitlement funding and \$5,775.50 in old entitlement funding.

(Amended and Approved)

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

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

WHEREAS, the ongoing receipt of CDBG funds is conditioned upon the drafting and adoption of a Five Year Consolidated Plan of Housing and Community Development under federal regulations [24 CFR 91.1(a)(2)], and the drafting and adoption of an Annual Action Plan; and,

WHEREAS, such a Consolidated Plan amendment and 2013 Annual Action Plan have been properly drafted and subject to due review by the public and by the Citizens' Advisory Committee pursuant to the HUD final rule; and,

WHEREAS, the Citizens' Advisory Committee has seen fit to recommend approval and adoption of this Consolidated Plan amendment,

WHEREAS, the City of Middletown expects to received \$414,465 in Community Development Block Grant funds for the 2014 entitlement year ; and,

WHEREAS, the City of Middletown has \$5,775.50 in old entitlement and \$13,741.01 in program income; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the following 2014 Entitlement appropriations are hereby approved:

<u>Organization</u>	<u>Program/Project</u>	<u>Grant Amount</u>
Charles Avellino	60 Pearl Street Gas Furnaces Replacement	\$15,000.00
Community Renewal Team Inc.	Improving Idella Howell Center Bike Path	\$1,442.00
St. Vincent De Paul Middletown	Amazing Grace Food Distribution Initiative	\$7,500.00
Gilead Community Services	Down Payment Assistance	\$75,000.00
Gilead Community Services Inc.	453 High Street Generator	\$15,000.00
Middletown Housing Partnership Trust	Military Road Clean Up	\$15,483.49
Russell Library	Job and Career Program	\$14,000.00
Columbus House	Middlesex Family Shelter Boiler Replacement	\$39,637.00
Community Health Center Inc.	Wherever You Are Support Fund	\$ 0
North End Action Team Inc.	Community Food Initiative	\$5,000.00
All People Community Outreach	Ministry Inc. Construction Project	\$50,000.00
Middlesex County Chamber of Commerce	Middletown Worker Preparation Program	\$19,000.00
Middletown Public Schools	Accessibility and Capital Improvement	\$20,000.00
North End Action Team Inc.	Homeownership Workshops	\$5,000.00
City of Middletown	Youth Scholarship Program	\$11,500.00
City of Middletown	Affordable Housing Energy Efficiency RFP	\$45,902.51
City of Middletown	CDBG Program Administration	\$75,000.00

BE IT FURTHER RESOLVED: That the following budget modifications be made:

DECREASE

2012 Entitlement

3217-14000-57030-0000-03658-2012-000	North End Action Team/North End Kids	\$2,658.00
3217-14000-57030-0000-03687-2012-000	Northern Middlesex YMCA/ ADA Pool Lift	\$3,117.50

Program Income- Fund Balance

3960-00300-30310-0000-00000-0000-900	Loan Rehab Repayment/ Rehab	\$13,741.01
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INCREASE

2012 Entitlement

3217-14000-57030-0000-00000-2012-000	MHPT Military Road Clean Up	\$5,775.50
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Program Income- Expense Line-item

3960-14000-57030-0000-00000-0000-00	MHPT Military Road Clean Up	\$13,741.01
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BE IT FURTHER RESOLVED: That the Mayor, as Chief Executive Officer of the City of Middletown, is hereby authorized to submit the amendments to the *Consolidated Plan* and the *2014 Annual Action Plan* to access the \$414,465 in CDBG entitlement funding, \$5,775.50 in old entitlement and \$13,741.01 in program income.

AND BE IT FURTHER RESOLVED: That the Consolidated Plan may be updated and amended as necessary to reflect Community Development Block Grant programs approved by the Common Council and changing priorities of present and future potential grant recipients.

FINANCIAL IMPACT: The CDBG program allows for 20% of the entitlement amount to fund program administration which is used to offset the salary and operating costs to run the program. Staff time and associated costs to oversee these projects are fund with an \$75,000 reimbursement to the City through the CDBG program.

C. Approving a fixed partial abatement for JDS Holding Company, LLC for the construction of their 6,200sf building at 566 Washing Street pursuant to Section 272-9 of the Middletown Code of Ordinances.

Councilwoman Mary A. Bartolotta reads and moves for approval a fixed partial abatement for JDS Holding Company, LLC for the construction of their 6,200sf building at 566 Washington Street pursuant to Section 272-9 of the Middletown Code of Ordinances.. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J.

Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 58-14

File Name pcd455washingtontax&businessincentive

Description Approving a fixed partial abatement for JDS Holding Company, LLC for the construction of their 6,200sf building at 566 Washington Street pursuant to Section 272-9 of the Middletown Code of Ordinances.

(Approved)

WHEREAS, JDS Holding Company, constructed a new 6,200 sq.ft. Mobil 1 Lube Express at 566 Washington Street which will result in a net increase of approximately \$300,000 to the grand list, and

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

WHEREAS, at the April 10th, 2014 meeting of the Economic Development Committee, the Committee reviewed the application and voted unanimously to recommend assisting the JDS Holding LLC by recommending partial tax abatement, and

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

MIDDLETOWN: That a fixed partial tax abatement is approved for JDS Holding Company, LLC for the construction of their 6,200 sf building pursuant to Section 272-9 of the Middletown Code of Ordinances.

FISCAL IMPACT: To encourage the expansion of existing business and attraction of new businesses, the City of Middletown Tax and Business Incentive Program provides tax abatements. This project will qualify for a two (2) year abatement and allow the owners to make additional investment in equipment.

- D. Approving the transfer of \$12,000 from the Economic Development fund balance into line item 4330-14000-99200-0000-35156 entitled Downtown Urban Design Consultant in the Economic Development Fund for a concept plan for the future development of the parking arcade and Metro Square block.**

Councilman Gerald E. Daley reads and moves for approval the transfer of \$12,000 from the Economic Development fund balance into line item 4330-14000-99200-0000-35156 entitled Downtown Urban Design Consultant in the Economic Development Fund for a concept plan for the future development of the parking arcade and Metro Square block. . Councilman Thomas J. Serra seconds the motion.

Councilman Daley is given the floor. He states it is important to explain that there is that Leyland Alliance and Centerplan proposal presentation plan was by far the strongest proposal and it included a market study which is a critical component to this and the selling point is that they are not looking to do a conceptual study with renderings that may or may not be done, they are committed as a partner not just in the design but in the development. That is what we need and I strongly urge you to approve this. They are more expensive than the other three interviewed, but there were good reasons for it. It was an impressive presentation and this will allow it to go forward. Councilman Faulkner asks if this is close enough to the thing we talked about with Geen. Councilman Daley states yes; this will be put with the \$18,000 in place and \$30,000 from parking will pay the \$60,000 for the development plan. Councilman Giuliano has a question through the Chair to Councilman Daley; the difference between the two is the one selected is in effect to take an equity position, for the lack of a better word, and the other is not. Councilman Daley would say that the recommended group because there are two main elements, Leyland Alliance did the Storrs Plan and Centerplan did other projects; it is not just a design. Whether they hold an equity position or assemble the pieces that remains to be seen.

The chair calls for the vote. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska, Councilman David Bauer; 1 nay vote by Councilwoman Deborah A. Kleckowski and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 10 affirmative votes, 1 in opposition and 1 absent.

Resolution No. 59-14

File Name pcdUrbanDesigntransfer

Description Approving the transfer of \$12,000 from the Economic Development fund balance into line item 4330-14000-99200-0000-35156 entitled Downtown Urban Design Consultant in the Economic Development Fund for a concept plan for the future development of the parking arcade and Metro Square block.

(Approved)

WHEREAS, at the December 2013 meeting of the Common Council, the Council voted to unanimously to create a new line in the Economic Development Fund entitled "downtown urban design consultant" to develop a concept plan for the future development of the parking arcade and Metro Square block.

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

That \$12,000 is transferred from the Economic Development fund balance into line item Downtown Urban Design Consultant 4330-14000-99200-0000-35156-0000-000 in the Economic Development Fund

FINANCIAL IMPACT –No impact on the General Fund.

- E. Approving the partial tax abatement in accordance with Section 272-9 of the Middletown Code of Ordinances for ARCONN Realty, LLC with development at Liberty Commerce Park Industrial Subdivision in two phases: phase one, the development of two buildings with a 4-year partial tax abatement and phase 2, a third building with a five year tax abatement with the abatements taking effect upon the issuance of a Certificate of Occupancy; waiving the Sale of Public Property, Sections 232-4 - 232-14 of the Middletown Code of Ordinances to authorize the Mayor to enter into easement and option sale agreements with ARCONN Realty, LLC, to sign an access and utility easement over City-owned property for lots 3 and 4 in the subdivision, and to sign an option to purchase the City-owned lot for \$75,000 for a three year term starting from the date that lots 3 and 4 are acquired.**

Councilman Gerald E. Daley reads and moves for approval E. Approving the partial tax abatement in accordance with Section 272-9 of the Middletown Code of Ordinances for ARCONN Realty, LLC with development at Liberty Commerce Park Industrial Subdivision in two phases: phase one, the development of two buildings with a 4-year partial tax abatement and phase 2, a third building with a five year tax abatement with the abatements taking effect upon the issuance of a Certificate of Occupancy; waiving the Sale of Public Property, Sections 232-4 - 232-14 of the Middletown Code of Ordinances to authorize the Mayor to enter into easement and option sale agreements with ARCONN Realty, LLC, to sign an access and utility easement over City-owned property for lots 3 and 4 in the subdivision, and to sign an option to purchase the City-owned lot for \$75,000 for a three year term starting from the date that lots 3 and 4 are acquired.. Councilman Grady L. Faulkner, Jr. seconds the motion.

Councilwoman Sandra Russo Driska is recognized and states the gentlemen are sitting in the audience and it was impressive what they were presenting, the renderings and their proposal for this property, and I did take the time to go out to this property, so I would urge my colleagues to approve this. They are bringing jobs and developing vacant land and I would urge my fellow members to support this. Councilman Streeto calls the question. The Chair states just to make sure we are doing this right, we only have one more light on, and to the extent we need a certain number of votes, Councilman Giuliano why don't you make your point. Councilman Giuliano states he will vote for this; I am not completely happy. I would have liked to get more money but I will accept our newly approved Planning, Conservation, and Development Director's opinion that this is the best we can do at this time. He will vote in favor of this.

The chair calls for the vote. It is 9 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Sandra Russo Driska; 1 nay votes by Councilman David Bauer, 1 abstention by Councilwoman Deborah Kleckowski, and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 9 affirmative votes, 1 in opposition, 1 abstention, and 1 absent.

Resolution No. 60-14

File Name PCDARCONN-Middlest

Description Approving the partial tax abatement in accordance with Section 272-9 of the Middletown Code of Ordinances for ARCONN Realty, LLC with development at Liberty Commerce Park Industrial Subdivision in two phases: phase one, the development of two buildings with a 4-year partial tax abatement and phase 2, a third building with a five year tax abatement with the abatements taking effect upon the issuance of a Certificate of Occupancy; waiving the Sale of Public Property, Sections 232-4 – 232-14 of the

Middletown Code of Ordinances to authorize the Mayor to enter into easement and option sale agreements with ARCONN Realty, LLC, to sign an access and utility easement over City-owned property for lots 3 and 4 in the subdivision, and to sign an option to purchase the City-owned lot for \$75,000 for a three year term starting from the date that lots 3 and 4 are acquired.

(Approved)

WHEREAS, ARCONN Realty, LLC (which includes Armani Restoration Inc., East Coast Wall Systems LLC and Connecticut Mason Contractors, Inc. all currently based in Hartford, CT) submitted an application under the Tax and Business Incentive Program (Reference: Section 272-9 of Middletown Code of Ordinances) requesting assistance in relocating the three (3) companies to the Liberty Commerce Park Industrial Subdivision on Middle Street in Middletown CT; and

WHEREAS The City of Middletown used a portion of the \$2 million sale proceeds from the sale of Cucia Park to the United States Army, for the now completed US Army Reserve base, to purchase lot 5 in the Liberty Commerce Park Industrial Subdivision for \$450,450 in order to force the Army to acquire the Cucia Park property (the only other property available that met their acreage needs) and prevent the Army from acquiring the Liberty Commerce Park property for the Reserve Center and taking the fully approved 12 lot industrial subdivision off the tax rolls, and

WHEREAS, preventing the Army from acquiring the subdivision the city saw and immediate benefit in the construction of the 50,000 sq.ft. NORPACO Inc., building with an assessed value of \$2,091,000 (approximately \$60,000 per year) and the preservation of 8 additional industrial building lots; and

WHEREAS, Armani Restoration Inc., East Coast Wall Systems LLC and Connecticut Mason Contractors, Inc. will move their corporate headquarters and all operations to Middletown bringing up to 30 on site jobs and up to 170 construction workers working on jobs throughout Connecticut but based in Middletown, and

WHEREAS, the three companies currently pay approximately \$39,000 per year in personal property taxes to the City of Hartford for vehicles, construction equipment and office equipment; and

WHEREAS, ARCONN Realty, LLC will acquire lot 3 and lot 4 in the Liberty Commerce Park Industrial Subdivision and construct two office/warehouse buildings totaling approximately 25,000 sq.ft., and

WHEREAS, ARCONN Realty, LLC seeks an access and utility easement over City-owned property and would like to build a third building of approximately 30,000 sq.ft. on the city owned lot 5 property and are therefore requesting an option to purchase the City owned lot for \$75,000 within three years of acquiring possession of lots 3 and 4 in the Liberty Commerce Park Industrial Subdivision, and

WHEREAS, the first phase (1st and 2nd building) of the development will add approximately \$1 million in assessed value to the Grand List and generate approximately \$28,000 per year in property taxes in addition to personal property taxes and bring up to 200 jobs to the City, and

WHEREAS, ARCONN Realty LLC's second phase of development (3rd building) will add approximately \$1.2 million to the Grand List and generate \$33,600 in taxes per year, and

WHEREAS, at the April 10, 2014 meeting of the Economic Development Committee, the Committee voted unanimously to recommend assisting ARCONN Realty, LLC by recommending the City grant the utility and access easement and a 4 year partial tax abatement on phase one and a 5 year partial tax abatement on phase 2 and the granting of an option to purchase in the next 3 years the City owned lot 5 for \$75,000.;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: the tax abatements as described above are approved pursuant to Section 272-9 of the Middletown Code of Ordinances for structures built on lots 3 and 4 in the Liberty Commerce Park Industrial Subdivision. Abatements to begin upon issuance of a final Certificate of Occupancy.

BE IT FURTHER RESOLVED; that the Economic Development Committee has recommended and the City of Middletown Common Council is therefore waiving the Sale of Public Property Ordinance Number 25-07 in the Middletown Code of Ordinances §232-4- §232-14 as provided for in article §232-13 to authorize the Mayor to enter into easement and option for sale agreements with ARCONN Realty, LLC.

BE IT FURTHER RESOLVED; That the City grants and the Mayor is authorized to sign an access and utility easement over the City-owned lot along the 25-foot by 460-foot access strip between lots 3 and 4 of the Liberty Commerce Park Industrial Subdivision.

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign an option to purchase the City-owned lot for \$75,000 in the Liberty Commerce Park Industrial Subdivision with ARCONN Realty, LLC for a three (3) year term starting from the date

FISCAL IMPACT: The above will attract 3 companies to Middletown bringing with them close to 200 jobs and significant new tax revenue, after the tax abatements. The city will deed a portion of lot 5 to the Westfield Fire Department for \$50,000 and will sell the remainder to ARCONN Realty for \$75,000. The assessor places a value of approximately \$115,400 for the remainder of Lot 5 to be acquired by ARCONN Realty, LLC. ARCONN has presented estimates of \$220,000 to extend driveway and utilities to service lot 5. Considering ARCONN Realty's investment in the property and the city's ability to tax the properties for the long term the impact is positive.

F. Authorizing the Mayor to sign the maintenance agreement for the Sewage Force Main within the State highway right-of-way along Route 9, in the City of Middletown with said agreement as part of the Mattabassett Regionalization Project.

Councilwoman Hope P. Kasper reads and moves for approval authorizing the Mayor to sign the maintenance agreement for the Sewage Force Main within the State highway right-of-way along Route 9, in the City of Middletown with said agreement as part of the Mattabassett Regionalization Project. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 61-14

File Name wsmaintenanceagreementsewageforcem

Description Authorizing the Mayor to sign the maintenance agreement for the Sewage Force Main within the State highway right-of-way along Route 9, in the City of Middletown with said agreement as part of the Mattabassett Regionalization Project.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew, Mayor of the City of Middletown is authorized to sign the maintenance agreement for the Sewage Force Main within the State highway right-of-way, along Route 9, in the City of Middletown.

Fiscal Impact: No new fiscal impact.

G. Approving a grant allocation from the Recreational and Community Services Sports/Recreation grants in fiscal year 2013/14 to Middletown Little League in the amount of \$2,000.

Councilman Carl R. Chisem reads and moves for approval a grant allocation from the Recreational and Community Services Sports/Recreation grants in fiscal year 2013/14 to Middletown Little League in the amount of \$2,000. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 62-14

File Name recYouthGrantLittleLeague

Description Approving a grant allocation from the Recreational and Community Services Sports/Recreation grants in fiscal year 2013/14 to Middletown Little League in the amount of \$2,000.

(Approved)

WHEREAS, the Sports/Recreational Grants budgeted for fiscal year 2013/14 has a balance.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Recreation and Community Services Department requests that \$2,000 of the \$40,000 Youth Grant (FY 13/14) is allocated as follows.

<u>Agencies</u>	<u>Amount</u>
Middletown Little League	\$2,000

Fiscal Impact: No impact on FY 13/14 Budget.

- H. **Approving an agreement with South Fire District to allow the Common Council to authorize the Mayor to submit a LoCIP application on their behalf for a grant of \$55,000 for South Fire District Mobile Radio Replacements and approving creating a new Capital Improvement line item South District Mobile Radio Replacement in the amount of \$55,000 (this does not expand the parameters of the LoCIP application process nor expand the eligibility to apply for LoCIP funds by non-municipal entities for non-municipal projects).**

Councilwoman Mary A. Bartolotta reads and moves for approval an agreement with South Fire District to allow the Common Council to authorize the Mayor to submit a LoCIP application on their behalf for a grant of \$55,000 for South Fire District Mobile Radio Replacements and approving creating a new Capital Improvement line item South District Mobile Radio Replacement in the amount of \$55,000 (this does not expand the parameters of the LoCIP application process nor expand the eligibility to apply for LoCIP funds by non-municipal entities for non-municipal projects). Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

Resolution No. 63-14

File Name ccsouthfirdistlocipmobileradios
SouthFire district LoCIP Agreement

Description Approving an agreement with South Fire District to allow the Common Council to authorize the Mayor to submit a LoCIP application on their behalf for a grant of \$55,000 for South Fire District Mobile Radio Replacements and approving creating a new Capital Improvement line item South District Mobile Radio Replacement in the amount of \$55,000 (this does not expand the parameters of the LoCIP application process nor expand the eligibility to apply for LoCIP funds by non-municipal entities for non municipal projects).

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Daniel T. Drew be authorized to sign and submit an application to the State of Connecticut for a grant in the amount of \$55,000 from the Local Capital Improvement Program (LoCIP) for the replacement of mobile radios to the South Fire District; and

BE IT FURTHER RESOLVED: That the South Fire District will use their funds to make the improvements and will be reimbursed as funds are received by the City from the State LoCIP program for this project; if the project is not eligible for LoCIP funding, the City is under no obligation to fund the line item; and

BE IT FURTHER RESOLVED: That Mayor Daniel T. Drew is hereby authorized to sign the agreement entitled "Agreement Between the City of Middletown and the South Fire District Regarding LoCIP Funding for the Replacement of Mobile Radios"; and

BE IT FURTHER RESOLVED: That in entering into this Agreement and submitting the LoCIP Application, on behalf of the South Fire District, the City and Common Council are not expanding the parameters of the LoCIP Application process nor expanding the eligibility to apply for LoCIP funds by non-municipal entities or for non-municipal projects. The City is acting as agent for the District for the limited purposes set forth above and in the aforementioned Agreement; and

BE IT FURTHER RESOLVED: That a new Capital Improvement line item South Fire District Mobile Radio Replacement in the amount of \$55,000 be established.

AGREEMENT BETWEEN CITY OF MIDDLETOWN
AND THE SOUTH FIRE DISTRICT REGARDING FUNDING FOR
THE REPLACEMENT OF MOBILE RADIOS

This Agreement is by and between the CITY OF MIDDLETOWN, a municipal corporation with its principal office at 245 DeKoven Drive, P.O. Box 1300, Middletown, Connecticut 06457, hereinafter referred to as the CITY, and the SOUTH FIRE DISTRICT, a body politic and corporate organized and existing under a Special Act of the Connecticut General Assembly, with its principal office at 445 Randolph Road, Middletown, Connecticut 06457, hereinafter referred to as the DISTRICT.

WHEREAS, the DISTRICT needs to replace the mobile radios to improve communications with mutual aid partners; and

WHEREAS, the cost of replacement is fifty-five thousand (\$55,000) Dollars and such cost represents a financial hardship for the DISTRICT;

WHEREAS, the DISTRICT has requested that the CITY access its State of Connecticut Local Capital Improvement Project (LoCIP) funds to provide monies for this project; and

WHEREAS, the CITY'S Charter provides the Common Council with the authority to make appropriations for the DISTRICT necessary or desirable to protect the City of Middletown from fire; and

WHEREAS, the State's Office of Policy and Management has advised that it will authorize funding for the repair if the CITY enters into an agreement with the DISTRICT to act as its agent in obtaining the LoCIP monies; and

WHEREAS, the CITY, by vote of its Common Council, and the DISTRICT, by vote of its Board of Fire Commissioners, has authorized the entering into of this Agreement.

NOW THEREFORE, in consideration of the mutual covenants and promises contained herein, the CITY and the DISTRICT hereby agree as follows:

1. The CITY agrees to place the District's mobile radio replacement project on the CITY'S Capital Improvement Plan (CIP) for LoCIP funding and to reimburse the District if said funds are approved. If the project is, for whatever reason, not eligible for LoCIP funding, the City is under no obligation to fund or reimburse the District for said project.

2. The DISTRICT agrees that the CITY will act as the DISTRICT'S agent in obtaining the funding necessary for the project from the State of Connecticut LoCIP program.

3. The DISTRICT agrees that the facts and circumstances of this situation are unique and that the CITY is under no obligation to provide LoCIP funding for other DISTRICT projects now or in the future.

4. The DISTRICT agrees that it is solely responsible for the maintenance of the mobile radios and that the CITY'S Charter authorizes the Common Council to make appropriations for the DISTRICT but does not obligate it to do so.

5. The DISTRICT agrees that the action of the Common Council voting to apply for LOCIP funds on behalf of the South Fire District does not establish a practice or set a precedent and will not be used as evidence against the CITY in any claim or action that the DISTRICT is entitled to a share of CITY LoCIP monies or any other State funds, (i.e., Payment In Lieu Of Taxes (PILOT), etc.).

6. Each and every provision of this Agreement shall be specifically enforceable.

7. Any and all remedies provided in this Agreement shall not be exclusive, but shall be cumulative and are in addition to any and all other remedies available to the parties by law.

8. This Agreement is binding upon and shall inure to the benefit of the parties and their respective representatives, successors and assigns.

9. All notices or communications which are required or desired to be given or made hereunder shall be sufficiently given or made if sent by certified or registered mail, return receipt requested, to the party for whom intended at the address of such party hereinbefore set forth or such other address of which such party shall have given written notice and shall be deemed given on the date so mailed.

10. No waiver of any default or breach of this Agreement shall be a continuing waiver of such or of any other breach or default.

11. This Agreement sets forth the entire understanding of the parties with respect to the matters herein, and it may not be changed except by a written document signed by all the parties hereto.

12. During the life of this Agreement, the DISTRICT agrees to provide evidence of insurance as described in Exhibit A – Insurance Requirements attached hereto. Said insurance, issued by the DISTRICT'S authorized insurance representative, shall be provided to the City's Risk Manager.

13. This Agreement, in all respects, shall be construed and enforced under the laws of the State of Connecticut.

14. This Agreement may be executed in any number of counter-parts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. This Agreement shall not be effective as a contract until duly signed by both parties.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this day of _____, 2014.

Signed, Sealed and Delivered
in the Presence of:

- I. Approving creating a new line item in the Parking Department budget entitled Parking and Market Study and approving a transfer of \$30,000 from line item 1000-27000-53282 entitled Arcade Repairs into the new line item (Arcade Repairs Appropriation request approved by the Council on November 4, 2013).**

Councilman Grady L. Faulkner, Jr. reads and moves for approval creating a new line item in the Parking Department budget entitled Parking and Market Study and approving a transfer of \$30,000 from line item 1000-27000-53282 entitled Arcade Repairs into the new line item (Arcade Repairs Appropriation request approved by the Council on November 4, 2013). Councilman James Streeto seconds the motion.

Councilwoman Kasper will support this but I would ask if there is additional money needed for repair for the Parking Garage, we will do that. The Chair states the Director did not think that would happen, but we will certainly monitor the situation. Councilman Giuliano will not support this tonight for the main reason I am still uncomfortable with the procedure by which we are doing this and I understand the time sensitiveness but exceptions have a way of becoming a rule and if we make an exception now, it will lead to sloppiness and inadequate preparation. I still think this should go back to the general fund and come out as an appropriation. That is the proper way to do it and the cleanest way to do it. I will not support this.

The chair calls for the vote. It is 7 aye votes by Councilman Thomas J. Serra, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilwoman Sandra Russo Driska; 3 nay votes by Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 2 absent by Councilwoman Mary A. Bartolotta, Councilman Robert P. Santangelo. The Chair states the matter carried with 7 affirmative votes, 3 in opposition and 2 absent.

Resolution No. 64-14

File Name pkTransferandnewlineitemforparkingstudyApril2014(2)

Description Approving creating a new line item in the Parking Department budget entitled Parking and Market Study and approving a transfer of \$30,000 from Line item 1000-27000-53282 entitled Arcade Repairs into the new line item (Arcade Repairs appropriation request approved by the Council on November 4, 2013).
(Approved)

Whereas, the City of Middletown Common Council properly authorized and passed a budgetary appropriation during its November 2014 meeting for \$125,000 for repairs and renovations to the existing Arcade Parking Garage;

Whereas, the Arcade Parking Garage repair project will cost an estimated \$85,000 dollars for various travel way repairs, public safety repairs, basic remedial paving and pot hole filling, concrete repairs, netting for the lower level and other signage and light fixture repairs recommended by the Alfred Benesch structural engineering company thereby providing a remainder of funds of \$40,000 dollars;

Whereas, a vital and economically important market and parking study is being completed in collaboration with the Economic Development Commission requiring an input of \$30,000 from the existing parking repair appropriation and/or budget;

Whereas, the Parking Advisory Board approved utilizing the projected remainder of the Arcade repair appropriation for this market and parking study;

Be it Resolved by the Common Council of the City of Middletown: that a new budgetary line be created entitled Parking and Market Study and that a transfer of \$30,000 from line 1000-27000-53282-0000-00000-0000-000 to the newly created line be approved.

Fiscal Impact: There is no new fiscal impact.

- J. Approving the membership of the Charter Revision Commission pursuant to the Connecticut General Statutes.**

Councilman Gerald E. Daley reads and moves for approval the membership of the Charter Revision Commission pursuant to the Connecticut General Statutes. Councilman Daley reads the names that appear in the resolution. Councilman James Streeto seconds the motion.

Councilman Thomas J. Serra reads and moves for approval the amending of the membership of the Charter Revision Commission pursuant to the Connecticut General Statutes. Councilman Serra adds the names of Joseph Milardo, Anton Petras, Vin Loffredo, and Robert Blanchard. He also amends the date of the draft report to no later than July 25, 2014. Councilwoman Hope P. Kasper seconds the motion.

Councilwoman Kleckowski states we would like to make an amendment to the amendment and agree with the eleven members of the commission and would like to add Bill Howard, Joe Milardo, Ralph Wilson, and any other democrat and delete the amendment that was currently read, delete Anton Petras and add Bill Howard.

Corporation Counsel states we are substituting names; we can't amend an amendment. So Anton Petras is out and Bill Howard in his place; Attorney Ralph Wilson for Robert Blanchard. Councilman Giuliano seconds the motion. There is no discussion and calls for the vote. It is three aye votes and seven nay votes.

Councilwoman Russo Driska states she doesn't have a problem with Anton Petras to serve on this commission and he will do a fine job for the Republican Caucus serving on this commission. He is a fair person with a lot of experience. I want that on the record. Councilwoman Kleckowski states this is reminiscent of the fiasco at the Biennial meeting; we are asking for a reason and we sent the names in the order we preferred and on the original list are names we did not propose and we were not asked. Again we asked and even though we are the minority, when proposals or names are brought forward that those are respected. Councilman Serra states these two names were given to our caucus a month ago and we revisited it and they agreed to Joe Milardo and Anton Petras and agreed to Vin Loffredo and Robert Blanchard. Councilman Giuliano asks by whom. The Chair states the discussion on the amendment is closed and he again calls the vote.

The Chair calls for the vote on Councilman Serra's amendment; it is 7 aye votes by Council Members Serra, Kasper, Faulkner, Chisem, Daley, Streeto, and Russo Driska; 3 nay votes by Council Members Giuliano, Kleckowski, and Bauer; and two absent members, Councilman Santangelo and Councilwoman Bartolotta.

The chair calls for the vote on the amended resolution. It is 7 aye votes by Councilman Thomas J. Serra, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilwoman Sandra Russo Driska; 3 nay votes by Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 2 absent by Councilwoman Mary A. Bartolotta, Councilman Robert P. Santangelo. The Chair states the matter carried with 7 affirmative votes, 3 in opposition and 2 absent.

Resolution No. 65-14

File Name

Description Approving the membership of the Charter Revision Commission as established pursuant to the Connecticut General Statutes, Section 7-190(a). (Amended and Approved)

WHEREAS, pursuant to the provisions of C.G.S. § 7-188(b), the Common Council of the City of Middletown has voted to initiate action to amend the Charter of the City of Middletown; and,

WHEREAS, in furtherance of such authorization the Common Council has established and hereby acts to appoint a Charter Revision Commission in accordance with the provisions of C.G.S. § 7-190;

NOW, THEREFORE, BE IT RESOLVED:

1. Pursuant to C.G.S. § 7-190(a), the following seven (7) members are appointed to serve as members of the Charter Revision Commission:

- a. David Larson
- b. Dominique Thornton
- c. Philip Pessina
- d. Daniel Ryan
- e. Michael Gaudino
- f. Kathy Adams
- g. Thomas Hutton
- h. Joseph Milardo
- i. Anton Petras
- j. Vin Loffredo
- k. Robert Blanchard

2. Not more than one-third of these appointees hold any other public office in the City of Middletown and not more than a bare majority of appointees are members of one political party.

3. Pursuant to C.G.S. § 7-190(b), the Charter Revision Commission appointed herein, shall be authorized to update language, comprehensively review the City Charter in order to modernize, simplify and revise in order to make the Charter more constitutional in style; consider issues raised by the City Council, other public officials, and the residents of Middletown; make any necessary housekeeping changes in accordance with the requirements of state law; and, to consider such other changes and matters as its deems desirable or necessary to improve the governance of the City.

4. Pursuant to C.G.S. § 7-190(b), the Charter Revision Commission shall submit its draft report no later than July 25 in order to assure that the final report, proposed charter and questions will be submitted in order to be considered at referendum in the general election of 2014.

5. Pursuant to C.G.S. § 7-190(c), the Charter Revision Commission shall terminate upon acceptance or rejections of its final report by the City Council.

**13. Mayor's Appointments.
(Approved)**

The Chair reads the May appointments. Councilman Streeto moves them for approval and is seconded by Councilwoman Kleckowski.

Councilman Bauer asks about the appointment of Lucy Bettencourt. The Chair thanks Councilman Bauer for catching the omission and he asks for another motion to approve.

Councilman Serra moves the amended appointments for approval and his motion is seconded by Councilwoman Kleckowski. The Vote is called and it is unanimous to approve with ten aye votes by the members present. Council members Bartolotta and Santangelo are absent.

Parking Violation Hearing Officer:

Appointment of Joseph Bibisi to February 28, 2016.

Eckersley Hall Building Committee:

Appointment of Joseph Samolis to replace Ronald Klattenberg as Chair.

Sanitation Commission:

Appointment of Monica Belyea to fill a vacancy to October 30, 2018.

Russell Library Board of Trustees:

Reappointment of Sowgol Zakarian to May 31, 2017.

Reappointment of Geen Thazhampallath to May 31, 2017.

Eckersley-Hall Building Committee:

Appointment of Joseph Samolis as Chair to fill the vacancy of Ronald Klattenberg.

Citizens Advisory Committee:

Appointment of Vincent Szykowitz as Planning and Zoning Member to fill the unexpired term of Gary Faraci to November 15, 2015. (Nomination from Planning and Zoning Commission)

**Middletown Preservation and Design Review Board
(Students in Government Appointments):**

Appointment of Cobbina Appiah to July 1, 2014.

Appointment of Kojo Appiah to July 1, 2014.

Recreation and Community Services Committee:

Appointment of Lucy Bettencourt to fill a vacancy to December 31, 2015.

Informational Only:

Middletown Housing Authority:

Appointment of Philip Cacciola to March 31, 2019.

14. Contingency Fund Transfers (none).

15. Meeting adjourned.

Councilwoman Deborah A. Kleckowski moves for approval to adjourn the meeting. Councilman James Streeto seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman James Streeto, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman Robert P. Santangelo. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The Chair adjourns the meeting at 9:42 p.m.

ATTEST:

MARIE O. NORWOOD
COUNCIL CLERK