

**MINUTES
REGULAR MEETING
BOARD OF MAYOR AND BURGESSES
MARCH 1, 2016**

1. Mayor N. Warren “Pete” Hess called the regular meeting to order at **6:07 p.m.** with the following in attendance:

BURGESSES:

R. Neth	L. Jackson
R. Burns	P. Scully, Sr.
K. Donovan	R. Vitale
C. Herb	D. Wisniewski
D. Hoff	

PRESS:

L. Marshall
P. Singley

RESIDENTS:

Two

DEPARTMENT HEADS:

J. Stewart, Public Works Director
J. Kallipolites, Information Technology Director

R. Butler, Jr., Controller
S. Hunt, Police Captain

OTHERS:

R. Krzykowski, Planning Commission
R. Oris, Heritage Downtown LLC
J. Lombard, Heritage Downtown LLC
L. Ramos, Parks Commission
D. Sheridan, Board of Finance

E. Fitzpatrick, Attorney
V. Healy, Pension Board
J. Hanley, ESCO Energy
K. McSherry, Attorney
E. Carter, Mayoral Aide

2. Burgess Patrick Scully, Sr. led in the Pledge of Allegiance to the flag.
3. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses approve the minutes of the regular meeting of **February 2, 2015** and the special meetings of **December 9, 2015 and January 21, 2016**. Each member received copies for review.
4. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the monthly reports of **February**. Each member received copies for review.
5. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully to recess to Executive Session at **6:09 p.m.** for discussion on the following: **Collective Bargaining** (Firefighters Union, UPSEU Union), **Personnel** (DPW Director, Borough Engineer, Senior Center Director, Assistant Assessor, Assistant Controller), **Real Estate Negotiations** (Acquisition of additional industrial/commercial parcels, Naugatuck Armory) and **Pending Litigation** inviting in Attorney E. Fitzpatrick and Human Resources Director J. Lawlor.

Mayor Hess reconvened the meeting at **7:12 p.m.**

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6. The following motions emanated from Executive Session.

VOTED: Unanimously on a motion by Burgess Donovan and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses authorize Mayor Hess to sign an employment agreement with **Wayne Zirolli, Borough Engineer** for a three year period.

VOTED: Unanimously on a motion by Burgess Jackson and seconded by Burgess Hoff that the Board of Mayor and Burgesses authorize Mayor Hess to sign an employment agreement with **Harvey Frydman, Senior Center Director** for a five year contract.

VOTED: Unanimously on a motion by Burgess Scully and seconded by Burgess Jackson that the Board of Mayor and Burgesses authorize Mayor N. Warren “Pete” Hess to enter into a five year employment agreement between the Borough of Naugatuck and **James Stewart, Director of Public Works**.

7. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Jackson that the Board of Mayor and Burgesses recess to the **Firemen’s Pension Plan “C” Board at 7:16 p.m.**

Mayor Hess reconvened the meeting at **7:21 p.m.**

8. Public Comment

Park Commission Chairwoman Linda Ramos would like to see the splash pad approved. A resident suggested we use the money to improve our current parks instead.

9. Mayor Hess appointed **Kimberly Kenneson (R)**, P. O. Box 1213, Waterbury, CT 06721 as a regular member of the **Zoning Board of Appeals**, filling the expired term of J. Gonzalez, term to expire July 1, 2018.

10. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Jackson that the Board of Mayor and Burgesses approve the appointment of **Elizabeth Forlenzo (U)**, 365 Spring Street, Naugatuck, CT 06770 as a regular member of the **Park Commission**, filling the unexpired term of R. Allen, term to expire October 1, 2018.

11. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the appointment of **Lieutenant Tommy Moore**, 233 Union City Road, Naugatuck, CT 06770 as a Union Representative of the **Firemen’s Pension Plan “C” Board**, filling the vacancy of Captain Vincent Healy, effective April 1, 2016, indefinite term.

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12. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the appointment of **James L. Dunn**, 174 Lincoln Street, Naugatuck, CT 06770 as an alternate member of the **Conservation Commission**, term to expire November 1, 2017.
13. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the appointment of **Dr. Doyle A. Anderson (D)**, 187 Auburn Street, Naugatuck, CT 06770 as an alternate member of the **Planning Commission**, filling the expired term of R. Urbano, term to expire June 1, 2019.
14. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses approve the **Preliminary Development Plan (PDP) dated February 10, 2016** as submitted by the purchaser for the development of **Parcel C located on Maple and Water Streets** in the Borough of Naugatuck.
15. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the bid and authorize Mayor Hess to execute all contracts and related documents for the **“Rehabilitation of Maple Street Bridge over Naugatuck River, Bridge No. 04214”** to Mohawk Northeast, Inc., 170 Canal Street, Plantsville, CT 06479 in the amount of **\$6,097,446.90** as recommended by Public Works Director James Stewart.
16. Motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses amend **Chapter 4 – Alcoholic Beverages, Section 4:1 – Consumption and possession of alcoholic liquor within and upon public highways, sidewalks, parking areas restricted, Sub Section (c) – Exceptions** of the Code of Ordinances of the Borough of Naugatuck, Connecticut as recommended by the Zoning Commission, to include the following which **reads as follows**, as if read:

Sub Section (c) – Exceptions.

- (3) Restaurant establishments operating seasonal outdoor dining areas in compliance with Naugatuck Zoning Regulation Section 44.1.4 may sell alcoholic liquor on public sidewalks. Persons who purchase alcoholic liquor from restaurant establishments operating outdoor dining areas may consume alcoholic liquor on the public sidewalk to the extent that those persons remain within the boundaries of the outdoor dining area as provided by the establishment’s zoning permit. Off-site consumption is strictly prohibited.

ROLL CALL VOTE:

FOR

Mayor N.W. Hess
R. Neth

D. Hoff
L. Jackson

OPPOSE

None

ABSTAIN

None

ROLL CALL VOTE: (continued)

FOR

R. Burns
K. Donovan
C. Herb

P. Scully, Sr.
R. Vitale
D. Wisniewski

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

- 17. **VOTED:** Unanimously on a motion by Burgess Donovan and seconded by Burgess Jackson that the Board of Mayor and Burgesses **table the following motion until the next meeting.**

Motion by Burgess _____ that the Board of Mayor and Burgesses **waive** the bid and authorize Mayor Hess to sign all contracts and related documents for the construction of the “**Votex Aquatic Structures Splash Pad**” at the Former Hop Brook Pool Location, 75 Crown Street, Naugatuck, CT with M.E. O’Brien & Sons, Inc., 93 West Street - P.O. Box 650, Medfield, MA 02052 for **\$86,650.00**. The contract pricing is discounted based on the **Massachusetts Higher Education Consortium (MHEC)**.

The following unutilized accounts from prior years shall be directed to the project:

6005-0884 Hop Brook Pool Repair	\$82,867.06
6005-0858 Pool Vacuum	\$5,150.00
6005-0850 Pool Lift	<u>\$5,000.00</u>
Total	\$93,017.00

Motion tabled until the next meeting.

- 18. Information Technology Director James Kallipolites and ESCO Energy Services Representative Jack Hanley gave the board a visual demonstration on the features of the **LED Light Security Cameras**. The Renewable Energy/Street Lights Committee will make a recommendation to the board at a future date.
- 19. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Mayor N. Warren “Pete” Hess to sign a **confidentiality agreement with the Connecticut Water Company (CWC)** as recommended by Public Works Director James Stewart.
- 20. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Public Works Director James Stewart to accept payment **in the amount of \$289,290.59** from Connecticut Water Company as payment **in lieu of final asphalt road paving** for the following roads, **Mulberry Street, Arbor Avenue, Kent Street, Sunburst Road, Rustling Reed Road, Maple Hill Road, May Street and Salem Street**. The Town of Prospect shall be responsible for any additional costs for paving Salem Street outside the town limits of Naugatuck.

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21. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses authorize Mayor N. Warren “Pete” Hess to execute all contracts and related documents with **BL Companies** for the **Intersection Improvements at the Rubber Avenue and Hoadley Street/Melbourne Street** intersection as recommended by Public Works Director James Stewart.

22. **VOTED:** Unanimously on a motion by Burgess Donovan and seconded by Burgess Jackson that the Board of Mayor and Burgesses **table the following motion indefinitely.**

Motion by Burgess _____ that the Board of Mayor and Burgesses authorize Mayor N. Warren “Pete” Hess to sign a **“Request for the Installation of Street Lighting at 496 Rubber Avenue, Naugatuck CT 06770”** with Eversource as recommended by Public Works Director James Stewart.

Motion tabled indefinitely.

23. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Burgess Jackson that the Board of Mayor and Burgesses approve the **Revised (LOCIP) Local Capital Improvement Program/Pavement Management Program dated March, 2016 for fiscal year period 2016-2017 through 2020-2021** as recommended by Public Works Director James Stewart.

24. Motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses adopt a resolution endorsing the **Regional Performance Incentive Program** proposals listed below, referenced in Connecticut General Statutes Section 4-124s, (2014 Supplement), as if read:

1. Implement Regional Municipal Property Revaluation & CAMA Procurement Program, Standardize & Centralize Parcel Data Management and Hosting
2. Wastewater Regionalization Feasibility Study – Including primary demonstration project feasibility study of consolidating the Ansonia/Derby/Seymour Water Pollution Control Facilities and a secondary demonstration project feasibility study to include the Beacon Falls and Naugatuck Wastewater Treatment Facilities in regional consolidation

In addition, authorize Mayor N. Warren “Pete” Hess to act on this endorsement by signing all necessary agreements and take all necessary actions related to this proposal to enter into a binding agreement with the Office of Policy and Management according to terms of the RPI grant program.

ROLL CALL VOTE:

FOR

Mayor N.W. Hess
R. Neth

D. Hoff
L. Jackson

OPPOSE

None

ABSTAIN

None

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ROLL CALL VOTE: (continued)

FOR

R. Burns P. Scully, Sr.
K. Donovan R. Vitale
C. Herb D. Wisniewski

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

25. Motion by Burgess Herb and seconded by Burgess Scully that the Board of Mayor and Burgesses adopt the following resolution, as if read:

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 – 3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Borough of Naugatuck make application to the State for **\$800,000** in order to undertake a **Small Cities Community Development Program** and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Mayor and Burgesses;

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,
2. That the filing of an application by the Borough of Naugatuck in an amount not to exceed **\$800,000** is hereby approved, and that the Mayor is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, to carry out approved activities and to act as the authorized representative of the Borough of Naugatuck.

ROLL CALL VOTE:

FOR

Mayor N.W. Hess D. Hoff
R. Neth L. Jackson
R. Burns P. Scully, Sr.
K. Donovan R. Vitale
C. Herb D. Wisniewski

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

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26. Motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses adopt the following **Fair Housing Resolution**, as if read:

WHEREAS, all persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

WHEREAS, federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

WHEREAS, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

WHEREAS, the Borough of Naugatuck is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Naugatuck hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED, that the chief executive officer of the Borough of Naugatuck or his designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Borough of Naugatuck and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

ROLL CALL VOTE:

FOR

- | | |
|-----------------|----------------|
| Mayor N.W. Hess | D. Hoff |
| R. Neth | L. Jackson |
| R. Burns | P. Scully, Sr. |
| K. Donovan | R. Vitale |
| C. Herb | D. Wisniewski |

OPPOSE

None

ABSTAIN

None

Motion carried 10-0-0

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27. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses commit to the number of gallons per Controller Robert Butler, Jr. on the **2017/2018 Oil and Gas Consortium.**
28. **VOTED:** Unanimously on a motion by Burgess Herb and seconded by Deputy Mayor Neth that the Board of Mayor and Burgesses authorize Controller Robert W. Butler, Jr. to refund the following tax refunds approved by Tax Collector James Goggin; as if read:
- Corelogic **\$5,714.49**
P.O. Box 961250
Fort Worth, TX 76161-9858
2014-03-47252 Over Paid Real 81 City Hill Street
2014-03-46279 Over Paid Real 135 City Hill Street
- Gillis, Jessica **\$773.84**
52 Beecher Drive
Naugatuck, CT 06770
2013-01-9111 c/c 2645 Southbury Resident
- Shule, Ina **\$291.32**
P.O. Box 635
Naugatuck, CT 06770
2013-01-22197 c/c 2202 Waterbury Resident
2014-01-22251 c/c 1984 Waterbury Resident
- White, James **\$3,127.09**
49 Marbern Lane
Naugatuck, CT 06770
2014-3-65332 Over Paid Real
29. Public Comment
A resident thanked the board for their service and the mayor for his big ideas and vision for the town.
30. Burgess Comments/Sub-Committee Reports
Burgess Vitale said the Exchange Club Dinner will be held next Tuesday to honor the firefighter, police officer, teacher and citizen of the year.
Burgess Jackson said the Easter Village will be open March 18th – 26th. The Naugatuck Education Foundation Road Race will be held on March 19th. Burgess Jackson wished everyone a Happy Easter.
Burgess Scully said the Republican American ran a news article that Naugatuck High School is among 130 schools nationwide, and the only one in Connecticut, to be recognized by a national education organization for creating opportunities for traditionally

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underrepresented students. Burgess Scully congratulated Superintendent Locke and Naugatuck High School Principal Saam for this accomplishment.

Mayor Hess advocates for promoting our school system. He thinks the news Burgess Scully shared is excellent. A positive school system promotes property values. The Board of Education is looking to get a communication specialist to promote the school system. There will be an Autism Awareness Event on the green March 31st at 6 p.m. and a fundraising dinner on April 2nd for Dylan Hockley's Wingman Group at City Hill Middle School. Dylan unfortunately died in the tragedy at Sandy Hook School in Newtown.

Deputy Mayor Neth said more policing downtown is seriously needed. He would like to see an officer walking the beat, stopping into businesses and making their presence known. He said it will distract kids from vandalism.

Burgess Hoff said the community showcase was very nice. There will be a St. Patrick's Day luncheon at the Senior Center on March 17th. The United Way Dinner on March 24th will honor Peter and Rebecca Zandvliet.

Burgess Wisniewski agrees with Deputy Mayor Neth about the Police Department beat patrols.

Burgess Donovan reported half the departments have presented their budgets to the Board of Finance. The Zoning Commission approved the site plan for the Railroad Station Restaurant, accepted the application for Parcel C and the Dog Park and sent them to the Planning Commission. Special permit for Apple Hill Estates was approved with lights.

Burgess Herb thanked Vincent Healy for his service on the Firemen's Pension Plan "C" Board. He also thanked the resident that spoke during public comment about the splash pad and encouraged him to get involved. Burgess Herb thinks that section of town needs something like a splash pad.

31. **VOTED:** Unanimously on a motion by Burgess Scully and seconded by Burgess Herb to adjourn the meeting at **9:24 p.m.**

A digital recording of this meeting is available in the office of the Borough Clerk for further review.

Attest:

Nancy K. DiMeo
Borough Clerk

cc: R. Butler/File