

**MINUTES
REGULAR MEETING
BOARD OF MAYOR AND BURGESSES
MARCH 7, 2017**

1. Mayor "Pete" Hess called the regular meeting to order at **6:00 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

RESIDENTS:

One

DEPARTMENT HEADS:

E. Murray, Fire Chief
J. Stewart, Public Works Director
J. Lawlor, Human Resources Director

R. Butler, Jr., Controller
W. Zirolli, Borough Engineer

OTHERS:

B. Nixon, Golf Course/Pro Shop Manager
D. Sheridan, Board of Finance
T. Moore, Firefighters Union

E. Carter, Mayoral Aide
E. Fitzpatrick, Attorney
J. Anderson, Treasurer

2. Deputy Mayor Neth led in the Pledge of Allegiance to the flag.
3. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses approve the minutes of the regular meetings of **January 3, 2017 and February 7, 2017** and the special meetings of **January 10, 2017, January 17, 2017 and February 13, 2017**. Each member received copies for review.
4. **VOTED:** Unanimously on a motion by Deputy Mayor Neth 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 Deputy Mayor Neth and seconded by Burgess Scully to recess to Executive Session at **6:03 p.m.** for discussion on the following: **Real Estate Negotiations** (GDC Building, Armory, Chemtura), **Personnel** (Golf Course/Pro Shop Manager) and **Pending Litigation** (Tax Appeals, Sewer Backup Claims) inviting in Attorney E. Fitzpatrick and Human Resources Director J. Lawlor.

Mayor Hess reconvened the meeting at **7:01 p.m.**

6. The following motion emanated from Executive Session.

Minutes – Board of Mayor and Burgesses – Regular Meeting – March 7, 2017

- VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Mayor Hess to enter into a month to month lease agreement with Thomas Murray to rent a portion of **Parcel B for an outdoor flea market.**
7. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Mayor Hess to enter into an employment agreement by and between the Borough of Naugatuck and **Bryan Nixon for Golf Course/Pro Shop Manager** and to sign all related documents.
8. **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 7:11 p.m.**

Mayor Hess will reconvene the meeting at **7:14 p.m.**

9. Public Comment – None
10. Mayor Hess appointed **Public Works Director James Stewart**, 246 Rubber Avenue, Naugatuck, CT 06770 as a member of the **NVCOG Regional Wastewater Treatment Consolidation Study Committee.**
11. Mayor Hess reappointed **Alberto A. Janeiro**, 101 Marbern Lane, Naugatuck, CT 06770 as a regular member of the **Building Code Board of Appeals**, term to expire March 1, 2022.
12. Motion by Deputy Mayor Neth 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 **"New Flooring at Fire Department Headquarters"** to Valley Floor Covering, 562 Rubber Avenue, Naugatuck, CT 06770 in the amount of **\$17,216** as recommended by Deputy Fire Chief Paul Russell.
Motion unanimously opposed.

The board instructed Fire Chief Ellen Murray to resubmit the bid to outside vendors since Valley Floor Covering was the sole bidder.

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

RESOLVED, that this Company grant and convey unto **Yankee Gas Services Company d/b/a Eversource Energy**, a specially chartered Connecticut corporation having its principal office in the Town of Berlin in the State of Connecticut, its successors and assigns, the non-exclusive perpetual right and easement to install, operate, maintain and repair natural gas lines over, under, across and through land of the Company situated in the Town of Naugatuck, County of New Haven and State of Connecticut, as such rights

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

and easements are more fully set forth in the proposed easement presented to this meeting, which is hereby ordered and filed with the records of this meeting; and

RESOLVED, that N. Warren “Pete” Hess, the Mayor of this Company be authorized to execute and deliver in the name of this Company an easement as presented to this meeting and to do any and all other acts necessary to effectuate the foregoing.

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

14. Motion by Deputy Mayor Neth and seconded by Burgess Scully 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, CT 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.

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

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

BE IT FURTHER RESOLVED, That the chief executive officer of the Borough of Naugatuck or his/her 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

15. Motion by Burgess Deputy Mayor Neth 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 **\$400,000** 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 **\$400,000** 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

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

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

16. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Mayor Hess to execute all contracts and related documents to approve the **road acceptance of the entire length (or a portion thereof) of Andrew Avenue Extension, Culver Court, Donovan Court, Golden Hill Street Extension and Spruce Drive** as described in the legal descriptions as recommended by Borough Engineer Wayne Zirolli and the Planning Commission, subject to borough attorney approval.
17. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses refer to the Joint Boards of Mayor and Burgess and Board of Finance a transfer request of **\$135,000.00** from the **Veolia Fee Account/Other Fees** to the **Reserve Fund Account for Sanitary Sewer Repairs and Rehab** as recommended by Public Works Director James Stewart and Controller Robert W. Butler, Jr.
18. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully that the Board of Mayor and Burgesses authorize Mayor Hess to execute all contracts and related documents for **“Audit Services”** to PKF O’Connor Davies LLP, 100 Great Meadow Road, Suite 207, Wethersfield, CT 06109 as recommended by Controller Robert W. Butler, Jr.
19. **VOTED:** Unanimously on a motion by Deputy Mayor Neth and seconded by Burgess Scully 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:

10 Wexford Lane
Shelton, CT 06484
2014-01-0055059 Overpaid

Anderson, Norman and Judith **\$476.19**
379 Webb Road
Naugatuck, CT 06770
2015-03-0510691

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

Attorney Labriola **\$20.02**
1451 New Haven Road
Naugatuck, CT 06770
2015-01-0049749 Overpaid 4 Rockwell Avenue

Cruz, George **\$224.78**
15 Vincent Place
Naugatuck, CT 06770
2015-03-0515467 Overpaid

Delarosa, Jean **\$47.95**
416 Candee Road
Naugatuck, CT 06770
2014-04-0001299 Overpaid

Dias Painting and Landscaping LLC **\$360.34**
6 Jackson Avenue Apt. 10
Bridgeport, CT 06606
2015-03-0516546 Overpaid

Ferrellgas LP **\$1,469.03**
One Liberty Plaza
Liberty, MO 64068
2015-02-0030295 Overpaid

Hughes, William **\$662.04**
c/o PennyMac Tax Department
6101 Condor Drive
Moorpark, CA 93021
2015-07-0044723 Overpaid

ICES Inc. **\$31.63**
35 Elm Street
Naugatuck, CT 06770
2015-04-0082572 Overpaid

JP Morgan Chase Bank NA **\$343.22**
P.O. Box 901098
Fort Worth, TX 76101-2098
2015-03-0521851 Overpaid

Krusienski, Joseph and Drazba, Lorraine **\$272.25**
151 Timothy Road
Naugatuck, CT 06770
2015-04-0082849 Overpaid

Mason, Maureen A. **\$50.58**
181 Horton Hill Road
Naugatuck, CT 06770
2014-04-0003059 Overpaid

Mason, Maureen A. **\$72.52**
181 Horton Hill Road
Naugatuck, CT 06770
2015-03-0524840 Overpaid

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

Mason, Maureen A. **\$136.75**
181 Horton Hill Road
Naugatuck, CT 06770
2015-03-0524839 Overpaid

McDonald, Thomas **\$12.58**
96 Donna Lane
Naugatuck, CT 06770-1983
2015-03-0525131 Overpaid

Nasufi, Remzi **\$158.11**
657 Maple Hill Road
Naugatuck, CT 06770
2015-03-0526599 Overpaid

Nissan Infiniti LT **\$111.00**
P.O. Box 650214
Dallas, TX 75265-0214
2015-03-0526971 Overpaid

Nolan, Vickie **\$96.75**
100 Rustling Reed Road
Naugatuck, CT 06770
2015-03-0527182 Overpaid

Oddon, Wayne **\$15.17**
195 Gorman Street
Naugatuck, CT 06770
2014-04-000348 c/c 2452 Overpaid

Renzoni, Jaclyn or Richard **\$381.88**
71 Main Street North, Unit 1-101
Woodbury, CT 06798
2014-03-0019894 Overpaid

Smith, Edward and Patricia **\$1,701.01**
19611 Meta Road
Cornelius, NC
2015-01-0049507 Overpaid

Vault Trust **\$165.89**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2014-03-0024715 Overpaid

Vault Trust **\$309.43**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2014-03-0024712 Overpaid

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

Vault Trust **\$378.95**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2013-03-0024708 Overpaid

Vault Trust **\$395.46**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2014-03-0024722 Overpaid

Vault Trust **\$687.06**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2014-03-0024711 Overpaid

Vault Trust **\$726.95**
c/o Ally Financial
Louisville PPC
P.O. Box 9001951
Louisville, KY 40290-1951
2014-03-0024714 Overpaid

V W Credit Leasing LTD **\$508.27**
1401 Franklin Blvd.
Libertyville, IL 60048-4460
2015-03-0534368 Overpaid

20. Public Comment – None

21. Burgess Comments/Sub-Committee Reports

Burgess Herb reported the Conservation Commission sent the proposed Fracking Ordinance to the borough attorney for review. The Planning Commission approved the subdivision on May Street. A positive referral was sent to the Zoning Commission requesting they take a look at increasing the buffer zone to twenty-five feet. The proposed subdivision at O Prospect Street was continued to next month. Tax Collector Jim Goggin's son, Brian, won the 50 yard freestyle at the Naugatuck Valley League Championships.

Burgess Donovan said the Zoning Commission held a public hearing on Touro University. They requested a continuance to hear from other land use boards.

Burgess Hoff said the Arts Commission is scheduling concerts for the Summer Concert Series. She said Savor CT, a fundraiser for the Naugatuck Historical Society, was a fun event.

Deputy Mayor Neth thinks it's absurd the Board of Education is eliminating the Director of Security position in their budget. He thinks they should reconsider. The Five Year Capital Committee approved replacing the roof at the fire station and repairing the cornice at Hillside Intermediate School.

Minutes – Board of Mayor and Burgesses
Regular Meeting – March 7, 2017

Mayor Hess commended the DPW employees for all the work they are doing. They are doing a lot of work beyond their scope of duties and are working together as one unit. A beautiful ramp was built at the GDC Building so cars have access to the building for the indoor car show. They are doing a ton of work at the armory and building a baseball field at the Osborn Street Field. Mayor Hess said it has been a pleasure to work with them.

Burgess Scully wished everyone a Happy St. Patrick's Day.

Burgess Jackson said Savor CT was a lot of fun and the food was excellent. The Naugatuck Education Foundation will be holding a St. Patrick's Day Road Race. She congratulated Bryan Nixon on his new position as the Golf Course/Pro Shop Manager. Burgess Jackson is looking forward to the Peddlers Market coming back to Naugatuck.

Burgess Vitale said the library will be collecting books on March 25th. There will be a City Hill Wellness Fair on April 1st from 10-12 p.m. The Dog Park Grand Opening will be May 6th from 11-2 p.m.

22. **VOTED:** Unanimously on a motion by Burgess Scully and seconded by Burgess Burns to adjourn the meeting at **7:58 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