



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN, CONNECTICUT
JANUARY 6, 2014**

Regular Meeting

A Regular Meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building, on Monday, January 6, 2014 at 7 p.m.

Present

Mayor Daniel T. Drew, and Council Members Thomas J. Serra, Mary A. Bartolotta, Hope Kasper, Robert P. Santangelo, Grady L. Faulkner, Jr., Carl R. Chisem, Gerald E. Daley, James B. Streeto, Sebastian N. Giuliano, Sandra Russo Driska, Deborah Kleckowski and David Bauer; Corporation Counsel Daniel B. Ryan; Sergeant-at-arms Officer Haddad; and Common Council Clerk Marie O. Norwood.

Also Present

Hartford Courant Reporter Shawn Beals, Middletown Press Reporter Alec Gecan and 25 members of the public

Meeting Called to Order

The Chair opens the meeting at 7:01 p.m. and welcomes public to the Council meeting; he wishes everyone a Happy New Year.

Call of Meeting Read

The Call of Meeting was read and accepted. Mayor Drew declares the Call a Legal Call and the Meeting a Legal Meeting.

Motion to Amend Agenda

Councilman Serra moves to amend the agenda by postponing agenda item 3A, the presentation to the February meeting when Chief Ouellette can attend; moving agenda item 10D to just after the Council Clerk reads the appropriation requests; and substituting agenda item 11, Mayor's Appointments. His motion is seconded by Councilman Streeto. The Chair calls for discussion; seeing none, he calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes with twelve affirmative votes.

**Agenda item 3
Presentations**

**Agenda Item 3A.
Postponed to February 3, 2014 meeting.**

**Agenda Item 4
Description Minutes**

The minutes of the regular December 2, 2013 at 7 p.m. and special meetings of December 2 at 6 p.m., 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, Councilwoman Kasper abstains from the vote on the minutes. Councilman Serra moves them for approval and Councilman Streeto seconds the motion. There is no discussion. The vote is called and it is unanimous to approve with one abstention. The Chair states the matters pass unanimously with the noted abstention.

Agenda Item 5

Public Hearing Opens

The Chair opens the public hearing on agenda items, including the bond ordinance at 7:03 p.m. He asks if there are any members of the public wishing to address the Council.

Agenda Item 6

Public Hearing Closes

The Chair asks if there are other comments from members of the public. Seeing none, he closes the public hearing at 7:03 p.m.

The Chair asks the Council Clerk to read the appropriation request and the Certificate of the Director of Finance.

Agenda Item 7
Appropriation Requests

The Council Clerk reads the Appropriation Requests and the Certificate of Director of Finance:


CITY OF MIDDLETOWN

MAYOR'S OFFICE
MUNICIPAL BUILDING

Notice is hereby given that a regular meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, JANUARY 6, 2014 AT 7:00 p.m.** to consider and act upon the following appropriation requests:

Board of Education \$76,395.87, Account No. 2080-33000, 13/14 CNR, School CNR Fund.

Any and all persons interested may appear and be heard.

ATTEST:


DANIEL T. DREW
Mayor

Dated at Middletown, Connecticut, this 20th day of December, 2013.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the ADA Coordinator at (860)344-3497 (voice) or (860) 344-3321 (TDD/TTY) or the Town Clerk's Office at (860) 344-3488 at least ten days prior to the scheduled meeting.


CITY OF MIDDLETOWN

MAYOR'S OFFICE
MUNICIPAL BUILDING

Notice is hereby given that a meeting of the Common Council of the City of Middletown will be held in the Council Chamber of the Municipal Building on **MONDAY, JANUARY 6, 2014 AT 7:00 p.m.** to consider and act upon the following bond ordinance request:

A. AN ORDINANCE APPROPRIATING \$1,930,000 FOR REHABILITATION OF THE MAIN STREET WATER MAIN NORTH OF WASHINGTON STREET AND AUTHORIZING THE ISSUE OF \$1,930,000 BONDS OF THE CITY PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 7-283A TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.

Any and all persons interested may appear and be heard.

ATTEST:


DANIEL T. DREW
Mayor

Dated at Middletown, Connecticut, this 20th day of December, 2013.

The Council Chamber is wheelchair accessible. If you require special accommodations for any meeting, please call the ADA Coordinator at (860)344-3497 (voice) or (860) 344-3321 (TDD/TTY) or the Town Clerk's Office at (860) 344-3488 at least ten days prior to the scheduled meeting.

MEMORANDUM

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

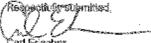
FROM: Finance Department

DATE: December 31, 2013

RE: Certification of Funds

This is to certify that funds sufficient to meet the appropriations requested at your meeting on January 6, 2014 are available as follows:

Board of Education School CNR Fund	\$76,395.87
Rehabilitation of the Main Street Water Main North of Washington Street Ordinance Bond Issue	\$1,930,000.00


Carl Erskiner
Director of Finance

File in 2014

Councilman Streeto is recognized and reads and moves for approval agenda item 10D regarding the Kleen Energy Water District rate. Councilman Santangelo seconds the motion.

Motion to Postpone

Councilman Daley states it is his understanding that the Mayor will have further discussions with Kleen Energy about this and the Certificate of Acceptance and there are some issues whether this would be general fund money or Water Department funding and he would like to postpone this until the March 3 Council meeting. Councilman Serra seconds the motion.

The Chair asks if there is any discussion on the motion; hearing none, he calls for the vote on the matter to postpone. It is approved unanimously with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes and the Council will take it up at their March 3, 2014 meeting.

Resolution No. 01-14
File Name wsKleenergy12-05-13waterdeptfinal
Description Approving authorizing the Mayor to sign the "Acceptance Certificate" for the Kleen Energy water district Facility and approving setting the water rate of service at \$8.67 per thousand cubic feet and metered, billed, and collected by the Middletown Water Department.

(Postponed to March 3, 2014 Council Meeting)

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.

Agenda Item 7A

Councilwoman Kasper reads the summary of the bond and moves it for approval. Councilman Serra seconds the motion. The Chair asks that she continue to read through Section 1 of the bond ordinance.

Motion to Waive the Rules

Councilman Serra moves to waive the rules to waive the reading of the rest of the ordinance. Councilwoman Kleckowski seconds the motion. The Chair asks if there is any discussion; seeing none, he calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously.

Ordinance No. 01-14
File Name Middletown-MainStreetWaterProject(7-263a)
Description An ordinance appropriating \$1,930,000 for rehabilitation of the Main Street water main north of Washington Street and authorizing the issue of \$1,930,000 bonds of the City pursuant to Connecticut General Statutes Section 7-263a to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

(Approved)

WHEREAS, Connecticut General Statutes Section 7-263a (the "Statute") permits the issuance of bonds by the City for sewage system projects and municipal water supply system improvements;

WHEREAS, subsection (d) of the Statute provides that notwithstanding any provisions of the general statutes or any charter or special act, bonds issued pursuant to the Statute may be authorized, after a public hearing conducted by the Middletown Water Pollution Control Authority, upon a 2/3 vote of the City's legislative body and a 2/3 vote of the Middletown Water Pollution Control Authority; and

WHEREAS, subsection (e) of the Statute provides that the provisions of the Statute shall apply to municipal water supply system improvements; and

WHEREAS, on December 5, 2013, the Middletown Water Pollution Control Authority conducted a public hearing with respect to the Project (as defined herein) and the issuance of bonds to finance such Project; and

WHEREAS, at its meeting on December 5, 2013, the Middletown Water Pollution Control Authority, by a minimum 2/3 vote, approved the Project and the issuance of bonds to finance such Project.

NOW THEREFORE, UPON RECOMMENDATION OF THE MIDDLETOWN WATER POLLUTION CONTROL AUTHORITY, THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN APPROVES THE FOLLOWING:

Section 1. The sum of \$1,930,000 is appropriated for the planning, designing, construction, replacement and rehabilitation of potable water infrastructure on Main Street (north of Washington Street), the St. John's Church Square area, and Hartford

Avenue area, including, without limitation, water lines, force mains, site work and enhancements, pump stations, manholes, electric, acquisition of easements and other interests in property, associated utility, street and drainage improvements, repair and relocation, appurtenances related thereto, licenses and permits, equipment, testing, surveying, paving, engineering or such additional improvements as shall be determined by the Middletown Water and Sewer Department, and as may be accomplished within said appropriation and bond authorization provided herein, and for administration, inspecting, advertising, printing, legal, and financing costs (hereafter the "Project"). Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Project is in excess of twenty (20) years. The total estimated cost of the Project is \$1,930,000, no portion of which is expected to be paid from sources other than the proposed bond issue.

Section 3. To meet said appropriation \$1,930,000 bonds of the City of Middletown, Connecticut (the "City"), or so much thereof as may be necessary for said purpose, may be issued, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Project costs determined after considering the estimated amounts of grants in aid of the Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, maturity dates, prices, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5. (i) The bonds, notes and other obligations (hereafter in this section "bonds") authorized by this Resolution are authorized, shall be and are issued pursuant to Connecticut General Statutes Section 7-263a (the "Statute"). Pursuant to the Statute, the City hereby pledges to the bond owners its full faith and credit and general obligation taxing power to pay principal and interest when due on the bonds; and the Middletown Water Pollution Control Authority (the "WPCA") pledges to the City to pay to the City an amount equal to such debt service when due, as more fully set forth in Section 5(ii).

(ii) Pursuant to the Statute, the WPCA pledges to the City to assess, levy, implement and collect water system revenues from whatever source, including benefit assessments, connection charges, water system use charges and any other charge authorized by law to be levied or assessed in connection with the operation of the water system (hereinafter "Water System Revenue"), in such amounts and when required to timely pay debt service on the bonds, issued by the City pursuant to this Resolution.

The pledge of the WPCA to the City shall be valid, binding and enforceable in accordance with the terms and provisions of the Statute. The full faith credit and general obligation pledge of the City shall be valid, binding and enforceable irrespective of compliance by the WPCA with its covenants and pledge herein. The City hereby pledges, covenants and agrees to the WPCA and to bondholders that neither this Ordinance, or other actions taken hereafter, shall revoke, repeal or otherwise adversely affect the full faith and credit pledge of the City herein to pay debt service redemption premium and any other amount due on the bonds issued pursuant to this Ordinance. Pursuant to the Statute, the WPCA grants a lien upon its Water System Revenues in favor of the City to secure its pledge and covenants herein. The pledge and covenants of the WPCA shall be and are to, and in favor of, solely the City of Middletown.

(iii) Upon adoption of this Ordinance by the City, the pledge of revenues and covenants herein shall be binding and enforceable by the City upon the WPCA in accordance with the provisions of the Statute all rights of which shall accrue to the City, including the right of the City to recover its costs, expenses and attorneys' fees in any court or other proceeding brought to enforce compliance by the WPCA with the pledge and covenants herein, which the WPCA agrees to pay. The failure or inability of the WPCA to pay Water System Revenues to the City shall not abrogate the general obligation pledge of the City to pay debt service on the binds when due.

(iv) The City and the WPCA may by resolutions or ordinances approved by both the WPCA and the Common Council of the City of Middletown amend, supplement or clarify the terms of the pledge of the WPCA to the City, provided that no such amendment shall alter the full faith and credit pledge of the City of Middletown to the holders of bonds issued hereunder.

Section 6. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this Resolution, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 7. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 8. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Project. Upon the sale of said bonds the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 9. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 10. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 11. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Project herein authorized.

Section 12. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Project, and to take all action necessary or proper in connection therewith.

Section 13. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty (60) days prior to and after the date of passage of this ordinance in the maximum amount and for the Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 14. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

**DEBT STATEMENT
September 30, 2013
CITY OF MIDDLETOWN, CONNECTICUT**

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE") Fiscal Year Ended June 30, 2012	107,884,104
BORROWING CAPACITY FOR EACH CLASS	
2-1/4 times base for General Purposes	242,739,234
4-1/2 times base for Schools	485,478,468
3-3/4 times base for Sewers	404,565,390
3-1/4 times base for Urban Renewal	350,623,338
3 times base for Unfunded Past Benefit Obligations	323,652,312
MAXIMUM AGGREGATE BORROWING CAPACITY 7 times Base	755,188,728
INDEBTEDNESS BONDS AND NOTES:	
GENERAL PURPOSES	45,673,160
SCHOOLS	19,296,240
SEWERS	4,058,260
URBAN RENEWAL	-
UNFUNDED PAST BENEFIT OBLIGATIONS	-
BONDS AND NOTES AUTHORIZED BUT UNISSUED:	
GENERAL PURPOSES	31,768,910
SCHOOLS	1,108,600
SEWERS	44,557,330
URBAN RENEWAL	-

UNFUNDED PAST BENEFIT OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	4,674,231	
SUB-TOTAL INDEBTEDNESS	151,136,731	
LESS		
FEDERAL AND STATE OF CONNECTICUT BUILDING GRANTS, COMMITMENTS AND RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	-	
SEWERS	-	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	-	
NET INDEBTEDNESS		151,136,731
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR EACH CLASS:		
GENERAL PURPOSE	165,297,164	
SCHOOLS	465,073,628	
SEWERS	351,275,569	
URBAN RENEWAL	350,623,338	
UNFUNDED PAST BENEFIT OBLIGATIONS	323,652,312	
BALANCE OF MAXIMUM AGGREGATE BORROWING CAPACITY AVAILABLE		604,051,997

The Chair calls for discussion on the ordinance; hearing none he calls for the vote by roll call:

- Councilwoman Bartolotta Aye
- Councilman Bauer Aye
- Councilman Chisem Aye
- Councilman Daley Aye
- Councilman Giuliano Aye
- Councilman Faulkner Aye
- Councilwoman Kasper Aye
- Councilwoman Kleckowski Aye
- Councilwoman Russo Driska Aye
- Councilman Santangelo Aye
- Councilman Serra Aye
- Councilman Streeto Aye

The Chair states the matter passes with twelve affirmative votes and we needed a 2/3's vote to approve.

Agenda Item 7B

Councilman Serra reads and moves for approval the appropriation request for the Board of Education CNR funds. His motion is seconded by Councilman Streeto. There is no discussion. The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Board of Education \$76,385.87, Account No. 2080-33000, 13/14 CNR, School CNR Fund.

(Approved)

Agenda Item 8

Councilman Serra reads and moves for approval agenda items 8A, 8B, 8C, 8D, and 8E; his motion is seconded by Councilman Streeto. The Chair, hearing no discussion, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matters pass unanimously with twelve affirmative votes.

**Agenda Item 8A
Town Clerk's Certificate
(Approved)**



City of Middletown
 City & Town Clerk's Office
 245 Wilkeson Drive
 Middletown, CT 06457

December 30, 2013

I, Linda Betsworth, City and Town Clerk of the City of Middletown, and enclose to the records and seal, herewith, hereby certify that all ordinances and resolutions passed and adopted at the regular meeting of the Common Council on December 2, 2013 at 7:00 p.m. and for special calling on December 2, 2013 at 6:00 p.m., have been advertised in the local newspaper.

Attest:

Linda Betsworth
 Linda Betsworth
 City & Town Clerk

Dated at Middletown, Connecticut, this 20th day of December, 2013.



Phone (860) 638-4310 Fax (860) 638-1310 TDD (860) 638-4812

Agenda Item 8B
Monthly Reports Finance Department – Transfer Report to December 20, 2013
(Approved)

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

Name of Grant: As Listed Below
Amount \$640,234.45
Code: 2450-33000-
Grant Period: **From:** 7/1/2013 **To:** 6/30/201

Type of
Amount Loaned from General \$0.00

Department Administering Middletown Board of Education

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

Description of services to be provided by this

769 - Middletown Teen Theater \$725; 778 - Constellation New Energy \$1,494.74; 810 - Idea Part B-Section 611-Public \$11,311; 818 - Idea Part B-Section 611-Non-Public (\$11,311); 820 - Parent Leadership-PLTI & PEP \$37,050; 841 - Special Ed Medicaid \$1,437.15; 854 - United Way-Youth Services Development \$21.78; 880 - Primary Mental Health Program \$21,250; 894 - Swaim Strings Program \$650; 700 - Food Services Receipts \$228,037.73; 801 - Retires/Cobra Insurance \$160,984.58; 803 - Workers' Compensation \$2,106.90; 804 - Preschool Program Fees \$3,570; 807 - Aetna Classified \$221.26; 809 - Maintenance/Rentals \$3,047.70; 823 - Central Office Receipts \$171,414.27; 833 - Adult Education Receipts \$6,692.84; 893 - Fingerprinting Receipts \$280.50; 895 - Special Education-Tuition Reimbursement \$1,250 Total Special Programs Through 11/15/2013 \$10,400,970.31 ADDITIONS \$640.234.45 Total Special Programs Through 12/16/2013 \$11,041,204.76

Requested by: Patricia Charles, ED.D.

Agenda Item 8D
Description Grant Confirmation and Approval –Board of Education, Adjustment, reduced funding
(Approved)

Name of Grant: As Listed Below
Amount (\$19,338.40)
Code: 2450-33000-
Grant Period: **From:** 7/1/2013 **To:** 6/30/201

Type of
Amount Loaned from General \$0.00

Department Administering Middletown Board of Education

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

Description of services to be provided by this

860/900 - Youth Services Initiative Grant - (\$19,338.40). Total amount of grant was not expended in "12-13" fiscal year. Total Grant Commitment amount through 6/30/2014 was \$671,827.76 REDUCTION (\$19,338.40)

New Grant Commitment amount through 6/30/2014 is \$652,489.36
Requested by: Patricia Charles, ED.D.

Agenda Item 8E
Description **Grant Confirmation and Approval – Arts and culture, ACP-SAP 2014**
(Approved)

Name of Grant: Arts Catalyze Placemaking-Supporting Arts in Place 2014-ACP-SAP-21271
Amount \$3,847.47
Code: 3092-01000-
Grant Period: **From:** 1/15/201 **To:** 6/30/201
Type of STATE

Amount Loaned from General \$0.00
Department Administering Arts & Culture

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

These grant funds will be used for a variety of operational and program functions that advance and promote the cultural assets in the City.

Requested by: Stephan Allison

Agenda Item 9
Description **Payment of City Bills**
(Approved)

Councilman Serra moves for the payment of all City bills when properly approved; Councilman Faulkner seconds the motion. Hearing no discussion, the Chair calls for the vote on this matter. It is eleven aye votes to approve by Council Members Serra, Bartolotta, Kasper, Santangelo, Faulkner, Chisem, Daley, Streeto, Giuliano, Russo Driska, and Kleckowski; and one nay vote by Councilman Bauer. The Chair states the matter passes with eleven affirmative votes and one in opposition.

Agenda Item 10
Description **Resolutions, Ordinances, etc.**

Agenda Item 10A

Councilwoman Kasper reads and moves for approval agenda item 10A; her motion is seconded by Councilman Faulkner. The Chair calls for discussion; seeing none, he calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 02-14
File Name wsadditionalCNRfundingforReplacementof49Wwaterdept
Description Approving the Water Department transfer of \$30,000 from Fund Balance account 5010-60000-30310 into account 5010-60000-79603-0000-00000-2013, Replace Vehicle 49W.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN THAT: The WPCA recommends the transfer of \$30,000 from the Water Department Fund Balance Account# 5010-60000-30310-0000-00000-0000-000 into existing Account# 5010-60000-79603-0000-00000-2013-000 Replace Vehicle 49W

Fiscal Impact: There is no fiscal impact. Funds are available in the Water Department Fund Balance

Agenda Item 10B

Councilman Santangelo reads and moves for approval agenda item 10B; his motion is seconded by Councilman Streeto. There is no discussion. The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 03-14
File Name wstransferfromwaterfundbalaincewaterjan2014
Description Approving a Water Department CNR transfer in the amount of \$2,179.52 from Line Item 5010-60000-79574-0000-00000-2014, Distribution System Repair into line item 5010-60000-79604-0000-00000-2013, Distribution System Repair to eliminate a negative balance created when funds were transferred with the new fiscal year.

(Approved)

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

That, the WPCA recommends to the Common Council that a transfer of \$2,179.52 be made into the Water CNR account 5010-60000-79604-0000-00000-2013-000 (Distribution System Repair) from 5010-60000-79574-0000-00000-2014-000 (Distribution System Repair).

Purpose: This action merely returns some of the funds that were originally transferred out of the 2013 account into the 2014 account to satisfy the negative balance in the 2013 account.

Fiscal Impact: There is no fiscal impact, this is a transfer only.

Agenda Item 10C

Councilman Faulkner reads and moves for approval agenda item 10C; his motion is seconded by Councilman Streeto. The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 04-14

File Name cc-ws65sbonadriveeastmentrelease2014

Description Approving the release of a ten-foot water easement to the property owner at 65 Sbona Drive.

(Approved)

WHEREAS, the Water Department has an unused water easement at 65 Sbona Drive and the owners have asked for release of said easement; and

WHEREAS, the Water Department reviewed retaining the 10-foot water easement and found no reason to preserve it and recommended to the WPCA that it could be released without detriment to the Water Department; and

WHEREAS, the Water Pollution Control Authority voted to release said easement.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Common Council approves releasing the ten foot water easement only at 65 Sbona Drive; and

BE IT FURTHER RESOLVED: That said sewer easement is to remain.

Agenda Item 10E

Councilwoman Bartolotta reads and moves for approval agenda item 10E; her motion is seconded by Councilman Santangelo. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 05-14

File Name wsgreenskiesforInstallationSolarSystemMtHigbyReservoir2014

Description Approving Waiving Section 232-4 and 232-14 in accordance with Section 232-13 of the Middletown Code of Ordinances to authorize the Mayor to enter into a long term access agreement with Greenskies, Inc. and its subsidiaries for the purpose of installing and maintaining solar system on City property located at Mount Higby Reservoir; approving authorizing the Mayor to execute and deliver a power purchase agreement as negotiated and determined by the Mayor in consultation with legal counsel to purchase solar power from Greenskies, Inc. and its subsidiaries; and approving a bid waiver in accordance with Section 78-8 of the Middletown Code of Ordinances to purchase electricity produced by solar panels situated on City property.

(Approved)

Whereas, the City has been approached by Greenskies, Inc. regarding the installation of a 254.1W solar system in an open field located at the Mount Higby Reservoir property; and

Whereas, Greenskies Inc. has offered the City a power purchase agreement which would have a subsidiary company of Greenskies Inc. purchase, secure all necessary approvals, install, maintain and insure the solar system at their sole and exclusive cost; and

Whereas, the city would then agree to purchase 100% of the power produced by the solar system from the subsidiary company created by Greenskies Inc. for twenty (20) years; and

Whereas, it is estimated that this solar system will produce 254,000 kWh per year. This clean and green energy if the equivalent to the electric usage of 26 average homes/year or the carbon dioxide emissions from 20,090 gallons of gasoline or 153 passenger vehicles per year; and

Whereas, it has been determined that the financial and the environmental benefits of such solar system is in the best interest of the City to move in a more stable and sustainable direction with regard to its energy consumption at the Mount Higby Reservoir-Charles B. Bacon Water Treatment Plant.

Now Therefore Be It Resolved by the Common Council of the City of Middletown: That Mayor Daniel T. Drew, is hereby authorized to execute and deliver a power purchase agreement in the form of the agreement presented to this meeting with such changes and revisions as shall be negotiated and determined by the Mayor, after consultation with legal counsel, to be in the best interests of the City as evidenced by his signature on the final power purchase agreement(s).

Be it further Resolved: That the WPCA Committee has recommended and the City of Middletown Common Council is therefore waiving, as was previously done at the Common Council meeting on December 21, 2011, 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 long term access agreements with Greenskies Inc. or its subsidiaries' for the purpose of installing and maintaining solar systems on City property; and

Be It Further Resolved: That the Common Council waives, as was previously done at the Common Council meeting December 21, 2011, the competitive bidding portion of the Middletown Code of Ordinances with regard to the purchase of electricity produced by solar panels situated on City property; and

Be It Further Resolved: That Greenskies incur any and all costs for engineering, implementing and installing the solar system.

Fiscal Impact-Economically neutral to positive, environmentally position.

Agenda Item 10F

Councilman Daley reads and moves for approval agenda item 10F; his motion is seconded by Councilman Serra. There is no discussion. The Chair calls for the vote and it is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 06-14

File Name PcdRemingtonNUTFACTORY-GREENVILLAGE

Description Approving the leases for the Nut Factory.com, LLC and Green Village Builders, LLC at 180 Johnson Street, the former Remington Rand building and authorizing the Mayor to implement and sign the leases.

(Approved)

WHEREAS, the Economic Development Committee agreed to move forward to the Common Council proposed leases for Nut Factory.com, LLC and Green Village Builders, LLC at the former Remington Rand building (180 Johnson Street); and

WHEREAS, the Planning and Zoning Commission, at their January 8th, 2014 meeting will review the request by the Economic Development Committee to grant a GS 8-24 review to allow the City of Middletown to enter into these lease agreements.

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

That the Mayor is hereby authorized to sign all documents necessary to implement the above lease agreements.

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

Agenda Item 10G

Councilman Chisem reads and moves for approval agenda item 10G; his motion is seconded by Councilman Streeto. Seeing no discussion, the Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 07-14

File Name pwthompsonpermitref

Description Approving a building permit refund to Keith S. Thompson in the amount of \$115.08 for a permit not used at 36 Morning Glory Drive.

(Approved)

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

That a Building Permit refund be issued to Keith S. Thompson in the amount \$115.08 for permit not used at 36 Morning Glory Drive, Middletown, CT.

Agenda item 10H

Councilman Chisem reads and moves for approval agenda item 10H; Councilwoman Kleckowski seconds the motion. There is no discussion. The Chair calls for the vote. It is unanimous to approve with twelve aye votes. The Chair states the matter passes unanimously with twelve affirmative votes.

Resolution No. 08-14

File Name pwlamontagnebldgpermitref

Description Approving a building permit refund to Allen Lamontagne in the amount of \$15.26 for a permit not used at 8 Silver Street.

(Approved)

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

That a Building Permit refund be issued to Allen Lamontagne in the amount \$15.26 for permit not used at 8 Silver Street, Middletown, CT.

Agenda Item 11

Mayor's Appointments

(Approved)

The Chair reads the appointments and asks for a motion to approve. Councilman Serra so moves and his motion is seconded by Councilman Streeto. The vote is called and the matters pass unanimously with twelve aye votes. The Chair states the matters pass unanimously with twelve affirmative votes.

Urban Forestry:

Appointment of Jeremy Clark to fill a vacancy to December 31, 2014.

Citizens Advisory Committee:

Reappointment of Rev. Ronnie Bantum to August 31, 2015.

Human Relations Commission:

Appointment of Jeanette White to January 31, 2017.

Inland/Wetlands Water Courses Agency:

Appointment of Paul Turenne to October 31, 2016.

Affirmative Action Monitoring Committee:

Appointment of Pat Alston to April 30, 2017.

Agenda Item 12

Contingency Fund Transfers

The Chair states there are no contingency fund transfers to report and there are no questions to directors on nonagenda items. He states this was almost a unanimous meeting; only one item had a nay vote. He again wishes everyone a happy new year.

Agenda Item 13

Questions to Directors on Nonagenda Items

There are no Questions to Directors on Nonagenda Items.

Motion to Adjourn

Councilwoman Bartolotta moves to adjourn; her motion is seconded by Councilman Bauer. The vote is called and it is unanimous to adjourn. The Chair declares the meeting adjourned at 7:17 p.m.

ATTEST:

**MARIE O. NORWOOD
COMMON COUNCIL CLERK**