The Regular Meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, January 7, 2019, at 7:00 p.m.


Absent: Councilman Carl Chism; Councilwoman Linda Salafia; Councilman Thomas Serra

Also Present: Common Council Clerk, Linda S.K. Reed; Corporation Counsel, Daniel Ryan, Esq.; Deputy General Counsel, Kori Wisneski, Esq.; Sargent-at-Arms, Officer Jeremy Colon; Michael Harris, Energy Coordinator; Sara Mendillo, Mayor’s Administrative Assistant; Faith Jackson Director Office of Equal Opportunity & Diversity Management; Geen Thazhampallath, Esq., Parking Director

Members of the Public: 35

1. **Call to Order**

Mayor Daniel T. Drew calls the meeting to order at 7:00 p.m. Those present recited the Pledge of Allegiance, led by the family of Mitch Ward. Mayor Drew welcomes the public to this Regular Meeting of the Common Council.

The Clerk reads the Call of the Meeting and Mayor Drew declares the call a legal call and meeting a legal meeting.

2. **Accept/Amend the Agenda**

Mayor Drew asks for a motion to accept or amend the agenda.

Councilwoman Mary Bartolotta moves to amend the agenda as follows: remove Item 4A (consent agenda vote), Item 4B, and Item 4C. Councilman Sebastian Giuliano seconds the motion.

There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

3. **Special Resolutions & Presentations**

The Chair states that there are two (2) special presentations this evening and he will come forward for both. He asks the Deputy Mayor, Councilman Robert Santangelo to assume the seat as Chair. He asks Michael Harris and any members of the City’s Clean Energy Task Force, or anyone who worked on the City’s Sustainable Connecticut award, to come forward. The Chair invites Councilwoman Deborah Kleckowski and Councilman Gerald Daley also to join him at the podium.

**A. Presentation: Sustainable Connecticut Bronze Award -- City of Middletown, Recipient**

Calvin Price states that he is a member of the Board of Directors of the Sustainable Committee. He represents the Committee and offers congratulations to the City on doing outstanding work and energy conservation. He notes that energy conservation is very important in our society, adding that the City received this award as an inaugural 1st award from the Sustainable Connecticut organization and has received a bronze award. It improves the quality of life here. On behalf of Board of Directors, with thanks to the City and the people of Middletown, he presents this award to the City and all of the hard workers, who have worked so hard to get this.

Mayor Drew thanks Mr. Price and the Clean Energy Task Force, which is represented by Councilman Daley, Councilwoman Kleckowski, and staff member Michael Harris. He acknowledges the many people, who worked on this project. He states that he was fortunately part of the original committee that began planning the program in 2016, a landmark Connecticut program that provides
a path for sustainable growth and ensuring that municipalities minimize energy impact. Middletown has been a tremendous leader for many years. He shares the award with staff member Michael Harris.

Councilwoman Deborah Kleckowski offers thanks, adding that it has been a pleasure to work with Mike Harris and the Task Force. She recounts their recent discussion, within the last week, of clean energy: where it has been and where it is going. She reiterates that the City is becoming a leader in this aspect. She congratulates everyone on the team and acknowledges Mayor Drew for his leadership, adding that Middletown wants to continue to be a leader in the State and the nations.

Councilman Gerald Daley notes that, in addition to the Task Force, there is a separate group, a larger group that meets monthly to work on Sustainable CT efforts. Stephen Devoto, Chair of Planning & Zoning is among the members of that group. He notes that Ingrid Ekk, a Wesleyan student, worked with Sustainable CT and interned for the Clean Energy Task Force. She pulled together all material to submit to Sustainable CT, which earned Middletown this bronze certificate.

She deserves recognition along with the City departments such as Planning & Zoning, which provided the required brownfield inventory. She recounts that numerous City departments were involved.

B. Proclamation: Honoring Relford “Mitch” Ward

WHEREAS, Relford (Mitch) Ward, son of James and Elizabeth Ward, was born in Monticello, Florida and moved to Middletown, CT in 1963; and

WHEREAS, Mitch served in the United States Navy with a honorable discharge and also a graduate of the Federal Bureau of Investigation National Academy; and

WHEREAS, he was employed by the City of Middletown for 28 years as a police officer; when Mitch retired his rank was Sergeant working in the detective bureau; and

WHEREAS, Mitch was a longtime member of Shiloh Missionary Baptist Church; he served as the Vice Chairman of the Deacons Board; former President of the Shiloh CDC Board; he was member of the Elks Lodge #771; and an active participant of the Middletown Town Council; and

WHEREAS, on January 9, 1961, Mitch married Annette; and they are proud parents of Relford Ward Jr., and Reginald Ward; two daughters in-laws, Mary-Jane Ward and Debra Stueber-Ward; Grandchildren, Jade and Derrick Ward and Madeline Tirado; and a devoted godfather to Alex Perry.

NOW, THEREFORE BE IT RESOLVED THAT I, DANIEL T. DREW, Mayor of the City of Middletown do hereby proclaim, Tuesday, January 8, 2019, as

REFLORD (MITCH) WARD DAY

in the City of Middletown and on behalf of the residents, I would like to recognize Mitch for his many years of time, service and commitment to our City and its residents.

Councilman Santangelo states that the Mayor will present a proclamation honoring Mitch Ward. He invites Councilman Grady Faulkner and Councilman Philip Pessina to join the Mayor at the podium.

Mayor Drew welcomes the family and friends of Mitch Ward as well as the several police officers in the audience. They are honoring Mitch Ward for a lifetime of honorable service to the community and for his dedication to so many others in career service as police officer. The privilege of office is seeing how police officers affect lives of so many people. He reiterates that Mitch Ward honorably devoted himself to ensuring the safety, security, and comfort of those in the community. He offers heartfelt thanks and condolences to the family for their loss. The program is turned over to Councilman Faulkner, noting that it is unusual to present a proclamation on Council floor. He proclaims Tuesday, January 8, 2019 as Relford “Mitch” Ward Day.

Councilman Faulkner reads the proclamation and presents the plaque to the family

Councilman Philip Pessina, as the City’s Deputy Police Chief, states that he and Mitch Ward go way back, adding:

A Tribute to SERGEANT REFLORD “MITCH” WARD, SR.

My Mentor, My Brother in Policing and Friend, can all be summed up through his Mentorship to me, commencing from the first Day I reported for and was sworn in our Middletown Police Department family on April 1st, 1973.

His smiling face as he greeted me and my 7 other Rookie Officers, eased our nervous excitement as we were now New police officers behind our Silver Shields and as we were about to embark on our individual policing journeys.

For me personally over my formative years as a police officer and throughout my 33 & ½ year career, as I rose through the ranks to become Deputy Chief, what always stood out most to me was Mitch’s dedication to his family and police department. Always the consummate professional, invoking laughter, dedication to his duty and enjoyment for all
the people he met; while never letting what negativity he would face, deter him on the job from being the person he truly was, under the auspices of his Shiloh Baptist deep faith.

I will miss his smiling face at the Wednesday Elk’s Club lunches, the laughs and the conversations which took our lunch group down the Memory MPD Lane!

I know now that he is watching all of us from above and lives in the heart of Mitch Jr. and in his granddaughter, he would always affectionately speak about!

In closing, Sgt. Mitch Ward lived up in what it means to be a Mentor and Friend, as described in a quote, which he always exemplified:

A mentor lights the way by providing: Support and Guidance, Information, Knowledge, Experience, Insight, Mutual Rewards.

Therefore, in closing Sergeant Relford “Mitch” Ward, Sr. lived up to the quote: “You cannot hold a torch to light another’s path without brightening your own.”

Councilman Faulkner notes that Councilman Carl Chisem would have been here to read this proclamation this evening and sends regrets that he was unable to attend. He states that he has known Deacon Ward since coming to Middletown. He was a wonderful man, a professional at everything he did. He adds that he often thinks of Annette Ward, adding that he cannot think of one without the other. He recalls that on one occasion, when he was way to hospital and wife could not be here, Annette Wards stepped up and took him to the hospital. The family is great, has a great tradition, and should be proud.

The family extends it thanks to the Council, the Mayor, and the Police Department on behalf of the family.

4. Minutes:

A. Removed from Agenda

B. Removed from Agenda

C. Removed from Agenda

D. Approval of Minutes
   i. Special Meeting (Questions to Directors) of November 5, 2018 at 6:00 PM
   ii. Regular Meeting of November 5, 2018 at 7:00 PM
   iii. Special Meeting of October 18, 2018 at 6:00 PM
   iv. Special Meeting (Questions to Directors) of December 3, 2018 at 6:00 PM
   v. Regular Meeting of December 3, 2018 at 7:00 PM

The Chair requests a motion to rescind the December 3, 2018 minutes.

Councilman Philip Pessina moves to rescind the December 3, 2018 minutes. Councilman Robert Blanchard seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

The Chair requests a motion to approve the minutes of the Special Meeting (Questions to Directors) of November 5, 2018, the Regular Meeting of November 5, 2018, the Special Meeting of October 18, 2018, the Special Meeting (Questions to Directors) of December 3, 2018, and the Regular Meeting of December 3, 2018.

Councilman Philip Pessina moves to approve the minutes of the Special Meeting (Questions to Directors) of November 5, 2018, the Regular Meeting of November 5, 2018, the Special Meeting of October 18, 2018, the Special Meeting (Questions to Directors) of December 3, 2018, and the Regular Meeting of December 3, 2018. Councilman Robert Blanchard seconds the motion.

The Chair calls on Councilman Gerald Daley.

Councilman Daley moves to divide the question to vote individually on each item. The Chair asks for a second. Councilman Robert Santangelo seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

The Chair states that items will be taken one by one.

i. Minutes -- Special Meeting (Questions to Directors) of November 5, 2018 at 6:00 PM

APPROVED

The Chair asks for a motion to approve the minutes of the Special Meeting (Question to Directors) of November 5, 2018 at 6:00 PM.
Councilman Sebastian Giuliano moves to approve the minutes of the Special Meeting (Questions to Directors) of November 5, 2018 at 6:00 PM. Councilwoman Deborah Kleckowski seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

ii. Minutes -- Regular Meeting of November 5, 2018 at 7:00 PM
APPROVED

The Chair asks for a motion to approve the minutes of the Regular Meeting of November 5, 2018 at 7:00 PM.

Councilman Sebastian Giuliano moves to approve the minutes of the Regular Meeting of November 5, 2018 at 7:00 PM. Councilman Robert Blanchard seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

iii. Minutes -- Special Meeting of October 18, 2018 at 6:00 PM
APPROVED

The Chair asks for a motion to approve the minutes of the Special Meeting of October 18, 2018 at 6:00 PM.

Councilman Sebastian Giuliano moves to approve the minutes of the Special Meeting of October 18, 2018 at 6:00 PM. Councilman Robert Blanchard seconds the motion.

The Chair calls on Councilman Gerald Daley.

Councilman Daley states that he is abstaining from the vote on the minutes as he was not present. He adds that, although he is abstaining, based on his reading of the minutes provided, there was no quorum, and, therefore, it is his opinion that the two (2) votes taken -- electing a chair and voting to adjourn -- would be out of order. He notes that, although not substantive per se, he wants his comment reflected on the record. He reiterates that he will be abstaining from this vote.

There being no further discussion, the Chair calls for the vote, noting that anyone who was not there needs to abstain. The Chair states that the matter passes by a vote of six (6) to 0 with three (3) abstentions (Councilmembers, Daley, Faulkner, and Santangelo). The motion is approved. The matter passes.

iv. Minutes -- Special Meeting (Questions to Directors) of December 3, 2018 at 6:00 PM
APPROVED

The Chair asks for a motion to approve the minutes of the Special Meeting of December 3, 2018 at 6:00 PM.

Councilman Sebastian Giuliano moves to approve the minutes of the Special Meeting of December 3, 2018 at 6:00 PM. Councilman Robert Blanchard seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes by a vote of 9 to 0. The motion is approved. The matter passes unanimously.

v. Minutes -- Regular Meeting of December 3, 2018 at 7:00 PM
APPROVED, AS CORRECTED, BY UNANIMOUS CONSENT

The Chair asks for a motion to approve the minutes of the Regular Meeting of December 3, 2018 at 7:00 PM.

Councilman Sebastian Giuliano moves to approve the minutes of the Regular Meeting of December 3, 2018 at 7:00 PM. Councilman Robert Blanchard seconds the motion.

The Chair calls on Councilman Gerald Daley.

Councilman Daley states that he proposes to amend the minutes. He offers copies showing his proposed changes. He moves to amend the minutes as follows:

3. Deputy Mayor requests motion to approve minutes and to adopt a meeting calendar for 2019
   A. Special Meeting (Questions to Directors) of November 5, 2018 at 6:00 p.m.
   B. Regular Meeting of November 5, 2018 at 7:00 p.m.
   C. Special Meeting of October 18, 2018 at 6:00 p.m.
   D. 2019 Common Council Meeting Calendar
APPROVED
Councilman Philip Pessina seconds the motion. Several Councilmembers second the motion but no vote is taken.

There being no discussion, the Chair calls for a vote. It is approved with eight (8) aye votes and one (1) abstention (unidentified). The motion is approved. The Chair states that the matter passes with eight (8) affirmative votes.

NOTE: Following the vote on the motion to approve the minutes and the 2019 meeting calendar as noted above, the Chair divides the question, as voted upon, and asks for motions to approve the minutes of the Regular Meeting of November 5, 2018 at 7:00 P.M., the minutes of the Special Meeting of October 18, 2018 at 6:00 P.M., and the proposed 2019 meeting calendar.

The Chair interjects and directs that the door to the Chamber remain open. He asks that it be opened immediately.

Councilman Grady Faulkner seconds the motion

The Chair calls on Councilman Sebastian Giuliano regarding Councilman Daley’s motion to amend.

Councilman Giuliano calls attention to Robert's Rules of Order, Section 41, which provides that corrections to the minutes are handled by unanimous consent. Additions, deletions, or corrections to minutes are usually noted for the record and accepted by unanimous consent. He asks that this be the procedure followed at this time: that by unanimous consent, ask that Councilman Daley’s additions, deletions, and corrections be noted for the record. They will appear in the minutes of next month’s meeting.

The Chair asks Councilman Giuliano to repeat that for the Clerk of the Council.

Councilman Giuliano reiterates: he asks that Councilman Daley’s notations be accepted by unanimous consent as corrections to the minutes and they will appear, as presented, in the minutes of this meeting, next month. This is normally the way it is handled under the Rules.

Councilman Daley replies that is fine, he has no objection.

The Chair asks if there is any objection.

Councilman Daley states that he appreciates the cooperation that is being shown on this. There was a lot of confusion of what took place on the vote on the minutes at the December 3, 2018 meeting. Everyone is trying to get the minutes to reflect what actually happened and correct it so that the minutes are properly voted on because of the confusion at that December 3, 2018 meeting. He reiterates that he appreciates this, adding that one thing the Council might wish to consider -- the next Council -- is addressing how the minutes are handled when new rules are adopted in November. In the interim, between now and November, he would suggest that the Council adopt the practice of voting on minutes not as a group, but individually as he thinks it is less likely to cause confusion.

The Chair states that is a good idea. The Chair directs the Clerk of the Common Council to have roll call sheets prepared for votes on minutes.

Councilman Daley interjects, saying, not necessarily a roll call, but an individual vote on each set of minutes.

Councilman Sebastian Giuliano states that the minutes are posted under one item as a consent calendar. Once the vote is taken on whether to accept or amend the agenda, then that item is locked in. If anyone wants to vote for the individual items separately, the individual Councilmember would have to make that request before the Council votes to accept the agenda. If the minutes of each meeting are listed on any given agenda as separate items, only then they can be voted on individually.

The Chair agrees that separate agenda listing should be done

There being no objection to Councilman Giuliano’s request for consent of Councilman Daley’s motion to correct, they will be accepted as part of this month’s record accurately reflecting the minutes of the December meeting.

5. Public Hearing -- Opens

A. Public Hearing on Bond Ordinance

The Chair states that he will now open the public hearing for the bond ordinances, emphasizing that this hearing is only for those appropriations and bond ordinances. The Chair explains that, if anyone wishes to speak on any other matter, may be heard later during the meeting during a
separate public hearing for that purpose. He reiterates that this public hearing is limited to the Bond Ordinance.

The public hearing opens at 7:28 PM.

Councilman Eugene Nocera reads the proposed Bond Ordinance:

An ordinance appropriating $523,000 for the purchase of certain capital non-recurring equipment and authorizing the issue of $523,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. (NOTE: public hearing only on January 7, 2019; per Charter, Chapter IX, Section 2, vote to occur at next regular meeting on February 4, 2019.)

There being no public comment, the Chair closes the public hearing at 7:29 PM.

B. Public Hearing on Other Agenda Items

The Chair opens the public hearing on all other agenda items at 7:30 PM. He invites anyone wishing to speak on agenda items to the podium, asking that they state their name and address for the record and keep remarks to five (5) minutes.

Stephen Devoto, 476 Country Club Road: Mr. Devoto states that he serves as Chair of the Planning & Zoning Commission. He is speaking to Items 7D and 11B, purchase of the development rights for Chiaravallo Farm. That item will come before Planning & Zoning and he is not speaking to the merits of the item. The Commission will have an 8-24 review of that proposal at the upcoming meeting on Wednesday (January 9, 2019). He acknowledges that he is a stickler for process. The Planning & Zoning Commission’s role is to review as to whether or not purchases of, or improvements to, City land are consistent with the Plan of Conservation & Development. The statute does not require that the Planning & Zoning Commission review occur before Council review, but past practice and common sense suggest that the Planning & Zoning Commission should do the review before the Common Council review. He is stating this for the record. He adds that, in this case, he has spoken with Joseph Samolis, Director of Planning, Conservation & Development, and he indicated that DEEP (Connecticut Department of Energy & Environment) had request that the Council consider this item as soon as possible to get the process moving forward. He fully understand this; however, his point is that, in general, the Planning & Zoning Commission review should occur before the Council’s review.

Elizabeth Holder, 29 Long Lane: Ms. Holder states that she is the Chair of the Commission on Conservation & Agriculture, which was reconstituted two (2) years ago as part of a policy to encourage agriculture in Middletown and to attract State matching funds. This Commission has been working with local farmers to explore ways in which the City could become more farm friendly. They hope to work with the Office of Planning, Conservation & Development. She notes that, as with the Planning & Zoning Commission, the Commission was not consulted on this matter; however, the feel strongly that preserving farm land is a crucial step to ensuring that agriculture will have an enduring place in a diversified economy in this City. At a time when buying local is a growing trend, the Commission is pleased that the City is working with the State to access State grants and preserve local farmland. She encourages the Council to approve this appropriation, adding that they hope a better procedure will be followed in the future.

6. Public Hearing on Agenda Items – Closes

There being no public comment, the Chair closes the public hearing at 7:34 PM

7. Appropriation Request Notice and Certificate of Director of Finance

D. Planning, Conservation & Development: $72,000 - Acct. No. 1000-27000-55429; appropriation for City’s contribution to matching funds to purchase development rights of a 41.5 acre property off Higby Road (Chiaravallo Farm) as part of a cooperative effort among the City of Middletown, The Connecticut Farm Trust, and State of Connecticut, Department of Agriculture.
Councilman Gerald Daley reads the appropriation request and moves for approval. Councilman Philip Pessina seconds the motion.

Councilman Giuliano raises a point of order and reminds the Chair that the Clerk should read the legal notice and certificate of the Finance Director into the record. The Chair states that he was going to do that but took pause, since the agenda is marked that Items A, B, and C have been removed. Councilman Giuliano replies that is correct, noting that the items that were removed are also appropriations.

The Clerk of the Common Council reads the legal notice.

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 7, 2019 AT 7:00 P.M. to consider and act upon the following:

D. Planning, Conservation & Development: $72,000 - Acct. No. 1000-27000-55429; appropriation for City’s contribution to matching funds to purchase development rights of a 41.5 acre property off Higby Road (Chiaravallo Farm) as part of a cooperative effort among the City of Middletown, The Connecticut Farm Trust, and State of Connecticut, Department of Agriculture.

(NOTE: In having amended the agenda Items A, B, and C have been removed; see, Section 2, page 1, above)

The Clerk of the Common Council asks to read the legal notice for the bond ordinance appropriation be read into the record at this time. The Chair, after conferring with Corporation Counsel, Attorney Daniel Ryan, replies that the reading of that notice will be saved for the next meeting.

There being no discussion on the motion regarding the appropriation, the Chair calls for the vote. The Chair states that the matter passes unanimously by a vote of 8 to 0. The motion is approved.
8. INTENTIONALLY REMOVED

9. Department, Committee, Commission Reports and Grant Confirmation Approval

Councilwoman Mary Bartolotta moves to approve all Department, Committee, and Commission reports and all Grants when properly approved. Councilman Gerald Daley seconds the motion. There being no discussion, the Chair calls for the vote. The Chair states that the matter passes unanimously by a vote of 8 to 0. The motion is approved.

A. City Clerk’s Certificate

APPROVED
City & Town Clerk's Office
245 deKoven Drive
Middletown, CT 06457

Certification

I, Ashley A. Flynn, City and Town Clerk of the City of Middletown and custodian of the records and seal thereof, do hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on December 3, 2018 at 7:00 p.m. and the special meeting on December 3, 2018 at 6:00 p.m., have been advertised in the local newspaper.

Dated at Middletown, Connecticut, this 18th day of December 2018.

Ashley A. Flynn
City & Town Clerk

Phone (860) 323-2010    Fax (860) 632-7610    TDD (860) 813-4812

APPROVED

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C. Grant Confirmation & Approval – Police Department – JAG Violent Crime Prevention FY 2019-2020 to reduce or prevent violent crimes; funds to be used for a marked patrol vehicle: $38,000

APPROVED

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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. The accounts in which such funds are deposited shall be so designated and the necessary accounting procedures shall be maintained by such units. Receipts from the sale of any property acquired from federal or state grants, less expenses of sale, shall be used to repay the funds advanced. 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 grant is issued by the Office of Policy and Management at the State of Connecticut. It is a grant initiated to reduce or prevent violent crimes. The funds are awarded to the State to towns that did not qualify for the Federal JAG funding. It will be used for a marked patrol vehicle and is 100% reimbursable up to $30,000.00. Financial Impact: There is no financial impact as the funds expended will be reimbursed at 100%.

Signature:
Requested by: Chief William McKenna
Status: Passed
Status Date: 1/7/2019

D. Grant Confirmation & Approval – Police Department – Port Security Grant FY 2018-2021; Department of Homeland Security Grant for boat to replace Department’s current vessel (Boston Whaler) with 25% matching fund to be taken from asset forfeiture account: $254,734

APPROVED

<table>
<thead>
<tr>
<th>Grant Number:</th>
<th>408</th>
<th>Date of Request:</th>
<th>11/27/2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Grant:</td>
<td>PORT SECURITY GRANT FY 18 - FY 21</td>
<td></td>
<td></td>
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<tr>
<td>Amount Requested:</td>
<td>$254,734.00</td>
<td>Code:</td>
<td>3419-19000-43242-0160-2019</td>
</tr>
<tr>
<td>Grant Period: From:</td>
<td>1/1/2018</td>
<td>To:</td>
<td>12/31/2021</td>
</tr>
<tr>
<td>Type of Grant:</td>
<td>FEDERAL</td>
<td>Amount Leased from General Fund:</td>
<td>$254,734.00</td>
</tr>
</tbody>
</table>

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. Financial Impact: There is no financial impact as the funds expended will be reimbursed at 100%. Receipts from the sale of any property acquired from federal or state grants, less expenses of sale, shall be used to repay the funds advanced. 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 a grant awarded by the Department of Homeland Security. The Police Department applied for the grant and the Common Council voted to accept the awarded funds at its November meeting. The grant is for a boat to replace the Department’s current vessel (Boston Whaler). The grant requires that the department provide 25% match funding which will be taken from the asset forfeiture account. The $254,734.00 that will be loaned from the general fund will be reimbursed at 100%. Financial Impact: There is no financial impact as the funds expended will be reimbursed at 100%. Receipts from the sale of any property acquired from federal or state grants, less expenses of sale, shall be used to repay the funds advanced. 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.

Signature:
Requested by: Chief William McKenna
Status: Passed
Status Date: 1/7/2019

E. Grant Confirmation & Approval -- Board of Education -- miscellaneous grants: $562,036.86

APPROVED

APPROVED
Memorandum

To:     Daniel T. Drew, Mayor, City of Middletown
From:   Faith M. Jackson, Director of Equal Opportunity and Diversity Management and Affirmative Action Officer
Date:   December 21, 2018
Re:     City of Middletown Affirmative Action 2018-2019 1st Quarter Recruitment Activity Report

OFFICE OF EQUAL OPPORTUNITY AND DIVERSITY MANAGEMENT
245 DeKalb Street, Middletown, CT 06457-4300
TEL: (860) 348-4300 FAX: (860) 348-1596

JANUARY 7, 2019

REGULAR COMMON COUNCIL MEETING
Page 13

Page

Approved

Date

Other

Signature

Date

(2)

Memorandum

To:     Mayor Daniel T. Drew
From:   Faith M. Jackson, Director of Equal Opportunity & Diversity Management
Date:   December 21, 2018
Re:     The City of Middletown 2018-2019 Employment Activity – 1st Quarter Report

Attached is the 2018-2019 first quarter recruitment activity report for the City of Middletown for your review and approval. For the first quarter, a total of six new people were hired: (1) Black Female, (1) Hispanic Male, (1) Two or More Races Male, and (3) White Male. Of all new hires, 30% were minority and all are from the protected class, which reflects positively on all new hires for the City for this quarter. Job opportunities for this quarter came under the following EEO categories: EEO1-Officials/Administrator, EEO34-Protective Services, and EEO6-Administratorial Services. Hiring occurred in the following departments: Arts/Culture, Fire, Central Communications, Police, and Board of Education. Through new hires the City was able to achieve two of its set goals, (1) Hispanic Male and (1) Two or More Races Male.

During the first quarter, a total of thirteen employees were promoted. Of the thirteen promotions, 23% or three were from the Protected Class. Through promotions, the City achieved three of its set goals, (2) White Females in EEO1-Officials/Administrator and EEO6-Administrative Support, and (1) Hispanic Male in EEO1-Service Maintenance. For the first quarter the City did an outstanding job demonstrating its good faith efforts to hire and promote a diverse workforce as conveyed in this report. The City achieved (5) of its set goals for the first quarter.

If you have any questions or would like further explanation of this report, please call me at extension 4830. Thank you.

c: Human Resource Division
Affirmative Action Committee

Attachements

Memo

Date

Signature

Date

(2)
10. Payment of all City bills when properly approved

The Chair states that he has said before: this a redundant and unnecessary agenda item.

Councilwoman Mary Bartolotta moves to pay all bills when properly approved. Councilman Sebastian Giuliano seconds the motion. There being no discussion, the Chair calls for the vote.

The motion is approved unanimously with eight (8) aye votes. The Chair states the matter is approved.

The Chair repeats that this item can be removed from the agenda in the future.

11. New Business, Resolutions, Ordinances, etc.

A. Approving the Health Department’s request to reallocate $4,000 of the FY2018-2019 Public Health Block Grant from Community Renewal Team, Inc. (Head Start), as approved by the Common Council on July 2, 2018 in Resolution No. 87-18, to Community Renewal Team, Inc. (Summer Food); and that any agency receiving a Public Health Block Grant award must comply with the City’s matching fund ordinance.

APPROVED

RESOLUTION No. 01-19; K: review/ resolution/ Health FY18-19 RES 01-19 – 7 Jan 2019

WHEREAS, the Health Department requests that the $78,750 Public Health Block Grant (FY 18/19) be reallocated as follows:

Reallocate the funds as approved on July 2, 2018 under Resolution No. 87-18 from Community Renewal Team Inc. (Head Start) to Community Renewal Team Inc. (Summer Food) in the amount of $4,000.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Health Department’s request for allocation of the FY18-19 Public Health Block Grant, as proposed, is approved; and that any agency receiving a Public Health Block Grant award must comply with the City’s matching fund ordinance.

Fiscal Impact: There is no new fiscal impact; the $78,750 is budgeted for FY18/19.

Councilman Robert Blanchard reads the proposed resolution and moves to approved. Councilman Sebastian Giuliano seconds the motion. There being no discussion, the Chair calls for the vote.
The motion is approved unanimously with eight (8) aye votes. The Chair states the matter is approved.

B. Approving the purchase and transfer of development rights to the City of Middletown of Chiaravallo Farm at a maximum cost of $72,000, such cost to be determined subject to the A-2 survey; and authorizing the Mayor to sign all documents necessary for such purchase, subject to the approval of the documents by the Office of the General Counsel as to content and form.

APPROVED

RESOLUTION No. 02-19; K: review/ resolution. PCD TDR Chiaravallo RES 02-19 – 7 Jan 2019

WHEREAS, the City of Middletown is seeking to conserve Open Space and Agricultural Land as part of its Plan on Conservation and Development; and

WHEREAS the City of Middletown works with other local, state, and federal agencies in order to accomplish the task of preservation of Open Space and Agricultural Land; and

WHEREAS the Chiaravallo Family contacted the CT Department of Agriculture (DOA) and the Connecticut Farm Trust to inquire about the preservation of their family’s farm land; and

WHEREAS, the state DOA and Farm Trust have worked with the Chiaravallo Family to develop a plan to Purchase the Development Rights (PDR) of the farm land.

WHEREAS, the City Planning, Conservation and Development office recommends the conservation of the property to protect the property from development and to foster agricultural activities toward the greenbelt of the City.

WHEREAS, the Premises would be restricted to agricultural use only, and no residences would be allowed to be built on the Premises; and

WHEREAS, the tentative agreed upon purchase price for the parcel of land located on Higby Road is for $361,050; and

WHEREAS, the United State Department of Agriculture Natural Resources Conservation Service (USDA NRCS) has obligated funding of $230,000 for the parcel; and

WHEREAS, the State shall pay 55% of the remaining price which is $1,737/acre, estimated at $72,086; and

WHEREAS, the City of Middletown would be obligated to pay the remaining 45% at a price of $1,421/acre, which is estimated around $58,972; and

WHEREAS, the final purchase price for the PDR for the Chiaravallo Farm will be adjusted for any adjustments in acreage, including deductions for any existing encroachments, as disclosed by a final A-2 survey; and

WHEREAS, the surveyed acreage shall be used to calculate the final contribution amounts, and the town’s final contribution amount shall be provided in writing to the Town by the State; and

WHEREAS, the deed shall contain such provisions as the Commissioner of Agriculture deems necessary to fulfill the purposes of Chapter 422a of the Connecticut General Statutes and consistent with the laws of the state; and

WHEREAS, the Economic Development Committee approved the request for an appropriation to cover the City’s portion of the PDR on December 11, 2018 at its regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: Approving the purchase and transfer of development rights to the City of Middletown of Chiaravallo Farm at a maximum cost of $72,000, such cost to be determined subject to the A-2 survey; and authorizing the Mayor to sign all documents necessary for such purchase, subject to the approval of the documents by the Office of the General Counsel as to content and form.
Mr. Andrew Chiaravalle and Ms. Bonnie Scheidler, Trustees
Stanley Boniewski Trust
401 Highy Road
Middletown, CT 06457

Joint Agreement Offer to Purchase Development Rights to Farmland
Chiaravalle Farm (aka Stanley Boniewski Trust)
State of Connecticut, Connecticut Farmland Trust, Inc. and the Town of Middletown
41.5± Acres out of 41.5± total acres owned

Dear Mr. Chiaravalle and Ms. Boniewski:

The Department of Agriculture and Connecticut Farmland Trust, Inc., with the financial contribution of the Town of Middletown, desire to purchase from you, pursuant to the provisions and purposes of Section 22-206a, et seq., of the General Statutes of Connecticut, development rights to 41.5± acres of land, more or less, (the “Premises”), located on the general westerly side of Highy Road and the general easterly side of Massa Tom Road in the City of Middletown, Middlesex County, Connecticut, and referenced in the attached Property Description of Development Rights Acreage, which is incorporated herein as Schedule A, and illustrated in the Property Sketch, which is incorporated herein as Schedule B.

Chiaravalle Farm has approximately twenty-three (23.0±) acres of cropland in hay leased to a local farmer for dairy cows, per application. Approximately 35 acres are classified as having prime, statewide important, and locally important farming soils. Per tax assessor’s field cards there are no structures on the subject farm.

The 41.5± acres (hereinafter the “Premises”) shall be restricted as follows:

The Premises would be restricted to agricultural use only. No residences would be allowed to be built on the Premises. An Agricultural Building Envelope of two acres (2.0 acres) would be designated. Agricultural structures may be built within the Agricultural Building Envelope subject to impact limitations and approvals, or outside these areas subject to special conditions.

In the aggregate, residential and agricultural structures may not impact more than five (5%) percent of the prime farmland soils on the Premises, and impervious surfaces may not exceed up to five (5%) percent of the total acreage of the Premises. Construction of any/all agricultural structures on the Premises would be subject to prior notice to and approval from the Connecticut Department of Agriculture.

Agricultural practices shall be in accordance with an Agricultural Land Easement Plan by the U.S. Department of Agriculture’s Natural Resources Conservation Service and approved by the Commissioner of Agriculture. All construction shall be subject to prior notice to and approval of the Department of Agriculture. No division or subdivision of the 41.5± acre Premises would be allowed, and the Premises may be conveyed in its entirety only (i.e. all 41.5± acres) as one farm.

450 Columbus Blvd., Suite 701, Hartford, CT 06103
It is expressly understood and agreed that this offer is conditioned upon the following:

1. The completion of an accurate Class A-2 survey (hereinafter Survey), to be provided by the Department of Agriculture.

2. An adjustment in the sum offered to the extent necessary to reflect any acreage differences disclosed by the Survey, including any areas of contested title or encroachment from neighboring properties.

3. Your ability to convey to the State of Connecticut and Connecticut Farmland Trust, Inc., marketable title to such development rights as prescribed under Chapter 422a of the Connecticut General Statutes, and the right to construct any residence on the Premises, except for the replacement of the existing residence(s) as provided for above, free of any encumbrances which may affect such conveyance. The purchasers at their sole discretion may reduce the acreage of the Premises that is subject to the purchase of development rights to exclude any encroachments or areas subject to boundary line disputes revealed by said Survey.

4. Purchase of the development rights on the Premises being subject to the approval of the State Properties Review Board (SPRB) and the Board of Directors of the Connecticut Farmland Trust, Inc.

5. The approval of the necessary funding from the State Bond Commission, and any other approvals required for the purchase of land or rights under State statute, including but not limited to SPRB approval, regulations or procedures, and document approval by the Office of the Attorney General.

6. The approval of the necessary funding from the City of Middletown, and any other approvals and/or agreements required by the City of Middletown.

7. Subject to the review and approval of the United States Department of Agriculture Natural Resource Conservation Service (USDA-NRCS), to enable the disbursement of Agricultural Lands Easement Program funds.

8. That this letter and agreement be signed and returned to me within forty-five (45) days of the date of the last signature, otherwise this joint Offer Agreement will lapse and be of no further force and effect except that it may be extended at the joint discretion of the Commissioner of Agriculture and Connecticut Farmland Trust, Inc.

9. That a closing date for the purchase of development rights shall occur within sixty (60) days after all conditions in this agreement are met, which it is contemplated by both parties to occur by twelve months after the last signature of this Offer Agreement.

10. Included as part of this Offer Agreement are the attached Schedule A-Property Description of Development Rights Acreage, and the Schedule B-Property Sketch.

11. The deed shall also contain such provisions as the Commissioner of Agriculture deems necessary to fulfill the purposes of Chapter 422a of the Connecticut General Statutes and consistent with the laws of the State.

12. The deed may also contain such provisions as the Commissioner of Agriculture and the Connecticut Farmland Trust, Inc. deem necessary to fulfill the purposes of the United States Department of Agriculture’s Agricultural Lands Easement Program, consistent with the laws of the State, imposed as a condition for the receipt of federal funds.
All factors affecting the value of your property and the development rights have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

$8,706/acre for 41.5± acres, for a total offer of $361,050

which sum represents the value of the development rights of the property.

You may indicate your acceptance by signing in the space provided below. Please sign both copies of the Joint Offer Agreement, retain one for your records, and return the other to the Connecticut Department of Agriculture Farmland Preservation Program, 450 Columbus Blvd. Suite 703, Hartford, CT 06103.

You will be advised of a closing date as soon as practicable. Should you have any questions concerning this offer or wish to discuss this matter further, you may contact Cameron Weinur, of the Farmland Preservation Program at (860) 713 2511, or Connecticut Farmland Trust at (860) 247 0202.

Signed:

CONNECTICUT DEPARTMENT OF AGRICULTURE

Steven K. Reviezya, Commissioner

CONNECTICUT FARMLAND TRUST, INC.

Susan E. Lockwood, President

CITY OF MIDDLETOWN

Daniel T. Drew, Mayor

Page 3 of 6
All factors affecting the value of your property and the development rights have been carefully evaluated. Based upon this appraisal, we hereby offer you the sum of:

$8,700/acre for 41.5± acres, for a total offer of $361,050

which sum represents the value of the development rights of the property.

You may indicate your acceptance by signing in the space provided below. Please sign both copies of the Joint Offer Agreement, retain one for your records, and return the other to the Connecticut Department of Agriculture Farmland Preservation Program, 450 Columbus Blvd. Suite 703, Hartford, CT 06103.

You will be advised of a closing date as soon as practicable. Should you have any questions concerning this offer or wish to discuss this matter further, you may contact Cameron Weimar, of the Farmland Preservation Program at (860) 713-2311, or Connecticut Farmland Trust at (860) 247-0202.

Signed:

CONNECTICUT DEPARTMENT OF AGRICULTURE

Steven K. Revicksky, Commissioner

[Signature]

Date

CONNECTICUT FARMLAND TRUST, INC.

Susan E. Lockwood, President

[Signature]  

November 8, 2017

Date

CITY OF MIDDLETOWN

Daniel T. Drew, Mayor

[Signature]

Date
The above offer is accepted subject to the conditions stated herein. The undersigned acknowledges that the purchase of development rights is contingent upon the execution of this letter of agreement between Mr. Andrew ChiaraVallo and Ms. Bonnie Scheidler, Trustees Stanley Boniewski Trust (Andrew ChiaraVallo Trust, Bonnie Scheidler Trust, and Robin Rockwell Trust), as the Sellers, and the State of Connecticut, Connecticut Farmland Trust, Inc., and the City of Middletown, as Buyers.

Duly Authorized Signatures for ChiaraVallo and Stanley Boniewski Trust Farm:

STANLEY BONIEWSKI TRUST, ANDREW CHIARAVALLO TRUST, BONNIE SCHEIDLER TRUST, and the ROBIN ROCKWELL TRUST

Andrew ChiaraVallo, Trustee

Date

Bonnie Scheidler, Trustee

Date
SCHEDULE A
PROPERTY DESCRIPTION
OF DEVELOPMENT RIGHTS ACREAGE
Chiaravalle Farm, Middletown, CT
41.5± acres out of 41.5± total acres owned

All that certain land containing 41.5± acres, more or less, located on the general westerly side of Highy Road and the general easterly side of Massa Tom Road in the City of Middletown, Middlesex County, Connecticut; which premises is described in volume 1753, page 851, and volume 1617, page 455, in the Middletown Land Records.

Reference is hereby made to Map 8, Lot 7; by the City of Middletown Tax Assessor, consisting of 41.5± total acres owned, per GIS Geographic Information System mapping.

See also the Property Sketch attached hereto as Schedule B.
FUNDING PARTNERSHIP AGREEMENT
Purchase of Development Rights
Chiaravallo Farm (aka Stanley Boniewski Trust), Town of Middletown

WHEREAS, the Town of Middletown (hereinafter Town) and State of Connecticut, Department of Agriculture (hereinafter State) intend to have a COOPERATIVE LETTER OF AGREEMENT FOR THE JOINT PARTNERSHIP OF THE FARMLAND PRESERVATION PROGRAM AND THE COMMUNITY FARMS PRESERVATION PROGRAM BETWEEN THE STATE OF CONNECTICUT, DEPARTMENT OF AGRICULTURE, AND THE TOWN OF MIDDLETOWN, and

WHEREAS, the State, Connecticut Farmland Trust Inc. (CFT), and the Town seek to be parties to the JOINT OFFER AGREEMENT TO PURCHASE DEVELOPMENT RIGHTS TO FARMLAND for Chiaravallo Farm to which this Funding Partnership Agreement is attached, and

WHEREAS, the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS) has obligated funding of $230,000 for this parcel in a fiscal year 2015 joint Agricultural Lands Easement (ALE) Cooperative Agreement with the State and CFT, and

THEREFORE, the State and Town agree to the following specific funding allocation for the remaining portion of the Offer for the permanent preservation of Chiaravallo Farm, should the PDR Offer Agreement be executed:

The State shall pay 55% of the remaining purchase price which is $1,737/acre, estimated at $72,686.
The Town shall pay 45% of the remaining purchase price which is $1,421/acre, estimated at $58,972.

The purchase price will be adjusted for any adjustment in the acreage, including deductions for any existing encroachments, as disclosed by the A-2 survey to be conducted before the final purchase of development rights. The surveyed acreage shall be used to calculate the final contribution amounts, and the town’s final contribution amount shall be provided in writing to the Town by the State.

The State, CFT, and Town sign below indicating their intent to fulfill their funding obligation, which is subject to all contingencies in the attached PDR Offer Agreement.

CONNECTICUT DEPARTMENT OF AGRICULTURE

By: Steven K. Reviczky, Commissioner

CONNECTICUT FARMLAND TRUST, INC.

By: Susan E. Lockwood, President

THE TOWN OF MIDDLETOWN

By: Michelle T. Ford, Planning & Environmental Specialist
Designated Negotiator

Date 1/7/19
FUNDING PARTNERSHIP AGREEMENT
Purchase of Development Rights
Chiaravallo Farm (aka Stanley Bolewski Trust), Town of Middletown

WHEREAS, the Town of Middletown (hereinafter Town) and State of Connecticut, Department of Agriculture (hereinafter State) intend to have a COOPERATIVE LETTER OF AGREEMENT FOR THE JOINT PARTNERSHIP OF THE FARMLAND PRESERVATION PROGRAM AND THE COMMUNITY FARMS PRESERVATION PROGRAM BETWEEN THE STATE OF CONNECTICUT, DEPARTMENT OF AGRICULTURE, AND THE TOWN OF MIDDLETOWN, and

WHEREAS, the State, Connecticut Farmland Trust Inc. (CFT), and the Town seek to be parties to the JOINT OFFER AGREEMENT TO PURCHASE DEVELOPMENT RIGHTS TO FARMLAND for Chiaravallo Farm to which this Funding Partnership Agreement is attached, and

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The Town shall pay 45% of the remaining purchase price which is $1,421/acre, estimated at $58,972.

The purchase price will be adjusted for any adjustment in the acreage, including deductions for any existing encroachments, as disclosed by the A-2 survey to be conducted before the final purchase of development rights. The surveyed acreage shall be used to calculate the final contribution amounts, and the town’s final contribution amount shall be provided in writing to the Town by the State.

The State, CFT, and Town sign below indicating their intent to fulfill their funding obligation, which is subject to all contingencies in the attached PDR Offer Agreement.

CONNECTICUT DEPARTMENT OF AGRICULTURE

By: Steven K. Revicki, Commissioner

CONNECTICUT FARMLAND TRUST, INC.

By: Susan E. Lockwood, President

THE TOWN OF MIDDLETOWN

By: Michelle T. Ford, Planning & Environmental Specialist
Designated Negotiator
Councilwoman Mary Bartolotta reads the proposed resolution and moves to approved. Councilman Robert Santangelo seconds the motion. There being no discussion, the Chair calls for the vote. The motion is approved unanimously with eight (8) aye votes. The Chair states the matter is approved.

12. Mayor’s Appointments

The Chair offers the following appointments:

**Middletown Commission on the Arts:**
- **Pamela Steele (R):** appoint as regular member to fill unexpired term to June 30, 2019, replacing Mark Pettersen (U), who resigned September 2018
- **John Basinger (D):** appoint as regular member to fill unexpired term to June 30, 2020, replacing Jay Hoggard (D), who resigned December 2017

**Citizens Advisory Committee:**
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John Rumberger (R): reappoint as regular member to 4-year term to August 31, 2022
Molly Salafia (R): reappoint as regular member to 4-year term to August 31, 2022

Zoning Board of Appeals:
Dina Ford (R): reappoint as regular member to 5-year term to November 30, 2023

Middletown Preservation & Design Review Board:
Maria Holzberg (D): reappoint as regular member to 3-year term to July 31, 2021
Brian Kronenberger (R): reappoint as regular member to 3-year term to July 31, 2021
Jammie Middleton (D): reappoint as regular member to 3-year term to July 31, 2021

Woodrow Wilson Middle School Building Committee:
Stephen Zarger (R): appoint as regular member, replacing Christopher Bonsignore (U)

Board of Health:
Aaron Roome (D): reappoint as a regular member to 4-year term to July 31, 2022

Inland Wetlands & Watercourses Agency:
Paul Dyka (R): appoint to vacant alternate member seat, filling balance of 3-year term to October 31, 2020, seat formerly held by current IWWA regular member Constance Kisluk (D)

Councilman Sebastian Giuliano moves to approve. Councilman Robert Blanchard seconds the motion. There being no discussion, the Chair calls for a vote. The vote is eight (8) aye votes. The Chair states that the vote is unanimous. The motion is approved with eight (8) affirmative votes.

13. Meeting Adjourned

The Chair states that he will entertain a motion to adjourn. Councilman Sebastian Giuliano move to adjourn. Councilwoman Deborah seconds the motion.

Councilman Grady Faulkner asks to make a point of personal privilege. He thanks those who attended, being here for, and joining with, the Ward family. He also reminds the public that the first community meeting of the year is being held on Thursday, January 10th where people set the agenda.

There being no further discussion, the Chair calls for the vote. It is approved unanimously with eight (8) aye votes. The Chair states the matter passes with eight (8) affirmative votes.

The meeting is adjourned at 8:02 PM

ATTEST:
LINDA S.K. REED,
COMMON COUNCIL CLERK

K: review/minutes/ 19 January 07 -- regular meeting January 7, 2019