

City of New Haven
Journal of the Board of Aldermen
Board of Aldermen

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Monday, January 5, 2009

7:00 PM

Aldermanic Chambers

The regular meeting of the Board of Aldermen, duly warned, was held on January 5, 2009 in the Bart Guida Aldermanic Chambers of the Biagio DiLieto Government Center, 165 Church Street.

City Clerk Ron Smith called the meeting to order at 7:00 p.m.

ATTENDANCE

The members present were Alderpersons Plattus, Calder, Jackson-Brooks, Perez, Colon, Clark, Smart, Lemar, Brison, Lee, Antunes, Rhodeen, Sturgis-Pascale, J. Rodriguez, Castro, Paolillo, DePino, Edwards, Blango, Jones, Morehead, Shah, McCormack, Silverman, S. Rodriguez, Lehtonen, Sandman, Goldfield and Edmonds-Sepulveda - 29.

DIVINE GUIDANCE

Divine Guidance was invoked by Alderman Paolillo: "First of all, it's always an honor to serve on this board and be able as a member of this board to be affiliated with other organizations and other board appointments. One of the nicest places where I get to serve on another board is the Annex Little League. I think I've read this before. I love sports and many of you know that. The author of this poem is unknown, but it's something that I will continue to read and share with you tonight. It's entitled Father to Son. It begins:

'This is your first game, son. I hope you win. I hope you win for your sake not mine because winning is nice. It's a good feeling, like the whole world is yours, but it passes, this feeling. And what lasts is what you've learned and what you learn about is life. That's what sports is all about. Life. The whole thing is played out in an afternoon, the happiness of life, the miseries, the joys, the heartbreaks. There's no telling what'll turn up. There's no telling whether they'll toss you out in the first five minutes or whether you'll stay for the long haul. There's no telling how you'll do. You might be a hero or you might be absolutely nothing. Too much depends on chance, on how the ball bounces. I'm not talking about the game, son, I'm talking about life. But it's life that the game is all about just as I had said, because every game is life and life is a game, a serious one; dead serious.

But that's what you do with serious things. You do your best. You take what comes. You take what comes and you run with it. Winning is fun, sure. But winning is not the point. Wanting to win is the point and not giving up is the point. Never being satisfied with what you've done is the point. Never letting up is the point. Never letting one down is the point.

Play to win, sure, but lose like a champion, because it's not winning that counts. What counts is trying.' Thank you."

APPROVAL OF JOURNAL

The Journal of the Regular Meeting held on December 15, 2008 was approved.

ELECTIONS**MEMBER OF THE AFFIRMATIVE ACTION COMMISSION (ONE YEAR TERM).**

President Goldfield moved that nominations be opened for the election of an Aldermanic Representative to the Affirmative Action Commission, which motion was duly seconded:

Alderman Jones nominated Alderman Sergio Rodriguez as the aldermanic representative to the Affirmative Action Commission.

No other nominations were made, and on motion of Alderman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderman S. Rodriguez.

Said unanimous ballot was so cast and the following resolution adopted and Alderman Sergio Rodriguez was declared by the President elected, *viva voce*, as the Aldermanic Representative to the Affirmative Action Commission:

“RESOLVED, that Sergio Rodriguez be and he is hereby declared elected as aldermanic representative to the Affirmative Action Commission of the City of New Haven for the ensuing year of 2009 and until a successor is duly elected and has qualified.”

MEMBERS OF THE CAPITAL PROJECTS COMMITTEE (ONE YEAR TERM).

President Goldfield moved that nominations be opened for election of Aldermanic Representatives to the Capital Projects Committee, which motion was duly seconded:

Alderman Jones nominated Alderpersons Arlene DePino and Mordechai Sandman as the aldermanic representatives to the Capital Projects Committee.

No other nominations were made, and on motion of Alderman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderpersons DePino and Sandman.

Said unanimous ballot was so cast and the following resolution adopted and Alderpersons Arlene DePino and Mordechai Sandman were declared by the President elected, *viva voce*, as the Aldermanic Representatives to the Capital Projects Committee:

“Resolved, that Arlene DePino and Mordechai Sandman be and they are hereby declared elected as aldermanic representatives to the Capital Projects Committee of the City of New Haven for the ensuing year of 2009 and until their successors are duly elected and have qualified.”

MEMBER OF THE CITY PLAN COMMISSION (ONE YEAR TERM).

President Goldfield moved that nominations be opened for the election of an Aldermanic Representative to the City Plan Commission, which motion was duly seconded:

Alderwoman Jones nominated Alderman Roland Lemar as the aldermanic representative to the City Plan Commission.

No other nominations were made, and on motion of Alderwoman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderman Lemar.

Said unanimous ballot was so cast and the following resolution adopted and Alderman Lemar was declared by the President elected, *viva voce*, as the Aldermanic Representative to the City Plan Commission:

“RESOLVED, that Roland Lemar be and he is hereby declared elected as aldermanic representative to the City Plan Commission of the City of New Haven for the ensuing year of 2009 and until a successor is duly elected and has qualified.”

MEMBER OF THE CULTURAL AFFAIRS COMMISSION (ONE YEAR TERM).

President Goldfield moved that nominations be opened for the election of an Aldermanic Representative to the Cultural Affairs Commission, which motion was duly seconded:

Alderwoman Jones nominated Alderwoman Frances T. Clark as the aldermanic representative to the Cultural Affairs Commission.

No other nominations were made, and on motion of Alderwoman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderwoman Clark.

Said unanimous ballot was so cast and the following resolution adopted and Alderwoman Frances T. Clark was declared by the President elected, *viva voce*, as the Aldermanic Representative to the Cultural Affairs Commission:

“RESOLVED, that Frances T. Clark be and she is hereby declared elected as aldermanic representative to the Cultural Affairs Commission of the City of New Haven for the ensuing year of 2009 and until a successor is duly elected and has qualified.”

MEMBER OF THE DEVELOPMENT COMMISSION (ONE YEAR TERM).

President Goldfield moved that nominations be opened for the election of an Aldermanic Representative to the Development Commission, which motion was duly seconded:

Alderman Jones nominated Alderman Frances T. Clark as the aldermanic representative to the Development Commission.

No other nominations were made, and on motion of Alderman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderman Clark.

Said unanimous ballot was so cast and the following resolution adopted and Alderman Frances T. Clark was declared by the President elected, viva voce, as the Aldermanic Representative to the Development Commission:

“RESOLVED, that Frances T. Clark be and she is hereby declared elected as aldermanic representative to the Development Commission of the City of New Haven for the ensuing year of 2009 and until a successor is duly elected and has qualified.”

MEMBERS OF THE PARKS COMMISSION (ONE YEAR TERM).

President Goldfield moved that nominations be opened for election of Aldermanic Representatives to the Parks Commission, which motion was duly seconded:

Alderman Jones nominated Aldermen Migdalia Castro and Arlene DePino as aldermanic representatives to the Parks Commission.

No other nominations were made, and on motion of Alderman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Aldermen Castro and DePino.

Said unanimous ballot was so cast and the following resolution adopted and Aldermen Migdalia Castro and Arlene DePino were declared by the President elected, viva voce, as the Aldermanic Representatives to the Parks Commission:

“RESOLVED, that Migdalia Castro and Arlene DePino be and they are hereby declared elected as aldermanic representatives to the Parks Commission of the City of New Haven for the ensuing year of 2009 and until their successors are duly elected and have qualified.”

MEMBERS OF THE REDEVELOPMENT AGENCY ADVISORY COUNCIL (ONE YEAR TERM).

President Goldfield moved that nominations be opened for election of Aldermanic Representatives to the Redevelopment Agency Advisory Council, which motion was duly seconded:

Alderman Jones nominated Alderman Katrina D. Jones and Alderman Allen P. Brison as aldermanic representatives to the Redevelopment Agency Advisory Council.

No other nominations were made, and on motion of Alderman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderman Jones and Alderman Brison.

Said unanimous ballot was so cast and the following resolution adopted and Alderwoman Katrina D. Jones and Alderman Allan P. Brison were declared by the President elected, viva voce, as the Aldermanic Representatives to the Redevelopment Agency Advisory Council:

“RESOLVED, that Katrina D. Jones and Allan P. Brison be and they are hereby declared elected as aldermanic representatives to the Redevelopment Agency Advisory Council of the City of New Haven for the ensuing year of 2009 and until their successors are duly elected and have qualified.”

MEMBER OF THE GREATER NEW HAVEN WATER POLLUTION CONTROL AUTHORITY (ONE YEAR TERM).

President Goldfield moved that nominations be opened for the election of an Aldermanic Representative to the Greater New Haven Water Pollution Control Authority, which motion was duly seconded:

Alderwoman Jones nominated Alderman Alphonse Paolillo, Jr. as the aldermanic representative to the Greater New Haven Water Pollution Control Authority.

No other nominations were made, and on motion of Alderwoman Jones, duly seconded, it was voted that nominations be closed and that a unanimous ballot be cast for Alderman Paolillo.

Said unanimous ballot was so cast and the following resolution adopted and Alderman Alphonse Paolillo, Jr. was declared by the President elected, viva voce, as the Aldermanic Representative to the Greater New Haven Water Pollution Control Authority:

“RESOLVED, that Alphonse Paolillo, Jr. be and he is hereby declared elected as aldermanic representative to the Greater New Haven Water Pollution Control Authority for the ensuing year of 2009 and until his successor is duly elected and has qualified.”

IMMEDIATE CONSIDERATION

The following were read for the first time and unanimous consent for immediate action thereon having been granted, it was voted, viva voce, on motion of Alderwoman Jones, duly seconded, that they be accepted and the matter to which they refer be approved, and it was so declared by the Chair:

From the City Engineer, order reauthorizing the Mayor to execute the first supplemental agreement with the state for rehabilitation of Whitney Avenue from Canner to Trumbull Streets and Derby Avenue from Chapel Street to the Boulevard.

(ORDER PASSED)

January 5, 2009

The Honorable Carl Goldfield, President
New Haven Board of Aldermen
165 Church Street
New Haven, CT 06510

Re: Reauthorization of Grant Agreement for Pavement Rehabilitation of Whitney
and Derby Avenue

Dear President Goldfield:

Previously the Board of Aldermen approved a grant agreement with the State of Connecticut Department of Transportation for the repaving of Whitney and Derby Avenues and authorized the Mayor to execute the agreement including any amendments. While we had forwarded the First Supplemental Agreement to the State which increased the grant and modified the scope of work, the Department of Transportation has requested that the Mayor be reauthorized consistent with their policy to have agreement authorization applicable within a year of the signed agreement.

Attached is the original Authorization which took place in April of 2006 and a copy of the First Supplemental Agreement. Since this is a matter previously approved by the Board I am requesting a Unanimous Consent reauthorizing the Mayor to execute the First Supplemental Agreement.

Sincerely,

Richard H. Miller, P.E., L.S.
City Engineer

ORDER OF THE NEW HAVEN BOARD OF ALDERMEN AUTHORIZING MAYOR JOHN DESTEFANO, JR. TO EXECUTE THE FIRST SUPPLEMENTAL AGREEMENT WITH THE STATE OF CONNECTICUT TO THE ORIGINAL AGREEMENT DATED AUGUST 30 2006 FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF WHITNEY AND DERBY AVENUES UTILIZING FEDERAL FUNDS UNDER THE URBAN COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM

WHEREAS, Funds are available utilizing Surface Transportation Program (STP) funding for road rehabilitation work, and

WHEREAS, Whitney Avenue from Trumbull Street to Canner Street; and Derby Avenue from Chapel Street to Ella T. Grasso Boulevard are minor arterials and eligible for this funding, and

WHEREAS, The work will improve the road surfaces of these roadways, and

WHEREAS, The design has been completed, and

WHEREAS, The estimated cost is \$1,394,200 of which the Federal agencies will provide 80% funding and the Local share 20%, and

WHEREAS, the City has set aside its share of the funds for this work including non eligible work for sidewalks and curbing, and

WHEREAS, This matter had been previously approved by the board, and

WHEREAS, the State of Connecticut requires a new resolution authorizing the additional grant and it being within one year of the project taking place.

NOW, THEREFORE, BE IT ORDERED That the Board of Aldermen authorizes Mayor John DeStefano, Jr. to execute the First Supplemental Agreement and any amendments to the Original Agreement dated August 30 2006 for the construction, inspection and maintenance of Whitney and Derby Avenues utilizing Federal Funds under the Urban component of the Surface Transportation Program for the pavement rehabilitation work on Whitney and Derby Avenues.

REFERRED TO COMMITTEE

The following were read for the first time, ordered printed in the Journal, and referred to the Committee as indicated for public hearing and report:

CITY SERVICES AND ENVIRONMENTAL POLICY:

From the Director of Transportation, Traffic & Parking submitting a resolution authorizing a second supplemental agreement to the original agreement dated January 23, 1998 and the first supplemental agreement dated July 6, 1999 between the State of Connecticut and the City of New Haven that will provide additional surface transportation funds for the development of contract plans, specifications, and estimates for a computerized traffic signal system and hardware upgrades at 84 intersections within the city.

(REFERRED CONCURRENTLY TO CITY PLAN COMMISSION AND TRANSPORTATION, TRAFFIC AND PARKING)

December 1, 2008

The Honorable Carl Goldfield
President Board of Aldermen
165 Church Street
New Haven, CT 06510

RE: State Project No. : 92-488
Second Supplemental Agreement

President Goldfield:

At the request of the State of Connecticut, I submit for your consideration a Resolution for a Second Supplemental Agreement that will provide additional Surface Transportation (STP) Funds (\$95,000.00) for services during construction at 84 intersections which includes, consultation advice and visits to worksites, design services as may be required, and review and approval of all shop details and construction drawings.

The original Agreement 92-488 between the State of Connecticut and the City of New Haven for the development of contract plans, specifications, and estimates for computerized traffic signal system expansion and hardware upgrade at various locations within the City of New Haven was dated January 3, 1998 and a First Supplemental Agreement was dated July 6, 1999.

Respectfully your,

Michael Piscitelli, AICP
Director

FINANCE:

From the Mayor submitting the required budgetary and financial reports for the month of November 2008 in compliance with Section #62 of the Charter.

December 28, 2008

The Honorable Board of Aldermen
City of New Haven
165 Church Street
New Haven, CT 06510

Dear Honorable Board:

In compliance with Section #62 of the Charter of the City of New Haven, please find attached the required budgetary and financial reports for the month of November 2008.

As required by City Charter, the report shall be filed in the Office of the City Clerk, where it shall be available for public inspection. Copies will also be made available to members of the Financial Review and Audit Commission.

Very truly yours,

John DeStefano, Jr.
Mayor

From the Director of Parks, Recreation and Trees submitting an order approving a four-year lease agreement from March 1, 2009 through March 30, 2012 between the city and E-Z-Go Textron for the lease of 75 gas powered golf carts for use at the Alling Memorial Golf Course.

January 5, 2009

The Honorable Carl Goldfield, President
New Haven Board of Aldermen
165 Church Street
New Haven, CT 06510

Dear President Perez,

On behalf of the Department of Parks, Recreation & Trees I hereby respectfully submit for your honorable board's approval a four year lease agreement by and between the City of New Haven and E-Z-GO Textron for the lease of 75 gas

powered golf carts. In November of 2008, the Bureau of Purchases issued an invitation to bid on 75 golf carts for use at the Alling Memorial Golf Course. Two bids were submitted with E-Z-GO Textron submitting the lowest price.

Gas powered golf carts at the Alling Memorial Golf Course generated \$249,000 in revenues for the calendar year 2008. This is an increase of \$15,000 from last year, when carts generated \$234,000 in revenues for the enterprise fund.

The attached agreement is a four-year contract with no options. The agreement commences on March 1, 2009 and extends thru March 30, 2012 and includes all costs associated with operating the carts except for fuel which is paid by the operator. The total amount of the four year agreement is \$242,019.32.

Thank you in advance for your attention to this matter. Should you have any questions, please do not hesitate to ask.

Sincerely,

Robert D. Levine

From the Corporation Counsel submitting an order approving amendment No. 2 of an existing legal service agreement with Del Sole & Del Sole, LLP to increase the maximum compensation from \$99,000 to \$122,500 through FY2008-09.

December 17, 2008

Alderman Yusuf I. Shah
Chair-Finance Committee
23rd Ward
Legislative Services-Board of Aldermen
165 Church Street
New Haven, CT 06510

RE: Amendment No. 2 to Legal Services Agreement with Del Sole & Del Sole, LLP

Dear Honorable Alderperson:

Attached please find a copy of the package that will be submitted under the January 5, 2009 meeting of the Board of Aldermen. Any assistance you may offer concerning this matter would be greatly appreciated.

I shall be glad to answer any questions or to provide you with any other information concerning this Amendment. I thank you and hope for your favorable consideration.

Very truly yours,

John R. Ward

From the Executive Director, Tweed New Haven Airport Authority, submitting an ordinance amendment to appropriating ordinance #1, an ordinance making appropriations for operating departments of the City of New haven, FY2008-09, in

order to provide \$160,000 in supplemental operating support to the Tweed New Haven Airport Authority.

December 30, 2008

The Honorable Carl Goldfield
President
New Haven Board of Aldermen
165 Church Street
New Haven, CT 06510

RE: Proposed Order and Amendment to Appropriating Ordinance #1, An Ordinance Making Appropriations for Operating Departments of the City of New Haven, FY 2008 - 2009 in order to provide \$160,000 in supplemental operating support to the Tweed New Haven Airport Authority (701 - 56000).

Dear Alderman Goldfield:

On behalf of the Tweed New Haven Airport Authority, I am writing to request \$160,000 in supplemental operating support. If approved, the additional funding, coupled with a companion request to the Regional Leadership Council, will be used to cover the projected gap in revenue which is needed in this fiscal year for general operating expenses.

As discussed at the Finance Committee meeting of September 10, Tweed started the fiscal year with a budget of \$2.7 million and a projected operating deficit of \$750,000. The Authority's poor fiscal condition is due in large part to construction-related service disruptions and legal fees associated with two federally-mandated Runway Safety Area (RSA) improvement projects. In response, the Authority's Finance and Audit Committee identified and implemented a number of budget cuts and fee increases. Taken together, these actions narrowed the budget deficit and extended the positive cash flow projection to March, 2009.

Even in challenging times for the airline industry, Tweed continues to move forward. As airlines are planning for service improvements, Tweed is positioning its facility to attract more flights and passenger enplanements.

The south RSA is being completed. The north side RSA will begin soon thereafter. Unfortunately, the Town of East Haven continues to litigate or otherwise challenge the Airport in general. Thus far, Tweed has succeeded in various courts of law. We remain fully committed to our mission and will continue to provide high quality commercial air service in a responsible manner.

To that end, the attached "Time is Now" program includes noise attenuation systems, traffic calming, homestead tax credits and other community benefits. The program recently was endorsed by the South Central Regional Council of Governments and continues to gain support from residents, business and government leaders.

Respectful of the many budget pressures facing the City, I sincerely appreciate your time and consideration of this urgent matter. I truly believe Tweed is a sound public investment, which will enhance the region's economic position for many years to come.

If you have any questions, please do not hesitate to call me direct at (203) 466-8833 ext. 110.

Sincerely,

Tim Larson
Executive Director

HUMAN SERVICES:

From the New Haven Peace Commission submitting a resolution endorsing the "Trees of Peace" initiative and encouraging the City of New Haven to commemorate September 21st annually as the International Day of Peace. (REFERRED CONCURRENTLY TO CITY PLAN COMMISSION AND THE PARKS DEPARTMENT)

December 12, 2008

Honorable Alderman Carl Goldfield
President, Board of Aldermen
City Of New Haven
165 Church Street
New Haven, Connecticut 06510

Dear Alderman Goldfield:

The City of New Haven Peace Commission wishes to present this Resolution to the Board of Aldermen for consideration. It was unanimously passed by the Peace Commission at its November 19th meeting. We will join cities throughout the world, on International Day of Peace on September 21st, expressing the deep desire of the residents of New Haven for global peace.

A similar Resolution was passed unanimously by the Cambridge, Massachusetts City Council on the same issue.

May we thank you in advance for your support.

Yours in Peace,

Alfred L. Marder, Chairman

TAX ABATEMENT:

From Mable Clemmons submitting a petition for abatement (deferral of collection) of taxes due on her residence known as 118 Edwards Street, Grand Lists of 2006 and 2007.

December 17, 2008

To: Board of Aldermen
From: Donald Hayden, Tax Abatement Committee Staff

Mable Clemmons has submitted a petition to the Board of Aldermen for abatement (deferral of collection) of taxes due on her residence known as 118 Edwards Street, Grand Lists of 2006 and 2007.

READ, PRINT, AND FILE

The following were read for the first time, ordered printed in the Journal and filed in the Office of the City Clerk:

From the Executive Director, City Plan Department, submitting the following reports: No. 1423-11, re: Grand Avenue Special Services District; No. 1423-12, re: residential parking for Daggett Street; No. 1423-13, re: 221 Whitney Avenue; No. 1423-14, re: Orange Street MDP; No. 1423-15, re: Smoke Free Zone at YNHH; and 1423-16, re: monument for the New Haven Green.

December 18, 2008

Board of Aldermen
165 Church Street
New Haven, CT 06510

Honorable Board:

In accordance with our customary procedure, the attached reports on matters referred by your Honorable Board, adopted at the City Plan Commission's meeting of December 17, 2008, are forwarded for your consideration:

RE: GRAND AVENUE SPECIAL SERVICES DISTRICT, Ordinance Amendment adding a new Chapter 37 establishing a new Special Services District (Alders Sturgis-Pascale, J. Rodriguez and Castro).
REPORT: 1423-11
ADVICE: Approval

RE: DAGGETT STREET between Congress and Washington Avenues, Authorization to Post for Residential Parking (Alderwoman Jacqueline James).
REPORT: 1423-12
ADVICE: Approval

RE: 221 WHITNEY AVENUE, Revocable License Agreement to Install Underground Utility Lines under Whitney Avenue (Yale University).
REPORT: 1423-13
ADVICE: Approval

RE: ORANGE STREET MUNICIPAL DEVELOPMENT PLAN, Amendment #2 extending expiration date to February 25, 2014 (Economic Development Administrator).
REPORT: 1423-14
ADVICE: Approval

RE: SMOKE FREE ZONE around Yale New Haven Hospital, Authorization to Designate Certain City Sidewalks as a Smoke Free Boundary (Yale New Haven

Hospital).
REPORT: 1423-15
ADVICE: Approval with Condition

RE: NEW HAVEN GREEN, Authorization to Create Monument honoring Youth
who have Died by Gun Violence in the City (Alderman Shah).
REPORT: 1423-16
ADVICE: Suggest alternate memorials

Respectfully submitted,

Karyn M. Gilvarg AIA
Executive Director

FIRST READINGS

City Services and Environmental Policy. Favorable. Order from Alderwoman
James establishing a residential parking zone on the odd side of Daggett Street,
from Congress to Washington Avenues.

WHEREAS: While there is presently a Residential Parking Zone (RPZ) on the even
side of Daggett St. from Congress Ave. to Washington Ave., there is a two-hour
parking limit on the odd side of this stretch of Daggett Street; and

WHEREAS: there is an urgent need to expand the RPZ to include the odd side, as
there is a serious shortage of on-street parking for the residents who live in
Daggett's many multi-family homes, as many residences do not have driveways;
and

WHEREAS: this is a very densely populated residential neighborhood, and the
little on-street parking that is available tends to be taken up by those at Yale
University, Yale-New Haven Hospital or the Wilson Library; and

WHEREAS: expanding the present RPZ to include the odd side of Daggett, from
Congress Ave. to Washington Ave., would greatly assist the many families on
Daggett dependent on access to on-street parking; and

WHEREAS: the majority of residents of this block have petitioned the Board to
create a Residential Parking Zone to ensure that these very limited parking
spaces will be available for area residents.

NOW, THEREFORE, BE IT ORDERED by the New Haven Board of Aldermen that a
Residential Parking Zone be and hereby is established on the odd side of Daggett
St., from Congress Ave. to Washington Ave., and the Department of Traffic and
Parking is directed to process the appropriate documents for submission to the
New Haven Traffic Authority.

City Services and Environmental Policy. Favorable. Order approving the request
of Yale University for revocable license to install underground utility lines at 221
Whitney Avenue.

WHEREAS: Yale University has petitioned the New Haven Board of Aldermen for a revocable license to install underground PVC telecommunication conduits, PVC electrical conduits and a high pressure fire water pipe beneath Whitney Avenue in connection with the University's renovation of buildings and improvements located at 221 Whitney Avenue.

WHEREAS: Such license will enable Yale University to install, replace, construct, operate, maintain, inspect, alter, remove and repair PVC telecommunications conduits, PVC electrical conduits, a high pressure fire water pipe, manholes, and all appurtenances, equipment, or facilities useful or convenient in connection therewith or incidental thereto (collectively, "Utility Improvements") for service to its various properties as follows in the following locations:

Whitney Avenue Crossing

Four (4) telecommunications conduits, each four inches (4") in diameter;

Eight (8) PVC electrical conduits, each five inches (5") in diameter; and

One (1) high pressure fire water pipe, eight inches (8") in diameter;

These lines shall be (a) buried in a trench which shall be approximately eighteen feet (18') wide and at least eight feet (8') deep, the centerline of which trench shall be located in Whitney Avenue approximately four hundred sixty-five feet (465') north of the centerline intersection of Sachem Street and Whitney Avenue, or (b) contained within underground structural pipe(s) installed in the aforementioned location by directional drilling or boring. These lines shall run from the basement of the Kline Geology Laboratory for the high pressure fire water pipe and, with respect to the remaining lines, from an electrical vault fronting the Peabody Museum to provide service to 221 Whitney Avenue, as shown a drawing entitled "WHIT 221 UTILITIES ENABLING PROJECT #08100201 - SITE UTILITY PLAN DATE 11-19-08 SCALE 1"=40' JOB NO. 21-08-161" prepared for Yale University by BVH Integrated Services, Inc., which drawing is attached hereto and made a part hereof as Exhibit A ("Drawing").

WHEREAS: Yale University is the owner of the properties adjoining the aforementioned improvements and construction.

NOW, THEREFORE, BE IT ORDERED by the New Haven Board of Aldermen that the request of Yale University for a license to install underground PVC telecommunications conduits, PVC electrical conduits, and a high pressure fire water pipe and appurtenances beneath Whitney Avenue be approved according to the Drawing described above and in accordance with the recommendation of the City Plan Commission as stated in Report No. 1423-13 which report is incorporated herein by reference. Said license is granted subject to the condition that such lines and improvements and all appurtenances thereto shall be constructed, located, installed, maintained and repaired to the satisfaction of the City Engineer, Building Inspector, Director of Public Works, Director of Traffic and Parking and the Fire Marshall, and according to relevant codes, ordinances and regulations as established from time to time.

BE IT FURTHER ORDERED that, in consideration for this license, Yale University, its successors and assigns shall hold the City of New Haven harmless from any

and all loss, cost and damages of any nature whatsoever which may result of the design, installation, maintenance or repair of said service lines. Yale University shall furnish the City of New Haven with a satisfactory public liability insurance policy specifically protecting the City of New Haven against loss, cost and damages, in an aggregate limit of no less than \$5,000,000, which amount the City may reasonably increase from time to time to the amount customarily required by other Connecticut municipalities under similar circumstances. The original of said policy shall be placed in the possession of the City/Town Clerk before the building permit for such work is issued; and said policy shall be maintained in full force by the University, its successors and assigns, as long as said underground service lines are maintained at said locations.

BE IT FURTHER ORDERED that construction work on this project shall be done only between the hours of 8:00 p.m. and 6:00 a.m.

City Services and Environmental Policy. Favorable. Order from the Purchasing Agent, on behalf of LCI, approving the request for an emergency procurement in the amount of \$21,500 for the emergency demolition of 95 Downing Street.

WHEREAS, Due to the fire on October 9, 2008 and danger to the public safety and welfare, the aforementioned building was ordered to be immediately demolished on October 20, 2008 under Sections 120.1 and 119.1 of the State of Connecticut Building Code and City Ordinance 9-28.1.

WHEREAS, The only immediate response at that time was Industrial Wrecking Buildings, Inc. 70 Bridgeport, CT 06606

WHEREAS, The City of New Haven will place a lien on the above-referenced property in accordance with Section 49-73b of the Connecticut General Statutes and such further relief as allowed by law to recover said costs.

WHEREAS, funds are available for the work under CDBG 29251028-58697.

NOW, THEREFORE, BE IT ORDERED by the New Haven Board of Aldermen that the request of the Purchasing Agent on behalf of the Livable City Initiative for an emergency procurement in the amount of \$21,500.00 for Emergency Demolition of 95 Downing St is now **HEREBY APPROVED**.

City Services and Environmental Policy. Favorable. Order from the Purchasing Agent on behalf of the Engineering Department for an emergency procurement in the amount of \$61,002.66 for intersection and road repairs at Wintergreen and Farnham Avenues.

WHEREAS, the intersection of Farnham Avenue and Wintergreen Avenue is a significant pedestrian crossing for Handicap and students presently attending Southern Connecticut State University, and

WHEREAS, As part of a signalization project being installed by the State at the intersection of Farnham Avenue and Wintergreen Avenue required new handicap ramps, and

WHEREAS, the nature of the intersection ponded water at the pedestrian

crossing, and

WHEREAS, the drainage and the grade of the road did not adequately move the water from the intersection thus leaving a high potential for icing conditions and accidents, and

WHEREAS, the solution to the problem involved installing drainage and road grading to mitigate the hazard before the winter season, and

WHEREAS, it was determined that it was in the best interest of the City of New Haven to correct the situation as quickly as possible to avoid injury to the general public, using the State Contracted Construction Company, Laydon. Industries, LLC.

NOW, THEREFORE, BE IT ORDERED by the New Haven Board of Alderman that the request of the Purchasing Agent on behalf of the Engineering Department, for the repairs of the road and intersections of Wintergreen and Farnham Avenues, be and they are hereby approved.

City Services and Environmental Policy. Favorable. Ordinance amendment to the ordinance enacted on November 6, 2008 regulating the registration of foreclosing/foreclosed residential properties.

WHEREAS: Recent events in the housing market have led to a rise in the number of mortgage foreclosures of residential properties in our city, as well as across this nation, with homes left empty as families are forced to move out; and

WHEREAS: these residential properties are often taken over by large out-of-town or out-of-state entities that have little to no connection with the welfare of the City of New Haven; and

WHEREAS: these out-of-town or out-of-state entities often neglect their properties, leaving them empty for months or years at a time, creating a serious blighting influence and public nuisance; and

WHEREAS: our inspectors, neighborhood specialists and other City officials have found themselves bogged down trying to determine who is responsible for the properties and how to contact the responsible party to correct any code violations, nuisance or blight conditions; and

WHEREAS: our inspectors, neighborhood specialists and other City officials need to be given an easy methodology for determining who has current title to a property or who is responsible for maintenance of the property in order for the City to efficiently and quickly notify of code violations, nuisance or blight conditions and, when appropriate, levy fines.

WHEREAS, this Amendment is intended to be in conjunction with or to complement the Residential Licensing Program and enhance the program's effectiveness.

NOW, THEREFORE, BE IT ORDAINED that the New Haven Code of Ordinances is amended as follows:

1. **ARTICLE XV. Heading "CONTACT INFORMATION REQUIREMENTS FOR RENTAL PROPERTY OWNERS"**, and every instance wherein the heading of the Article referenced in the City of New Haven Ordinance appears in text or is referenced therein, is hereby revised to read as follows:

CONTACT INFORMATION REQUIREMENTS FOR RENTAL PROPERTY INCLUDING THE REGISTRATION OF FORECLOSING/FORECLOSED RESIDENTIAL PROPERTIES

2. **AMEND SECTION 17-111. "DEFINITIONS" TO INCLUDE THE FOLLOWING:**

Abandoned property means any real property which has been relinquished with the intention of not reclaiming or reassuming its ownership, occupancy or enjoyment.

Caretaker means any individual who has agreed to be responsible for performing maintenance and upkeep of real property, whether compensated or not.

City means City of New Haven.

Days means consecutive calendar days.

Director means the Executive Director of the City's Livable City Initiative.

Foreclosing or Foreclosure Process means the legal process of mortgage foreclosure initiated by an entity holding security against the property for unpaid debt, by which the entity is proposing to take the property in lieu of the debt due to borrower default ("Strict foreclosure"), or the entity is proposing a sale of the property to pay the debt due to borrower default ("Foreclosure by sale"). **Note:** The foreclosure of judgment liens, tax liens and condominium liens is not included within the scope of this ordinance

Foreclosing Entity means the creditor, who files the action in Superior Court as Plaintiff and has the right to foreclose real property in lieu of unpaid mortgage debt.

Implementation means that the provisions of this section are effective immediately upon passage and all provisions shall be enforced immediately, but no monetary fine shall be imposed pursuant hereto until ninety (90) days after passage.

Initiation of the foreclosure process (including "Foreclosing Entity who has initiated the Foreclosure Process") means a filing of lis pendens on the real property.

Local means within fifty (50) driving miles distance of the real property in question.

Non-Occupant Owner means every person, entity, or company, who alone or severally with others, for any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park, has become the Owner by way of purchasing at a foreclosure by sale, or is a Foreclosing Entity who has become the Property Owner by way of strict foreclosure.

Property means any real property, or portion thereof, located in the City of New Haven, including buildings or structures situated on the property.

Property Management Company means any business retained to care and maintain real property.

Property Owner means any person or entity which holds title to a Property.

Residential Property means any property that contains one or more dwelling units used, intended, or designed to be occupied by a person or persons for living purposes.

Securing means measures that assist in making the property inaccessible to unauthorized persons.

Standing Order means a sign issued by and through the New Haven Police Department that is signed by the owner which allows the police to take notice and arrest any trespassers.

3. ADD NEW SECTION 17-____: REGISTRATION BY FORECLOSING ENTITY

Any Foreclosing Entity who has initiated the Foreclosure Process on any Residential Property must register each property with the Director, or his designee, on forms provided by the Director, or his designee, along with the registration fee detailed below. This registration must be received by the Director, or his designee, within seven (7) days after the Foreclosing Entity's Initiation of the Foreclosure Process as defined in Section 17-111 "Definitions". All such registrations must: (a) state the individual Foreclosing Entity's or agent's current phone number and mailing address located within the State of Connecticut, with said mailing address not being a P.O. Box, and, (b) certify that the Property was inspected and identify whether the Property is abandoned, and, (c) if abandoned, designate a Local Caretaker or Local Property Management Company responsible for the security and maintenance of the Property, stating the individual or company's name, phone number, and local mailing address. Such mailing address shall not be a P.O. Box.

The Registration Fee to be paid by a Foreclosing Entity, for each Residential Property for which it has undertaken the Initiation of the Foreclosure Process, shall be one-hundred dollars and no cents (\$100.00).

4. Add New Section 17-____: REGISTRATION UPDATE REQUIREMENT

A Foreclosing Entity shall be responsible to provide written notification to the Director, or his designee, within seven (7) days from the date of any change of Caretaker or Property Management Company, any change in the name, current telephone or address of the Property Owner or agent, or any change in the ownership of the Property (whether the Foreclosing Entity or any third party becomes the Property Owner) or if the Foreclosing Entity sells or otherwise assigns its debt prior to foreclosure or redemption.

No fee for updating information shall be charged

All other rules, regulations and ordinances will be in effect, and will be subject to

any and all fines, fees and penalties, including, but not limited to, those stated in Article II of the New Haven Code of Ordinance - Livable City Initiative. Further, adherence to this section does not relieve the Property Owner of any applicable obligations set forth in any Covenant Conditions and Restrictions and/or Home Owners Association rules and regulations.

In the event the Property is or becomes vacant the Foreclosing Entity must post a "Standing Order" on the Property.

5. AMEND SECTION 17-112 AND EVERY INSTANCE WHEREIN THE SECTION OF THE ARTICLE REFERENCED IN THE CITY OF NEW HAVEN ORDINANCE APPEARS IN TEXT OR IS REFERENCED THEREIN, IS HEREBY REVISED TO READ AS FOLLOWS:

Section 17-112. Non-Occupant Owner of Residential Property, when ownership is by purchase at a foreclosure by sale (Committee Deed) or when Foreclosing Entity has become the Owner due to judgment of strict foreclosure.

All Non Occupant Owners of record, when ownership is by foreclosure by sale or when the Foreclosing Entity has become the Owner due to judgment of strict foreclosure, must register each such Residential Property with the Director, or his designee, on forms provided by the Director, or his designee, along with the below mentioned registration fee within seven (7) days of acquiring ownership. All such registrations must: (a) state the individual owner's or agent's current phone number and mailing address located within the State of Connecticut, with said mailing address not being a P.O. Box, and, (b) certify that the Property was inspected and identify whether the Property is vacant, and, (c) if vacant, designate a Local Caretaker or Local Property Management Company responsible for the security and maintenance of the Property, stating the individual or company's name, phone number, and local mailing address, with such mailing address not being a P.O. Box.

The fee and registration shall be valid for one calendar year from the time the registration is filed. Subsequent registrations and fees are due annually thereafter. Regardless of when a registration is to be renewed, a Non-Occupant Owner shall update said registration form within seven (7) days from the date of any change of Caretaker or Property Management Company, any change in name, current telephone number or address of the Property Owner or agent, or any change in the ownership of the Property.

The registration fee to be paid by a Non-Occupant Owner shall be one-hundred dollars and no cents (\$100.00), which fee shall be credited to any subsequent fee payable by the Non-Occupant Owner if in fact the Non-Occupant Owner obtains a license pursuant to Article XIV Residential Rental Licenses within seven (7) days of Ownership.

Should the Non-Occupant Owner sell the Property, the Non-Occupant Owner must provide proof of sale to the Director, or his designee. Should a vacant Property become occupied, the owner must provide a written notice of occupancy with the Director, or his designee.

All other rules, regulations and ordinances will be in effect, and will be subject to any and all fines, fees and penalties, including, but not limited to, those stated in Article II of the New Haven Code of Ordinance - Livable City Initiative. Further,

adherence to this section does not relieve the Property Owner of any applicable obligations set forth in any Covenant Conditions and Restrictions and/or Home Owners Association rules and regulations.

6. ADD NEW SECTION 17-____: MAINTENANCE REQUIREMENTS.

Properties subject to this section must be maintained in accordance with all applicable Sanitary Codes, Building Codes, Housing Codes, Anti-Blight Ordinance and all local regulations and will be subject to any and all fines, fees and penalties therein, including, but not limited to, those stated in Article II of the New Haven Code of Ordinance - Livable City Initiative. Further, adherence to this section does not relieve the Property Owner of any compliance with applicable obligations set forth in any Covenant Conditions and Restrictions and/or Home Owners Association rules and regulations.

7. ADD NEW SECTION 17- ENFORCEMENT AND PENALTIES.

Failure to initially register with the Director, or his designee, is punishable by a fine of Two Hundred and Fifty Dollars and no cents (\$250.00), per day after the registration deadline.

If applicable, failure to properly post the Standing Order is punishable by a fine of Two Hundred and Fifty Dollars and no cents (\$250.00) per day the violation continues.

Violations of this Article XV shall be enforced in accordance with Section 17-84 of the City of New Haven Code of Ordinances.

8. ADD NEW SECTION 17- : HEARING/APPEAL.

Any person aggrieved by the requirements of this section, including any registration requirement herein, or by a decision issued by the Director, or his designee, under this section, may request a hearing in accordance with Section 17-85 and 17-86 of the Residential Licensing Ordinance. Any person may appeal any finding of fact or fine as allowed by the laws of the State of Connecticut, including by appeal to any court of competent jurisdiction.

Except as above amended, the New Haven Code of Ordinances shall remain in full force and effect.

Human Services. Favorable. Resolution from the Community Services Administrator authorizing submission of a new funding application to the Tides Foundation Syringe Access Fund in the amount of \$35,000 for the period January 1, 2009 through December 31, 2009 in order to provide services for the syringe exchange program by purchasing a new van.

WHEREAS, the City of New Department of Public Health is designated to operate a AIDS Harm Reduction in New Haven; and

WHEREAS, the Tides Foundation will consider a contract for the provision of HIV Prevention via Syringe Exchange for Individuals at High Risk for HIV/AIDS ;

WHEREAS, the Community Services Administration/Health Department has administered AIDS Harm Reduction Services; and

WHEREAS, THE City of New Haven is seeking \$35,000.00 to provide services for the Syringe Exchange for those at High Risk for HIV/AIDS by purchasing a new van.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Board of Aldermen of the City of New Haven approves the application for an agreement with the Tides Foundation Syringe Access Fund, and

2. The Board of ALDERMEN authorizes the Mayor to sign and submit the grant application in the amount of \$35,000.00 for funding year January 1, 2009 through December 31, 2009 and any amendment to the original application and/or contractual agreement.

Human Services. Favorable Order from Human Resources, Yale-New Haven Hospital, authorizing Yale-New Haven Hospital to designate city sidewalks surrounding the Hospital's campus as a smoke-free boundary.

WHEREAS: Yale New-Haven hospital has been working toward an initiative to become a smoke-free environment effective January 1, 2009.

WHEREAS: This initiative will encompass the interior and exterior of all properties and buildings owned and operated by Yale-New Haven Hospital.

WHEREAS: Yale-New Haven Hospital requests approval from the Board of Aldermen to make the city sidewalks that surround the Hospital's campus smoke-free by painting them with a thin blue line to indicate a smoke-free boundary.

WHEREAS: The attached map outlines the proposed areas.

WHEREAS: The attached pictures of Johns Hopkins Hospital campus will serve as an example of what Yale-New Haven Hospital have in mind.

WHEREAS: Yale-New Haven Hospital receives hundreds of negative comments annually from patients and visitors who suffer from a wide variety of respiratory illnesses who find it difficult to navigate their way through a cloud of smoke to access one of our many entrances.

WHEREAS: Yale-New Haven Hospital also receives complaints from parents of newborns who are often subjected to dangerous second-hand smoke.

WHEREAS: Yale-New Haven Hospital recognizes the difficulty with which its employees will contend while adhering to the hospital's smoke-free policies, the hospital will provide a variety of smoking cessation programs to help them.

WHEREAS: Yale-New Haven Hospital is taking these important measures because it cares about the health and safety of its employees, patients and families.

NOW THEREFORE, BE IT ORDERED by the Board of Alderman that Yale-New Haven Hospital is granted the authority to paint a thin blue line around it campus to indicate a smoke-free boundary.

Human Services. Leave to Withdraw. Order granting leave to withdraw to the resolution from the Community Services Administrator authorizing the application to and acceptance of \$30,000 from the federal government Internal Revenue Service to continue the New Haven Economic Security Coalition 2008 Volunteer Income Tax Assistance Program.

BE IT ORDERED that the communication titled From the Community Services Administrator submitting a resolution authorizing the application to and acceptance of \$30,000 from the federal government Internal Revenue Service to continue the New Haven Economic Security Coalition 2008 Volunteer Income Tax Assistance Program, submitted to the Board of Aldermen on October 6, 2008 and heard by the Human Services Committee on December 16, 2008, be and hereby is granted leave to withdraw.

SECOND READINGS

LEGISLATION. NO RECOMMENDATION. ZONING ORDINANCE MAP AMENDMENT CHANGING THE USE CLASSIFICATION OF THE AREA COMPRISED OF PROPERTIES LOCATED AT 308, 304, 298, 292 AND 286 FERRY STREET AND 173 EXCHANGE STREET FROM RM-2 (HIGH-MIDDLE DENSITY RESIDENTIAL) TO BA (GENERAL BUSINESS).

The favorable report of the Legislation Committee recommending passage of the proposed zoning ordinance map amendment, as printed on pages 8001-802 of the Journal of the Regular Meeting of the Board of Aldermen held on December 15, 2008, was read for the second time.

LEMAR MOTION TO AMEND.

Alderman Lemar made a motion to amend the above-referenced zoning ordinance map amendment as follows, which motion was duly seconded.

Accept and incorporate City Plan Commission Report 1421-10, recommending "Approval with elimination of 173 Exchange Street"; and amend the proposal as follows:

In the title; **ZONING ORDINANCE MAP AMENDMENT CHANGING THE USE CLASSIFICATION OF THE AREA COMPRISED OF PROPERTIES LOCATED AT 308 FERRY ST, (MBL# 166/0741/00300) In Its Entirety, 304 FERRY ST. (MBL # 166/0741/00500), 298 FERRY ST. (MBL# 166/0741/00600), 292 FERRY ST. (MBL# 166/0741/00700), 286 FERRY ST.(MBL# 166/0741/00800) AND 173 EXCHANGE ST. (MBL# 166/0741/0900)FROM RM-2 (HIGH-MIDDLE DENSITY RESIDENTIAL) TO BA (GENERAL BUSINESS), delete "and 173 Exchange St. (MBL# 166/0741/0900)" and insert and after the comma and before "286 Ferry St...."**

In the clause beginning "**NOW, THEREFORE BE IT ORDAINED...**," delete "**and 173 Exchange St. (MBL# 166/0741/0900)**" and insert and after the comma and before "**286 Ferry St...."**

Alderman Lemar: "You should have it all before you and I will clarify that. What we had on December 10th was a hearing of the Legislation Committee which, unfortunately, the original maker of the zoning ordinance was not able to attend. We decided to not forward a recommendation. The recommendation made in the City Plan Report outlined that this was a positive zone change for all of Ferry Street with the exception of this one parcel at 173 Exchange Street. The colleague from the 16th Ward was the original maker of this zone amendment. So we decided to wait for her input before proceeding with her recommendation. Having had a option to speak with her and allowing her the opportunity to speak in favor of it tonight, we decided to go ahead and accept the City Plan Report and make the amendment that 173 Exchange Street was not appropriate for a zone change. I will turn it over to her in just a second.

Our colleague from the 16th Ward proposed the changes on the designation on all of these six properties consisting of slightly less than one-half acre adjacent to an existing area of neighborhood commercial mixed-used located on the west side of Ferry Street, just south of its intersection of Grand Avenue. The proposal would change the zoning designation from high-middle density residential to general business. Currently, both sides of Grand Avenue, east and west of the intersection of Ferry Street are in a BA district while the eastside of Ferry Street from Grand Avenue to Chapel Street is in the same BA district. All of these five properties have frontage on Ferry Street. The map amendment, which would not include 173 Exchange Street, is in response to the concerns of local land and/or business owners about the lack of location opportunities for new office and commercial development in the Grand Avenue/Ferry Street area, and that the lack of parcels of specific size do not prevent meaningful development opportunities.

Our colleague from the 16th Ward believes that the addition of this commercially zoned property in the area will allow for the provision of specialized and unique commercial business services to a larger market area, thereby transforming it from a traditional neighborhood and commercial district to one with a regional draw. Our colleague also proposes a zone change as an attempt to utilize the existing Ferry Street/Grand Avenue commercial development as the base line for the creation of a dense mixed-use area that will draw commercial traffic from a larger regional market.

It is hoped that this will reinforce the sense of a central downtown serving the immediate neighborhood in a way that conventional commercial development generally does not."

Alderwoman Castro: "I rise to ask that all the colleagues support this amendment. New Haven is very vibrant and we see new businesses coming in downtown. Even though in an economy such as this, our neighborhoods are increasing in demand for more space to do business. It's good that it's growing. That shows that the people are working hard to make it better. Actually, you can see that Fair Haven is growing as we move forward changing Grand Avenue to a special district. Ferry Street is second in line. We have a brand new bridge that opened up and it's just perfect in the timing, creating an opportunity for more business and more jobs. I urge the support of the colleagues. When we're looking into expanding our neighborhoods and to creating more businesses, we see that the ones that are doing the development are not strangers coming from another state. With these changes that we're proposing today it also gives us an input with the current developer to what is going to be coming here and that it's

going to be with the community's input. The community is in complete support of it, and I urge your support. Thank you."

LEMAR MOTION TO AMEND PASSED.

Upon motion made and duly seconded, said Lemar motion to amend passed by a viva voce vote, and it was so declared by the Chair.

Alderman Lemar: "This proposed zoning map amendment is consistent with the comprehensive plan of development and is appropriate given the character of both the surrounding neighborhood and the subject properties themselves and with the need to ensure the continual viability of the existing neighborhood business district.

The committee, with the amendment as discussed, and I, feel that this approved map amendment, with the exception of 173 Exchange Street, which we eliminated, serves a substantial government interest, is in the public's interest and promotes the health, safety and general welfare of the community without unreasonable limits on land use. Therefore I recommend approval. Thank you."

REPORT ACCEPTED. ZONING ORDINANCE MAP AMENDMENT, AS AMENDED, ENACTED.

Upon motion made and duly seconded, said zoning ordinance map amendment, as amended, was put to a roll call vote, which resulted as follows:

Those voting "AYE": Plattus, Calder, Jackson-Brooks, Perez, Colon, Clark, Smart, Lemar, Brison, Lee, Antunes, Rhodeen, Sturgis-Pascale, J. Rodriguez, Castro, Paolillo, DePino, Edwards, Blango, Jones, Morehead, Shah, McCormack Silverman, S. Rodriguez, Lehtonen, Sandman, Goldfield and Edmonds-Sepulveda - 29.

Those voting "NO": 0.

Said zoning ordinance map amendment, as amended, was enacted by a majority vote of the Board of Aldermen, and it was so declared by the Chair.

PUBLIC SAFETY. LEAVE TO WITHDRAW. ORDER GRANTING LEAVE TO WITHDRAW TO THE COMMUNICATION ENTITLED "FROM THE COMMUNITY SERVICES ADMINISTRATOR SUBMITTING A RESOLUTION AUTHORIZING THE APPLICATION TO AND ACCEPTANCE OF A COMMUNITY EMERGENCY RESPONSE TEAM TRAINING GRANT FROM THE CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY IN THE AMOUNT OF \$6,000 FOR THE PERIOD AUGUST 31, 2008 THROUGH AUGUST 30, 2009."

The unfavorable report of the Public Safety Committee recommending leave to withdraw of the proposed resolution, as printed on pages 802-803 of the Regular Meeting of the Board of Aldermen held on December 15, 2008, was read for the second time and upon motion made and duly seconded, it was voted, viva voce, that said report be accepted and proposed item be given leave to withdraw, and it was so declared by the Chair.

TAX ABATEMENT. FAVORABLE.

FROM GERALDINE BOSTON SUBMITTING A PETITION FOR ABATEMENT (DEFERRAL OF COLLECTION) OF TAXES DUE FOR GRAND LISTS 2006 AND 2007 ON HER RESIDENCE KNOWN AS 44 LAWNCREST ROAD.

FROM THE TAX COLLECTOR, ORDER DE TAX REFUNDS (AUGUST 4, 2008, CSX TRANSPORTATION, INC.)

ORDER OF THE NEW HAVEN BOARD OF ALDERMEN REQUIRING THE TAX COLLECTOR OF THE CITY OF NEW HAVEN TO EMAIL NOTIFICATION THAT TAXES ARE DUE TO THE TAX PAYERS OF THE CITY OF NEW HAVEN WHO PROVIDE AN EMAIL FOR THAT PURPOSE.

The favorable reports of the Tax Abatement Committee recommending passage of the proposed orders, as printed on pages 803-804 of the Journal of the Regular Meeting of the Board of Aldermen held on December 15, 2008, were read for the second time and upon motion made and duly seconded, it was voted viva voce that said reports be accepted and proposed orders be passed, and it was so declared by the Chair.

Alderman Sandman: "With regard to the first item, Mrs. Boston appeared before the committee and submitted paperwork that showed that she is indeed eligible for a deferral to collection on her residence. I would ask that everyone support this measure.

With regard to the second item, the Litigation Settlement Committee, which is a charter committee of the City of New Haven, entered into a binding settlement agreement with the CSX Railroad with regard to the taxes collected by the City of New Haven on their property in New Haven. We had no choice but to authorize the giving back of this refund, so our hands were pretty much tied. During the committee hearing, questions were raised about the legal opinion that the settlement was based on. I, as Chair of the Committee, asked the President of the Board of Aldermen to engage outside counsel to give an opinion on this issue and whether we should, for future years, take a look once again at trying to collect taxes on this property.

With regard to the third item, I would like to thank my colleague from the 27th Ward, Alderman Lehtonen, for bringing up this fore-thinking idea of setting up an e-mail notification system for folks who opt-in only, to be informed by the Tax Collector as to when the taxes are due and when taxes are past due. This program is an opt-in program. You're not obligated to give your e-mail address. In addition, you will still get a letter by mail. That will be your official communication. Your e-mail will not be used without someone's permission in any other regard by the City of New Haven. This will not cost the City of New Haven any money to implement. This is something that we have the capacity to do at this time. In addition, the committee thought that this was such a great idea that we sent a letter to Operations asking them what else could we have folks opt into and really try to expand the program and make the website more user-friendly, acknowledging the fact that a lot of people are tied into their e-mail addresses more than they're tied into their residential addresses. I ask your support on this measure once again. Thank you."

MISCELLANEOUS REMARKS**POINT OF PERSONAL PRIVILEGE.**

Alderwoman Clark: "Just because you can't get to Washington or you can't get a ticket for the Inauguration, we're just going to make sure that everybody has an opportunity to have a lot of fun on the night of the Inauguration and really do the next best thing: be able to watch it on a big screen in the mist of all kinds great bands - a great swing band and a great salsa band - and very, very, very inexpensive, at the Omni Hotel. I brought some tickets with me and I hope that all of you will think about coming. It's going to be a lot of fun. If you want to spend a lot of money and be at The Top of the Park and have cocktails and stuff, then you can pay \$125.00. But if you want to come at 8 o'clock and have sweets and have a cash bar and then dance the night away and watch the stuff on television and enjoy yourself with all of us here in New Haven who are excited about this thing, then you only have to pay \$25.00. Now if you're in between and you want to have dinner and you want to dance, you can pay \$50.00 and get there at 6 o'clock and get dinner.

This is an idea that came from Ari Sumner, who was the hairdresser that had a shop called 'With These Hands' on Whalley Avenue. Many of you may remember him. It was his idea, and he ran around and enlisted people like me and a whole bunch of other people who were excited about it. I guess the best thing he did was to get Gwen Mills' mother, Leslie Mills, who runs Griswold Special Care, to figure out how to deal with the Omni to get these fantastic prices.

So I certainly hope that if you're not doing anything that night, that if you're not sitting at home and looking at your little screen, that you'll be down at the Omni enjoying yourself and having fun and dancing the night away."

Alderman J. Rodriguez: "Earlier today I participated with the Three Kings celebration at the Fair Haven K - 8 School where I, Lieutenant Luis Casanova of the New Haven Police Department, and the Superintendent of Schools, Dr. Mayo, were all the honorary kings. I just wanted to publicly recognize all of those who participated in today's successful event. Mr. Ramos at Fair Haven Middle School, Mary Rosario, Kim Johnson, the principal, the entire staff there, as well as the Latino Officers' Society, which is also know as 'LOS,' with our police department. They sponsored the event and donated over 100 gifts and toys to the kids of Fair Haven Middle School. So kudos to the Police Department. Thank you."

Alderwoman Castro: "Citywide, there are many of us that celebrate Three Kings Day. Tomorrow is a special day for those that do celebrate - la celebraci3n del nacimiento del ni1o Jesus - to give a blessing and hope that everybody enjoys the day."

Alderwoman Jackson-Brooks: "I just want to bring everyone's attention to the announcement on your desks from the West Haven Black Coalition inviting you to their annual Martin Luther King celebration this coming Sunday, January 11, 2009 at 4 o'clock at The First Congregational Church on the Green in West Haven. I hope to see you all there. Thank you."

President Goldfield: "After the meeting, you are all invited across the hall for our annual 'Rubber Stamp' awards, which will be presented in Meeting Room One."

ADJOURNED 7:25 p.m.

ATTEST: RON SMITH
 City Clerk