

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

165 Church Street
New Haven, CT 06510
(203) 946-6483 (phone)
(203) 946-7476 (fax)
cityofnewhaven.com

Tuesday, February 17, 2009

7:00 PM

Aldermanic Chambers

The regular meeting of the Board of Aldermen, duly warned, was held on February 17, 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 7:04 p.m.

ATTENDANCE

The members present were Alderpersons Plattus, Calder, James-Evans, Jackson-Brooks, Perez, Colon, Clark, Smart, Lemar, Brison, Lee, Antunes, Sturgis-Pascale, J. Rodriguez, Castro, Paolillo, DePino, Jones, Shah, McCormack, S. Rodriguez, Lehtonen, Sandman and Edmonds-Sepulveda - 24.

President Pro Tempore Sergio Rodriguez: "Alderman Blango was to have given the divine guidance tonight, however, Alderwoman Edmonds-Sepulveda will do it. Alderman Blango extends his apologies. He is on an extended Valentine's Day vacation with his wife."

DIVINE GUIDANCE

Divine Guidance was invoked by Alderwoman Edmonds-Sepulveda: "This is the statement Alderman Blango gave to me. 'I would like to give honor to God. From every change in life, you can learn something important. In every change that you experience in life, there will be times when you'll wonder if you can endure. But you'll learn that facing each difficulty one by one isn't so hard. It's when you don't deal with a situation that it sometimes comes back to confront you again.

Changes are sometimes very painful, but they teach us that we can endure and that we can become stronger. Everything that comes into your life has a purpose, but the outcome is in your hands. Be wise with your life. Be willing to endure, and always be willing to face life's challenges.

May God bless you and may heaven smile upon you.' Thank you.'

Alderwoman Clark: "I would like to introduce to my colleagues here and to the public Mr. Tom Sullivan who is the general manager of the Omni Hotel. It is my pleasure to present him an aldermanic citation, and I'm going to read it to you:

'The New Haven Board of Aldermen hereby offers its sincerest congratulations to The Omni New Haven Hotel at Yale in appreciation and recognition of their immediate and generous decision to provide a place of refuge to the many families who were evacuated from the Kelley House as a result of a major gas

leak that occurred on Sunday morning, January 25, 2009 on Crown Street. On a bitter cold morning, the hotel provided the people and their pets with a large assembly room as well as coffee and refreshments and allowed them to remain for the entire day until the leak was repaired. The Omni's action demonstrates the welcoming and caring community spirit that makes our city such a great place to live, work and visit. The entire membership extends its very best wishes and many, many thanks to the Omni New Haven Hotel at Yale."

Tom Sullivan: "I'd like to say thank you to the members for awarding this to us. On behalf of the Omni New Haven Hotel, I would like to accept this award. Over the last year and half that I've worked at the Omni, I have taught everyone to be a good neighbor. And based on this award here, I think we did accomplish that. So thank you very much."

APPROVAL OF JOURNAL

The Journal of the Regular Meeting held on February 2, 2009 was approved.

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 Tax Collector, Order de Tax Refunds (February 17, 2009).
(ORDER PASSED)

ORDERED by the New Haven Board of Aldermen that the tax refund applications specified hereinafter by taxpayer's name, account number, and refund amount be and hereby are approved pursuant to the Connecticut General Statutes and the certification of the Tax Collector. The Tax Collector shall draw orders upon the City Treasurer for each payee specified and, pursuant to Section 2-37 of the City Ordinances, the Controller or his designee shall surrender each payment to the payee named thereon after obtaining satisfaction of any and all debts owed to the City of New Haven by the Payee.

NAME	ACCOUNT #	AMOUNT
BARAHANA, JOSE	50116	\$86.74
CARONE, KUBERA ANN	582969	\$439.08
CHASE	21621	\$4,411.30
COUNTRYWIDE TAX SERVICES	5695	\$971.52
EDSAN CHEMICAL CO.	616818	\$85.90
FESTA ANN MARIE	672195	\$334.50
FIRST AMERICAN REAL ESTATE	672672	\$4,947.35
HONDA LEASE TRUST	619815	\$602.71
KATO, JUNYA	698157	\$94.97
KLEE, ROBERT	621234	\$166.93
MIDWAY RENT A CAR INC	LEE TEA 700214	\$209.64
MORRISON, WAYNE	700674	\$39.74
MOSE, ABRAHAM JR	717560	\$44.32
NEW ALLIANCE BANK	593706	\$1,500.00
NGUYEN, JASON	24067	\$1,000.00
CONNOR, KENROY	672392	\$387.30
REHO, JESSICA	625859	\$292.09
RUBERTE, NILDA M	626878	\$349.54
SCIROCCO, DOMINICK	7513	\$1,634.11
SMITH, BERNARD	17190	\$1,888.65
STEPHEN MITCHELL DBA MITCHELL STUDIO	420294	\$832.62
TOYOTA MOTOR CREDIT CORP	629173	\$418.52
UPS THE STORE	357065	\$2,919.70
WEISMAN LAW OFFICES TTE	2077	\$2,168.99
TOTALS		\$25,826.22

Note: Alderman Lee was absent from the Chamber at the time of the vote.

From the Community Services Administrator submitting a resolution authorizing the application to and acceptance of a FY2009-2010 continuation Ryan White HIV/AIDS Treatment Modernization Act Grant in the amount of \$389,267 from the U. S. Department of Health and Human Services' Health Resources and Services Administration for emergency healthcare services for individuals living with or affected by HIV/AIDS in New Haven and Fairfield Counties.

(RESOLUTION ADOPTED)

February 17, 2009

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

RE: APPLICATION FOR AND ACCEPTANCE OF FY 2008 PART A MINORITY AIDS INITIATIVE (MAI) NONCOMPETING CONTINUATION GRANT APPLICATION (CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER 93.914)

Dear Alderman Goldfield:

In accordance with the Order of New Haven Board of Aldermen (Board) authorizing the Mayor to apply for and accept all grants on behalf of the City of New Haven (City), passed on 17 October 1994, I write to respectfully advise the Honorable Board of an application by the New Haven Health Department's Ryan White HIV/AIDS Treatment Modernization Act of 2006 Act Office to the U.S. Department of Health and Human Services' Health Resources and Services' Administration (HRSA), Rockville MD, in the amount of \$389,267.00 The MAI application was just released on January 20th, 2009 with a grant application deadline of March 6, 2009. HRSA established the initial MAI application as a separate competitive supplement grant program specified by Congress in the HIV Treatment Modernization Act, which replaced the Ryan White CARE Act, was signed into law in December 2006. A formal Notification of Award is expected sometime in August 2009.

The City is required annually to submit a non competing continuation grant application on an annual basis to continue services. This is a continuation grant following newly implemented procedures by the Board of Aldermen and we are seeking Unanimous Consent. With these funds, the New Haven/Fairfield Counties' Transitional Grant Area (TGA) can continue providing AIDS emergency services to individuals infected and/or affected by the Human Immunodeficiency Virus (HIV) living within New Haven and Fairfield Counties (Ambulatory/Outpatient Medical Care [Primary Care]; Medical Case Management; Mental Health services, and Outpatient Substance Abuse Treatment).

The Ryan White Office, under the jurisdiction of New Haven Health Department, provides program administration. Community-based organizations and other

institutions such as hospitals that subcontract with us in the region provide direct services. The Ryan White Office and its allocation process is more fully described in the attached Executive Summary.

Should you require additional information, please do not hesitate to contact me directly.

Sincerely,

Kica Matos
Community Services Administrator

RESOLUTION OF BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN AUTHORIZING THE CITY OF NEW HAVEN TO APPLY FOR AND ACCEPT A GRANT AWARD FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES' HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA), ALLOWING THE CITY TO CONTINUE PROVIDING EMERGENCY SERVICES TO PERSONS LIVING WITH OR AFFECTED BY THE HUMAN IMMUNODEFICIENCY VIRUS (HIV)/ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) FOR FISCAL YEAR 8/1/09 TO 7/31/10.

WHEREAS, due to possible approval delays by the federal government regarding grant funding applications, retroactive agreements may be required in order to cover services for the entire current grant year.

BE IT FURTHER RESOLVED that express approval for the Mayor to enter into agreement with a start date that relates back to the commencement of the current grant year, regardless of when approval is obtained is hereby approved.

WHEREAS, the City of New Haven (hereinafter called "City") will apply for a grant from the U.S. Department of Health and Human Services' Health Resources and Services Administration (HRSA), Division of Service Systems, Rockville MD; and upon receipt of such grant, the City will accept said grant in its entirety;

WHEREAS, HRSA will agree to award the above-referenced grant to the City of New Haven in the amount of \$389,267.00 which is the Minority AIDS Initiative funding allowing the City to continue providing AIDS emergency services to individuals infected and/or affected by the Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Syndrome (AIDS) living within both New Haven and Fairfield Counties (Ambulatory/Outpatient Medical Care (Primary Care); Medical Case Management; Mental Health services and Substance Abuse services).

WHEREAS, pursuant to the terms of the grant, the City must allocate and distribute these funds expeditiously.

NOW, THEREFORE, BE IT RESOLVED by Board of Aldermen of the City of New Haven that the Mayor, on behalf of the City, is authorized to apply for and accept the grant mentioned herein from HRSA for an amount of \$389,267.00 to provide services for individuals living with and/or affected by HIV/AIDS.

Note: Alderman Shah abstained from voting on this item and Alderman Lee was absent from the Chamber at the time of the vote.

From Alderpersons S. Rodriguez, Blango, Lemar and Calder submitting a resolution supporting the formation of a permanent advisory group to help guide President Obama's proposed Office of Urban Policy's efforts to provide assistance to our nation's urban areas.

(RESOLUTION ADOPTED) (PRESENTED UNDER SUSPENSION OF SECTION 24-1-A OF THE RULES OF THE BOARD OF ALDERMEN)

February 17, 2009

Hon. Carl Goldfield
President
New Haven Board of Aldermen
165 Church Street
New Haven, CT 06510-2010

Dear President Goldfield

The Seattle City Council have asked for our support for the creation of an advisory group to the proposed Office of Urban Policy in President Obama's Administration.

Denver, Cleveland and Winston-Salem have already joined the effort of recognizing the need to directly address the needs of our cities.

To that end we offer this resolution to join the City Councils of Seattle, Denver, Cleveland and Winston-Salem in respectfully requesting that the President's Obama's proposed Office of Urban Policy create a permanent advisory group to help facilitate the ability to reach out to cities across the country.

A broad and diverse advisory group would assist efforts to identify common challenges that face our urban areas through the wealth of expertise and experience among city public officials and administrators, urban planners, academic and research professionals, and community activists working together to identify solutions for these challenges and promoting the adoption of best practices to improve the quality of life for urban residents and visitors.

We hope that creating an advisory group will make that happen in the most collaborative and efficient manner possible and that this resolution serves as one small step in that process.

Yours truly,

Sergio Rodriguez
Ward 26, Alderman

Charles A. Blango
Ward 20, Alderman

Roland Lemar
Ward 9, Alderman

Gina Calder
Ward 2, Alderman

RESOLUTION OF THE NEW HAVEN BOARD OF ALDERMEN SUPPORTING THE FORMATION OF A PERMANENT ADVISORY GROUP TO HELP GUIDE PRESIDENT OBAMA'S PROPOSED OFFICE OF URBAN POLICY'S EFFORTS TO PROVIDE ASSISTANCE TO OUR NATION'S URBAN AREAS.

WHEREAS: urban areas now house over 80 percent of our population with close to 20% of our nation's total population residing in metropolitan areas with populations above 200,000; and

WHEREAS: the New Haven Metropolitan NECTA (New England City and Town Area) ranks among the larger metropolitan areas in the New England region of the United States, with a population of about 571,310; and

WHEREAS: large metropolitan areas face many of the same challenges in planning an urban infrastructure that meets the future work and living requirements of growing populations; and

WHEREAS: there is a wealth of expertise and experience in cities, such as New Haven among their public officials and administrators, urban planners, academic and research professionals, and community activists who are engaged in trying to identify solutions for these challenges; and

WHEREAS: a newly created Office of Urban Policy could greatly assist cities and urban regions, like New Haven and the New Haven Metropolitan NECTA in identifying common challenges that face large, urban populations; in sharing their experience and expertise; and in facilitating solutions to those common challenges by facilitating regional solutions to regional issues confronting peer communities;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW HAVEN, THAT: the City of New Haven joins the City Councils of Cleveland, Denver, Indianapolis, Seattle, and Winston-Salem in commending President Obama for recognizing the need to develop a coordinated urban policy at the federal level and the value of creating a cabinet level position to coordinate the several cabinet departments working on issues facing our nation's cities and urbanized regions;

BE IT FUTHER RESOLVED THAT the New Haven Board of Aldermen also joins the aforementioned city councils in urging President Obama to establish a broad and diverse advisory group to help the proposed Office of Urban Policy reach cities across the country and assist in to adopt best practices available to improve the quality of life and sustainability of our built environment for urban residents and for those who live, work, visit, play and utilize services in cities- the country's most heavily populated regions.

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to Ms. Valerie Jarrett, Senior Advisor to the President, and the Ms. Cecelia Munoz White House director of Governmental Affairs c/o the White House 1600 Pennsylvania Avenue, NW, Washington DC. 20500.

Note: Alderman Lee was absent from the Chamber at the time of the vote.

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:

ALDERMANIC AFFAIRS:

From the Mayor submitting the reappointment of Heiwa Salovitz of 44 Orange Street, Apt. #408, to the Commission on Disabilities.

January 23, 2009

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

Honorable Ladies and Gentlemen:

Pursuant to the authority vested in me by virtue of Section #16-1/2-14, Article II, of the Code of General Ordinances, I wish to hereby submit for your Honorable Board's approval the name of Mr. Heiwa Salovitz of 44 Orange Street, Apt. 408, New Haven, CT 06511 to the Commission on Disabilities. This reappointment would become effective upon your Honorable Board's approval and will expire on February 11, 2012.

I am confident given Mr. Salovitz' credentials and commitment to our city that he will continue to serve the citizens of New Haven in a most conscientious and productive manner.

I thank you for your kind consideration of this reappointment and ask for your prompt consideration of same.

Very truly yours,

John DeStefano, Jr.
Mayor

From the Mayor submitting the reappointment of Beth Reisfeld of 304 Elm Street to the Homeless Advisory Board.

January 22, 2009

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

Honorable Ladies and Gentlemen:

Pursuant to the authority vested in me by virtue of Section #2-160 of the General Ordinance, amended and approved by the New Haven Board of Aldermen on September 3, 1996, I wish to submit for your Honorable Board's approval the name of Ms. Beth Reisfeld of 304 Elm Street, New Haven, CT 06511 to the Homeless Advisory Commission. This reappointment would become effective upon your Honorable Board's approval and will expire on January 1, 2011 .

I am most confident given Ms. Reisfeld's credentials and commitment to the City of New Haven, that she will be an asset to this vital Advisory Commission.

I thank you for your kind consideration of this request and ask for your prompt consideration in the approval of this reappointment.

Very truly yours,

John DeStefano, Jr.
Mayor

CITY SERVICES AND ENVIRONMENTAL POLICY:

From the Economic Development Administrator submitting an order authorizing the application to and acceptance of a grant from the US Environmental Protection Agency of up to \$1,000,000 to support projects across the city that have brownfields slowing or halting the development momentum.
(REFERRED CONCURRENTLY TO CITY PLAN COMMISSION AND PUBLIC WORKS)

February 9, 2009

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

Dear Honorable Board Members:

I am pleased to inform you that the City of New Haven has an opportunity to solicit economic development grant dollars through the annual U.S. Environmental Protect Agency's Brownfields Assessment and Cleanup Grant Program.

The Office of Economic Development respectfully requests your consent to authorize the Mayor of New Haven to apply and accept a grant from the US Environmental Protection Agency of up to \$1,000,000 to support projects impacting brownfields redevelopment across the City. This grant will help projects, across the city, which have brownfields slowing or halting the development momentum. Should the City be successful in competing for this grant, a brownfields coalition led by the City, with members including the Redevelopment Agency and the Housing Authority of New Haven, will draft a program implementation agreement with the help of EPA grant officers. This outside federal financial support will be an important catalyst for development projects impacted by brownfields in the city.

We look forward to sharing with you good news on this grant. Thank you for your attention to this matter. Please contact me at (203) 946-2367 or my associate, Richard Yao, at (203) 946-7027 with any questions.

Sincerely,

Kelly Murphy, AICP
Economic Development Administrator

From the Economic Development Administrator submitting an order authorizing the application to and acceptance of a grant from the U.S. Environmental Protection Agency's Brownfields Assessment and Cleanup Program, not to exceed \$200,000, to support environmental remediation of the city-owned property at 243 Legion Avenue, Parcel F.
(REFERRED CONCURRENTLY TO CITY PLAN COMMISSION AND PUBLIC WORKS)

February 9, 2009

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

Dear Honorable Board Members:

I am pleased to inform you that the City of New Haven has an opportunity to solicit economic development grant dollars through the annual U.S. Environmental Protection Agency's Brownfields Assessment and Cleanup Grant Program.

The Office of Economic Development respectfully requests your consent to authorize the Mayor of New Haven to apply and accept a grant from the US Environmental Protection Agency of up to \$200,000 to support brownfields development in the City. Specifically, the area targeted for this grant is Lot F of 243 Legion Avenue, along Route 34 West Municipal Development Plan area. This outside federal financial support will be an important catalyst to move forward on developing these parcels.

We look forward to sharing with you good news on this grant. Thank you for your attention to this matter. Please contact me at (203) 946-2367 or my associate, Richard Yao, at (203) 946-7027 with any questions.

Very truly yours,

Kelly Murphy, AICP
Economic Development Administrator

From the Economic Development Administrator submitting an order authorizing the application to and acceptance of a grant from the U.S. Environmental Protection Agency's Brownfields Assessment and Cleanup Program, not to exceed \$200,000, to support environmental remediation of the city-owned property at 243 Legion Avenue, Parcel G.
(REFERRED CONCURRENTLY TO CITY PLAN COMMISSION AND PUBLIC WORKS)

February 9, 2009

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

Dear Honorable Board Members:

I am pleased to inform you that the City of New Haven has an opportunity to solicit economic development grant dollars through the annual U.S. Environmental Protection Agency's Brownfields Assessment and Cleanup Grant Program.

The Office of Economic Development respectfully requests your consent to authorize the Mayor of New Haven to apply and accept a grant from the US Environmental Protection Agency of up to \$200,000 to support brownfields development in the City. Specifically, the area targeted for this grant is Lot G of 243 Legion Avenue, along Route 34 West Municipal Development Plan area. This outside federal financial support will be an important catalyst to move forward on developing these parcels.

We look forward to sharing with you good news on this grant. Thank you for your attention to this matter. Please contact me at (203) 946-2367 or my associate, Richard Yao, at (203) 946-7027 with any questions.

Very truly yours,

Kelly Murphy, AICP
Economic Development Administrator

From the City Engineer submitting a resolution authorizing the Mayor to sign agreements with the Connecticut Department of Transportation Federal Local Bridge Program for the design and construction phases of the East Rock Road Bridge over the Mill River (Bridge No. 04418) utilizing federal local bridge program funds.

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

February 17, 2009

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

Re: Authorization for the Mayor to Sign Agreements with the Connecticut State Department of Transportation's Federal Local Bridge Program for the Design and Construction Phases of the East Rock Road Bridge over Mill River - Bridge No. 04418

Dear President Goldfield:

The East Rock Road Bridge over Mill River has been reported in poor condition by CTDOT on March 12, 2008. The City is hiring a consultant for the design phase of this bridge thru RFQ process. The total cost of the project including the design is estimated at \$1.2 million Eighty percent (80%) of the funding for the Design and Construction phases of this bridge is provided by Federal funding and the City share is twenty percent (20%).

The Design phase is scheduled to be completed by the summer of 2009 and the construction phase is scheduled to start in the spring of 2010 with completion by December 2010.

This is a city maintained bridge and in order to implement the project agreement with the State Department of Transportation an agreement has been developed. A copy of the agreement is attached.

Sincerely,

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

FINANCE:

February 6, 2009

Alderman Carl Goldfield, President
29th Ward
25 Roydon Road
New Haven, CT 06511-2806

Alderwoman Katrina D. Jones, Majority Leader
21st Ward
185 County Street
New Haven, CT 06511-3301

Alderwoman Arlene DePino, Minority Leader
18th Ward
1354 Dean Street
New Haven, CT 06512-4000

RE: Bershtein, Volpe & McKeon, P.C. - FY 2008-09

Dear Honorable Alderpersons:

Pursuant to Section 2-162 of the Code of Ordinances of the City of New Haven, I request your approval to enter into an Amendment to an outside legal service agreement with the law firm of Bershtein, Volpe & McKeon, P.C.

As you know, the limit of compensation pursuant to the existing legal service agreement with Bershtein, Volpe & McKeon is \$90,000. At this time, through Leadership, we are requesting an increase of \$9,999 bringing the total to \$99,999; yet we require additional funds of \$80,001, which we will be seeking approval from the full Board of Aldermen bringing the new total to \$180,000.

These increases are required in order to continue to represent the City of New Haven in those tax appeals that either involved the highest valuations or the most complex issues of the 2006 and 2007 Grand List as a result of the 2006 tax revaluation. Since the 2006 revaluation, some 220 tax appeals have been filed against the City. At the time that Bershtein, Volpe & McKeon, P.C. was engaged to handle these cases, the total number of tax appeals pending had been reduced to about 180 through settlements and court cases.

The law firm of Bershtein, Volpe & McKeon, P.C. took on 63 cases, of which 34 have been settled or are pending settlement (awaiting approval of court stipulation or awaiting Litigation Settlement Committee approval) as a result of their work. In the past six months, several of the cases have involved court hearings on claims for injunctive relief and extensive written discovery and the taking of depositions in preparation for trial. The firm still has 29 cases remaining of those tax appeals considered to have the most dollars and the most complex issues at stake.

The additional funds are available from FY 2008-09 GF Budget 18058530-56694. Paula Pernal of my office will contact you by Tuesday, February 9, 2009, to confirm that you approve the execution of this Amendment.

If you have any questions, I can be reached directly at 946-7951. Thank you in advance.

Very truly yours,

Victor A. Bolden
Bershtein, Volpe & McKeon, P.C.

SECOND READINGS

Aldermanic Affairs. Favorable.

Order approving the appointment of Marcus Paca to the Development Commission.

Order approving the reappointment of Kevin Buterbaugh to the Equal Opportunity Commission.

Order approving the appointment of Richard H. Jennings to the Fair Rent Commission.

Order approving the appointment of Margaret Ottenbreit to the Fair Rent Commission.

Order approving the reappointment of Mario Zangari to the Redevelopment Agency.

The favorable reports of the Aldermanic Affairs Committee recommending passage of the proposed orders, as printed on page 91 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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 McCormack: "The Committee met with these new appointees on January 26, 2009 and was favorably impressed with their experience and willingness to serve. I ask your support for confirmation of all five

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Aldermanic Affairs. Leave to Withdraw. Order granting leave to withdraw to the Mayor's appointment of Christopher Shirley to the Peace Commission.

The unfavorable report of the Aldermanic Affairs Committee recommending leave to withdraw of the proposed order, as printed on pages 91-92 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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.

Alderman McCormack: "This order grants leave to withdraw of the Mayor's appointment of Christopher Shirley. The Administration requested this after Mr. Shirley found that he could not serve due to a scheduling conflict."

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Community Development. Favorable. From the Economic Development Administrator submitting an order approving amendment #2 to the Orange Street Municipal Development Plan which extends its expiration date for a period of five years, until February 25, 2014.

The favorable report of the Community Development Committee recommending passage of the proposed order, as printed on pages 92-93 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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 order be passed, and it was so declared by the Chair.

Alderman Edmonds-Sepulveda: "Honorable Colleagues, the Orange Street MDP was created in 1979 with an expiration date of 30 years. The legislation before you would extend it for five years, until 2014.

Municipal Development Plans or MDP's are a special type of designation for commercial and industrial areas enabled by state statute. The Orange Street MDP is bounded by Orange, Trumbull, State and Olive Streets, the railroad, Grand Avenue, State and Grove Streets.

In the end, this is really all about 'Parcel K' - which you know as the strip of city-owned land between State Street and the railroad tracks. It is currently used

for several small parking lots between Court and Grove Streets. The city's planners are hoping to re-design State Street in order to make Parcel K a little bigger and therefore developable. It would then be quite a valuable piece of land, and we hope something worthy will be built on it.

Extension of the MDP would help the city get state funding to do this. I should also mention that bike lanes and pedestrian improvements on State Street are part of the plans.

I urge your support."

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Finance. Favorable.

From the Budget Director submitting close-out transfer resolution #08-999 to eliminate all negative general fund line item balances for the fiscal year ending June 30, 2008.

Order to read and file the Mayor's required budgetary and financial reports for the month of October 2008 in compliance with Section #62 of the Charter.

Order to read and file the Mayor's required budgetary and financial reports for the month of November 2008 in compliance with Section #62 of the Charter.

From the Deputy Community Services Administrator submitting a resolution approving the transfer of \$39,087 in general funds within the existing approved budget for FY2008-09, in Department #303 elderly services, from #101 Administrative Salaries Permanent to #303 Senior Center Other Contractual Services to maintain department operations, programs and management due to the loss of seven permanent staff positions during FY2008-09.

The favorable reports of the Finance Committee recommending passage of the proposed orders and resolutions, as printed on pages 93-94 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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 resolutions adopted, and it was so declared by the Chair.

Alderman Shah: "On Item one. This ordinance amendment is to finalize the FY 07-08 budget. The amendment is to correct the authorized funding for expenditures for that year to meet the actual numbers. I ask for your support.

Item two is a simple read, print and file according to Section 62 of the Charter.

Item three as well is a read, print and file under Section 62 of the Charter.

Item four. The Community Services Department has requested that they be allowed to transfer funds within their own budget in order to maintain services in

the senior centers for the elderly of our city. The Finance Committee has approved this request and I ask that you do so also. Thank you.”

Note: Alderman Lee was absent from the Chamber at the time of the vote.

FINANCE. FAVORABLE. From the Mayor submitting an ordinance amendment to appropriating ordinance #4, FY2008-09, that will decrease the city's portion of the funding requirements for the school construction program by a total of \$670,251.

The favorable report of the Legislation Committee recommending passage of the proposed ordinance amendment, as printed on pages 94-97 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, was read for the second time.

Alderman Shah: “This request has been made for the Board of Education to move capital funding among several school construction projects which will reduce the overall capital expenditures for FY 2008-09 by \$670,251. The Finance Committee heard this request and approved it and I ask that you do so also. Thank you.”

REPORT ACCEPTED. ORDINANCE AMENDMENT ENACTED.

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

Those voting “AYE”: Plattus, Calder, James-Evans, Jackson-Brooks, Perez, Colon, Clark, Smart, Lemar, Brison, Antunes, Sturgis-Pascale, J. Rodriguez, Castro, Paolillo, DePino, McCormack, S. Rodriguez, and Lehtonen - 20.

Those voting “NO”: 0.

Those “ABSTAINING”: Jones, Shah and Edmonds-Sepulveda - 3.

Said ordinance amendment to appropriating ordinance #4, FY2008-09, was enacted by a majority vote of the Board of Aldermen, and it was so declared by the Chair.

Note: Alderman Lee was absent from the Chamber at the time of the vote.

FINANCE. FAVORABLE. 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.

The favorable report of the Finance Committee recommending passage of the proposed order, as printed on page 97 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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 order be passed, and it was so declared by the Chair.

Alderman Shah: "This lease is to provide golf carts for use at the Alling Memorial Golf Course. It has to be done due to the old lease having expired. I ask that you approve this request. Thank you."

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Finance. Favorable. 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.

The favorable report of the Finance Committee recommending passage of the proposed order, as printed on page 97 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, 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 order be passed, and it was so declared by the Chair.

Alderman Shah: "The Corporation Counsel has requested this increase in order to properly represent the employees of the City of New Haven primarily in several high profile cases, which have and will continue to require the investment of significant legal activity. Because of this the Finance Committee has approved this request and I ask for your approval also. Thank you."

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Finance. No Recommendation. 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.

The report of the Finance Committee providing no recommendation to the above referenced ordinance amendment, as printed on pages 98-99 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, was read for the second time.

JONES MOTION TO GIVE LEAVE TO WITHDRAW.

Alderwoman Jones made a motion to give the above-referenced item leave to withdraw, which motion was duly seconded.

Alderman Shah: "This item is being given Leave to Withdraw at the request of the Administration. We ask you to do so as well. Thank you."

LEAVE TO WITHDRAW GRANTED.

Upon motion made and duly seconded, said motion to give the above-referenced matter leave to withdraw passed by a viva voce vote, and it was so declared by the Chair.

Note: Alderman Lee was absent from the Chamber at the time of the vote.

Human Services. Favorable. Ordinance amendment from the Community Services Administrator and Alderpersons Calder, James, Clark, J. Rodriguez, Blango, Jones, Morehead, Goldfield, Edmonds-Sepulveda AND CASTRO prohibiting unfair discrimination in city hiring policies against persons previously convicted and providing a mechanism to ensure that persons and businesses supplying goods and/or services to the City of New Haven have adopted and employ fair hiring policies and practices that are consistent with the city's goal of removing obstacles to the employment of persons with prior convictions.

The favorable report of the Human Services Committee recommending passage of the proposed ordinance amendment, as printed on pages 99-103 of the Journal of the Regular Meeting of the Board of Aldermen held on February 9, 2009, was read for the second time.

Alderman Smart: "This amendment will remove from all city job applications the "box" or query relating to an applicant's criminal record. The City of New Haven will only inquire into an applicant's conviction history once it has determined that the applicant is otherwise qualified for the position in question. The city will also review the hiring policies of vendors in order to ensure that their policies are consistent with the city's commitment to prohibiting unfair discrimination against persons with past criminal convictions.

This legislation will not give any special advantage in city hiring to ex-offenders, but it will give them a foot in the door so they can be judged on the basis of their qualifications.

It's part of the city's larger 're-entry' initiative - to smooth the way for the many offenders who are paroled onto our city's streets. By helping them earn their way back into society and avoid falling back into crime, we have a safer city. It's a progressive, pragmatic approach.

Today we can all be proud - especially the other colleagues who co-sponsored this landmark piece of legislation. I'd also like to commend Community Services Administrator Kica Matos and her staff for their excellent work.

This is another major step in making our city more welcoming, inclusive, and fair for everyone. I urge your support."

Alderman Joseph Rodriguez: "Approximately 25 individuals, most of them young African-American and Latino men, per week return from Connecticut prisons to New Haven communities.

Most of these individuals seek employment opportunities to become active, tax-paying citizens in the hope of restructuring their lives. However, most of

them are presented with false hopes and rejections resulting, in most cases, in a 'walk down the wrong path' yet again. To expand employment opportunities for the reentering population, urban cities across the nation such as Boston, Chicago and Baltimore, to name a few, have implemented some form of 'Ban the Box.'

I commend all those who brought this legislation forth and conclude by recognizing that the work does not stop here. There is a lot more to be done such as job training, secondary education and preventing our young people from walking down the wrong path from the start. Thank you."

REPORT ACCEPTED. ORDINANCE AMENDMENT ENACTED.

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

Those voting "AYE": Plattus, Calder, James-Evans, Jackson-Brooks, Perez, Colon, Clark, Smart, Lemar, Brison, Sturgis-Pascale, J. Rodriguez, Castro, Paolillo, DePino, Jones, Shah, McCormack, S. Rodriguez, Lehtonen, Sandman and Edmonds-Sepulveda - 22.

Those voting "NO": Antunes - 1.

Said ordinance amendment prohibiting unfair discrimination in city hiring policies was enacted by a majority vote of the Board of Aldermen, and it was so declared by the Chair.

Note: Alderman Lee was absent from the Chamber at the time of the vote.

MISCELLANEOUS

MOTION TO DISCHARGE.

Alderwoman Jones made a motion to discharge the Tax Abatement Committee from consideration of the following item and take it up for immediate consideration, which motion was duly seconded.

Order granting the request of Mable Clemmons for abatement (deferral of collection) of taxes due on her residence known as 118 Edwards Street, Grand Lists of 2006 and 2007.

MOTION TO DISCHARGE APPROVED.

Upon motion made and duly seconded, said motion to discharge the Tax Abatement Committee from consideration of the above-entitled item and take it up for immediate consideration passed by a viva voce vote, and it was so declared by the Chair.

February 10, 2009

New Haven Board of Aldermen
165 Church Street

New Haven, Connecticut 06510

Reference: From 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.

Dear Colleagues:

The Tax Abatement Committee heard this item on February 10th. Unfortunately, the committee did not have enough members to make a committee quorum and those members who were present agreed that this item needed to be acted upon in a timely manner. The Committee Members present decided that in order to get this item to the full Board of Aldermen that under the Rules of the Board of Aldermen and Roberts Rules of Order, the procedural vehicle to do this is the Motion to Discharge a Committee. Therefore, the Tax Abatement Committee left the item in Committee by taking no action on it, and I respectfully ask that the committee be discharged from consideration of this matter.

Sincerely,

Mordechai Sandman
Chair - Tax Abatement Committee

Alderman Sandman: "The Tax Abatement Committee heard this item on February 10, 2009 and decided that this item needed to be acted on quickly. So it was decided that the full Board of Aldermen needed to hear and vote on this item at the next Board of Alderman meeting. Because of this, the committee decided to leave the item In Committee and request that it be discharged. I ask for your approval of the discharge. Thank you."

ORDER PASSED.

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

ORDER ABATING (DEFERRING COLLECTION OF) REAL PROPERTY TAXES DUE FROM MABLE CLEMMONS ON HER RESIDENCE KNOWN AS 118 EDWARDS STREET, GRAND LISTS OF 2006 AND 2007.

ORDERED by the New Haven Board of Aldermen, acting pursuant to Section 12-124 of the Connecticut General Statutes, Revision of 1958 as amended, and Section 52 of the Charter of the City of New Haven, that the real property taxes laid for the Grand Lists of October 1, 2006 and 2007 (the "Taxes"), on the premises known as 118 Edwards Street (the "Property"), which premises are the sole residence of Mable Clemmons (the "Taxpayer"), be and hereby are abated (by which it is meant that collection of such Taxes shall be deferred) because said person is poor and unable to pay the same, provided that the following conditions shall be satisfied:

1. The Taxpayer shall execute an agreement with the City, approved by Corporation Counsel as to form and correctness, to pay the Taxes as specified in paragraph 4 hereinafter (the "Agreement"). The Taxes include the tax levied pursuant to law on the Property for the Grand Lists of October 1, 2006 and 2007 as that tax may be reduced by any tax credits or exemptions administered by the

Assessor or Tax Collector pursuant to State law (“the Tax Principal”), plus the \$24.00 lien fee associated with the recording noted in paragraph 3 hereinafter.

2. The Agreement shall be in the form and manner required for the transfer of an interest in real property. It shall contain a legal description of the Property, shall be recorded in the New Haven Land Records, shall constitute a lien on said Property, and shall remain valid until paid.

3. The Tax Collector, acting pursuant to Chapter 205 of the statutes, shall cause to be recorded in the New Haven Land Records a certificate continuing the municipal tax lien, created by Section 12-172 of the statutes, with respect to the tax levied on the Property for the Grand Lists of October 1, 2006 and 2007.

4. The Taxes shall be due and payable in full upon the earliest of the death of the Taxpayer, or when the Taxpayer no longer resides at the Property, or upon the sale or transfer of title to the Property, whether voluntarily or involuntarily or by operation of law. Interest shall accrue at the rate of six percent per annum (one-half percent per month) on the Tax Principal specified in paragraph 1 from the due date of each installment thereof. Any interest which may have accrued in excess of such rate prior to the execution and recording of the Agreement shall be abated (eliminated). The municipal tax lien and the lien created by the Agreement shall be released by the Tax Collector when the Taxes secured thereby have been paid.

5. The Agreement, properly executed by the Taxpayer, shall be returned by the Taxpayer to the Office of Legislative Services for final review by Corporation Counsel, execution by the Mayor, and recording in the New Haven Land Records.

Alderman Sandman: This request is from Mrs. Clemmons, a senior resident of the City of New Haven, who is asking to have the city property tax on her home abated. During the Tax Abatement Committee meeting on February 10th, Mrs. Clemmons' daughter appeared before the committee and explained that her mother, who is 82 and in the hospital, would be unable to pay her city property tax. The Tax Abatement Committee determined that Mrs. Clemmons is eligible for the City of New Haven's Tax Abatement Program and I urge you to vote in favor of her request. Thank you.”

MISCELLANEOUS REMARKS

POINT OF PERSONAL PRIVILEGE.

Alderman Sandman: “This past Friday, a former member of the city legislative caucus passed on, Irv Stolberg. I'm going to ask that we take a moment of silence in his memory.

MOMENT OF SILENCE OBSERVED.

Thank you. If I can say a few words. I have known Irv all my life. He was a guest at my parents' home on numerous occasions for many years from family Pesach seder dinners to family Bar/Bat Mitzvahs and weddings.

Irv was my first introduction to politics and politicians. There were many

lively and sometimes heated exchanges at the table over the issues of the day. Whether it be the peace process in Israel or the funding of welfare, there were always a number of opinions and no backing down. But at the end of the day we always came back to our common heritage and humanity, said L'Chaim, and moved on to the next course.

I would like to take a moment and reminisce about Irv. There is a custom on Pesach for the adults to hide the middle matzo and for the kids at the Seder table to find it. When it is found the adult promises a prize to the kids. This is an incentive for the children to stay up late and is one of many ways for them to participate in the Seder. Irv was known for giving interesting prizes. One year it was a trip up to the Capitol in Hartford to see Irv at his best, presiding over the House of Representatives as its Speaker.

He taught and reinforced many of the lessons that I learned in my home. To respect others (including siblings), not judge a person on criteria other than what that person purports, don't look at the color of their skin, the God they worship, nor anything else that might prejudice one's outlook.

For the most part, my relationship with Irv was personal, not political. When I did get into politics, his one word of advice was to stay true and rooted to my principles. I hope that I have learned and acted upon that lesson and, in that, Irv left much for us all. Thank you."

Alderwoman Joseph Rodriguez: "Earlier today across the hall, FLECHAS, Inc. had a press conference to celebrate 32 years as well as to launch their new website.

FLECHAS, Inc is a not-for-profit cultural organization which started here New Haven in 1977. They're the only Puerto Rican organization in the State of Connecticut to maintain a consistent focus on the African experience to the Puerto Rican national identity. The theme of the organization is 'A Puerto Rican Expression of Three Cultures'. So congratulations to FLECHAS and I wish them much success. Thanks."

Alderwoman Colon: "As a member of the Board of the New Haven Free Public Library, I'd like to also invite my colleagues and anyone that might be watching this to buy a ticket to the fundraiser that they have every year. The Mardi Gras event is held on 'Fat Tuesday.' That's the Tuesday just before Ash Wednesday. It's a major way that the Library has managed to raise funds to buy the much needed books and supplies and for some of their staff to go and get more knowledge about library science. So it's Mardi Gras everyone, and please support the Library. Thank you."

ADJOURNED

7:40 p.m.

ATTEST: RON SMITH
 City Clerk