

**BOARD OF ALDERMEN
ORDINANCE COMMITTEE MEETING and PUBLIC HEARING
FEBRUARY 4, 2013**

The Ordinance Committee of the Board of Aldermen held a meeting and public hearing on Monday, February 4, 2013. Chairman F. Smith called the meeting to order at 6:48 p.m.

MEMBERS PRESENT

F. Smith, Chairman
S. Shaw, Vice Chairman
A. Giannattasio
P. Smith
G. Gasper

ALSO PRESENT

Mayor Benjamin G. Blake
Jonathan D. Berchem, City Attorney
Steven Fournier, Mayor's Admin. Asst.

Chairman F. Smith stated tonight's Ordinance Committee meeting and Public Hearing was being held in accordance with the legal notice in the New Haven Register on January 30, 2012. He read the titles of each of the three Ordinances. Chairman Smith stated he would entertain a motion to waive the reading of the Ordinance in its entirety.

Ald. Giannattasio and Ald. Shaw made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Chairman F. Smith stated the first Ordinance was regarding the Sewer Construction project, the second Ordinance for various public improvements and the third Ordinance for various school improvements.

Chairman F. Smith opened the public hearing at 6:51 p.m.

- 1) An Ordinance Appropriating \$3,028,825 For The Design And Construction Of Sanitary Sewers And Authorizing The Issuance Of \$3,028,825 Bonds Of The City To Meet Said appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Speakers in Favor – None.

Speakers in Opposition – None.

- 2) An Ordinance Appropriating \$7,326,600 For Various Public Improvements And Authorizing The Issuance Of \$7,326,600 Bonds Of The City To Meet Said Appropriation and Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Speakers in Favor – None.

Speakers in Opposition – None.

- 3) An Ordinance Appropriating \$8,522,060 For Various School Improvements And Authorizing The Issuance Of \$8,522,060 For Various Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary borrowings for Such Purpose.

Speakers in Favor – None.

Speakers in Opposition – None.

Chairman F. Smith closed the Public Hearing at 6:52 p.m.

Ald. Shaw and Ald. Gasper made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation a motion to approve An Ordinance Appropriating \$3,028,825 For The Design And Construction Of Sanitary Sewers And Authorizing The Issuance Of \$3,028,825 Bonds Of The City To Meet Said appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose. Motion carried unanimously.

Ald. Shaw and Ald. Gasper made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation a motion to approve An Ordinance Appropriating \$7,326,600 For Various Public Improvements And Authorizing The Issuance Of \$7,326,600 Bonds Of The City To Meet Said Appropriation and Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose.

Ald. P. Smith asked if this was for citywide roads because she heard the Mayor say it was for sidewalks. She stated in prior years the city spent \$700,000 yearly for road work. She asked where the \$5.5 M was being spent and if the project had gone out to bid.

Mayor Blake stated they would be paving as they normally do along with additional sidewalks. He stated the City has a duty and responsibility to maintain its infrastructure. Mayor Blake stated the focus is having safe pathways in and around our schools, the downtown area and in and around town. He stated these sidewalks are no-frills. He also spoke about the number of calls his office receives regarding the condition of city sidewalks. Mayor Blake stated once his office receives a call regarding a defective sidewalk the city is then on notice and exposed to any liability. He cited as an example Seaside Avenue. It is a gateway and path to downtown. He stated he has received calls that people are afraid to walk in that area. He also referred to the monies expended in 2004 for sidewalks on Gulf Street and the area known as “dead-mans” curve, where there have been numerous accidents.

Ald. P. Smith asked if the project has gone out to bid and whether there was a priority list. She also asked if the \$5.5 M would take care of two projects or more. Ald. P. Smith stated it would be her preference to amend this until it is known where the work will be done. She also asked if this is the standard paving that the City does.

Mayor Blake replied it is not even one-tenth of what they would need to get done, adding they have some rough figures from the City Engineer.

Ald. P. Smith stated she would like to see some bids before approving.

Ald. Giannattasio stated he could relate to the telephone calls and stated he has received some of those same calls. He stated the \$5.5 M seems excessive and asked of the roads identified, which were in the first district. He stated

he wanted to make sure his district was getting its fair share of work. He stated there should be some kind of list and that the city should work with each alderman as to priorities in their district.

Mayor Blake commented one priority is Anderson Avenue, but pointed out all five aldermanic districts have issues.

Ald. P. Smith and Ald. Giannattasio made and seconded a motion to amend the motion to adjust citywide road plowing from \$5,000,000 to \$715,000 which is the amount normally allocated and have the Mayor come back with bids for sidewalk paving.

Chairman F. Smith stated it would be his preference to forward this item to the full Board for discussion. He stated the full Board could then amend it if they so decided.

Ald. P. Smith stated it was her understanding it was this Board's responsibility and that of the Board of Finance to do the vetting of these Ordinances.

Mayor Blake stated as a point of clarification that it was his understanding the Board could not adjust the numbers more than 5%, unless the Ordinance is re-advertised and re-noticed.

Chairman F. Smith reiterated he believed any changes are for the full Board of Aldermen.

Mayor Blake stated once an Ordinance is drafted by Bond Counsel and taken up by the Finance Board, the Ordinance would have to be re-advertised and re-noticed.

Chairman F. Smith asked for clarification from City Attorney Jonathan Berchem.

Attorney Berchem stated the adjustment does exceed the 5% allowed.

Ald. P. Smith recalled going through this with the school project from \$12 M to \$16 M. She stated she wanted to take the time and do it right for the sake of the taxpayers and make sure this Board has done its due diligence.

Ald. Shaw stated this discussion was better taken by the full Board.

Ald. Giannattasio stated he would be in favor of recommending this Ordinance to the full Board of Aldermen, but not with a favorable recommendation.

Chairman F. Smith stated the vote would dictate how it is forwarded.

On the amendment, motion fails 2 yes (P. Smith, Giannattasio) and 3 no (F. Smtih, Gasper, Shaw).

On the main motion, motion carried 3 yes (F. Smith, Gasper, Shaw) and 2 no (P. Smith, Giannattasio).

Ald. Shaw and Ald. Gasper made and seconded a motion to forward to the full Board of Aldermen with a favorable recommendation An Ordinance Appropriating \$8,522,060 For Various School Improvements And Authorizing The Issuance Of \$8,522,060 For Various Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary borrowings for Such Purpose.

Chairman F. Smith stated the bulk of this Ordinance is for the work at East Shore Middle School – Phase II.

Ald. P. Smith suggested the Board take this up as two pieces. She stated with regard to the school security upgrades she would like to table that or remove it from this Ordinance until the new task force completes its work. She stated she would like that group to make its recommendation before bonding. She stated as to East Shore Middle School, she recalled one year ago the project was around \$16 M, but this Board bonded \$12 M, which was less. She provided a history over the past year as to what has happened. She also recalled the Chairman of the Permanent School Facilities Building Committee coming to the Board of Aldermen with a new figure of \$15 M, plus contingency. Then it was decided the project would go to phases. She pointed out in order to finish this project another \$1.6 M is needed. She stated this project has gone from \$16 M, thinking \$12 M would do it and now \$18 M; and now we are up to \$22 M. She stated they have spent a year on this and questioned how they would explain this to the taxpayers going from \$12 M to \$16 M to \$22 M. She stated the taxpayers need to understand. She suggested they go back to the Permanent School Facilities Building Committee and have them map it out. She stated if the property had been properly funded we would not be here today. She stated this Committee should send this back.

Ald. Shaw asked for clarification from Ald. P. Smith who initially asked to have this bond separated. She asked the City Attorney if it would meet the 5%.

Attorney Berchem replied as he read it, it was less than 5%.

Ald. P. Smith stated she would also like to remove the \$1.8 M and take it to zero until the task force comes to the Board of Aldermen with a recommendation. With regard to East Shore Middle School, she stated it should go back to the Permanent School Facilities Building Committee to come back to this Board with a number. She suggested this Committee either amend it to zero or simply vote no.

Chairman F. Smith stated there were several members of the Permanent School Facilities Building Committee who would provide a detailed report during the Board of Aldermen meeting.

The motion carried 4 yes (Giannattasio, F. Smith, Shaw, Gasper) and 1 no (Shaw).

Being no further business, Ald. Shaw and Ald. Giannattasio made and seconded a motion to adjourn. Motion carried unanimously.

The Committee adjourned at 7:15 p.m.

Respectfully submitted,

Kathleen K. Huber
Recording Secretary