

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL – MAY 24, 2007 - 7:00 P.M.

MINUTES

The Honorable Mayor Anthony Staffieri called the regular meeting to order at 7:00 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Kenneth J. Hughes, Beverly Moran, James J. Benanto, Jr., Ronald M. Sill, Joseph M. Bomba, Scott M. Boulton, Anthony Szewczyk, Beverly Moran (arrived at 7:15 p.m.)

Absent: Dennis J. Devonshuk, Matthew J. DeBarbieri

Also Present: The Honorable Mayor Anthony Staffieri
Philip Robertson, Chief Administrative Officer
Laura Wabno, Town & City Clerk
Keith A. McLiverty, City Treasurer
Sheila O'Malley, Director, Economic Development/Grants Writer
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Marcia McGuire, Ass't Town & City Clerk
Chief Eugene Mascolo, Derby Police Department (arrived at 7:45 p.m.)
Deputy Chief Gerald Narowski, Derby Police Department
Officer Ken Dupke, Derby Police Department Union President (arrived at 7:45 p.m.)
Ronald Culmo, Director, Public Works
Kelly Curtis, Fire Commissioner
Thomas Lenart, Storms Ambulance Corps.

ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA

Mr. Hughes said he had one addition to the agenda:

New Item #25 - Permission for St. Mary's/St. Michael's Church to hang a Pancake Breakfast sign for the Memorial Day Breakfast.

Executive Session would now be Item #26 and Adjournment Item #27.

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to add the item to the agenda and accept the agenda as amended. **Motion carried.**

PUBLIC PORTION

Thomas Lenart, Storms Ambulance Corps., Olivia Street, Derby, CT – We're asking permission to close the section of Olivia Street where the firehouse is during the fireworks; both Derby's fireworks and the fireworks with Shelton. I didn't notice whether it was on the agenda tonight or not.

Mr. Hughes noted that agenda Item #8 b. is going to be a waiver for the fireworks display for Tuesday July 3, 2007 and Item #12 a. is the Storms Firehouse request of road closure – Olivia Street between Fifth and Sixth Streets during the fireworks display on July 3, 2007.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to add those two items to the agenda. **Motion carried.**

Mayor Staffieri informed those present that Corporation Counsel Joseph Coppola is not in attendance this evening. He said that Atty. Coppola's father is gravely ill.

Ron Culmo, 10 Strang Road, Derby, CT (Public Works Director) – The Derby Green is getting to be a disaster. People are walking dogs on there and it's really, really disgusting on there. Presently there is a \$10 fine and I urge the aldermen to raise the fine there and to enforce the Police Department to enforce it a lot more than it is because it's bad because kids are playing there and it's really bad for the kids and it's bad for the appearance of the Green. The second item here is you people are supposed to be the ones that authorize signs being put up. I wondered if you authorized all the signs that are over by the monument over by Tailgator's or not? It's like a billboard station now.

Mr. Hughes – No we did not.

Mr. Culmo – If nothing was authorized I will remove them tomorrow.

Mayor Staffieri – No one has come in front of this board for approval; take them down.

Carl Yacobacci, 10 Lombardi Drive, Derby, CT – I have two items to address. One only because I was asked about this here tonight. I was up with Ron today and we did receive the dog bag dispensers and the bags in today and Ron said they would have those up on the Greenway Trail by June 1st or when the ban is lifted. So hopefully that helps take care of the issue with the dog poop on the trail. The one thing (inaudible) talked about is somebody mentioned that 99% of the people are paying for what 1% of the people do or don't do. While they're on the trail all I can ask is if people still want to have their dogs on the trail if they do see a pile that nobody picked up maybe somebody else has to unfortunately grab a bag and pick it up and try to keep the trail clear so that everybody can then enjoy the trail. Not that it's the best thing in the world to do but I made an investment and you guys are lifting the ban so that people can try it again and I think it's just got to be everybody kind of pitching in in order to try to keep this clean so that the trail can be used by four-legged creatures, which is always good.

Mayor Staffieri – I think we're all hoping that it's going to be successful and we thank you for your contribution to the City.

Mr. Yacobacci – You're welcome. The second item, which always comes up, in the newspaper it said that this Board of Aldermen meeting was going to discuss the possible eminent domain taking of Ray Sadlik's property. I did not see that on the agenda and I was wondering if that was going to be discussed?

Mayor Staffieri – It's the City Charter specifically specifies the process on how it works. The next process is just electing a committee and I and other alderpeople have been prodding Mr. Guedes and Mr. Sadlik into negotiations and things are going hopefully fairly well.

Mr. Yacobacci – (Inaudible) read in the paper and I know that you can't always believe (inaudible.)

Mr. Hughes – It's not on the agenda tonight.

Mr. Yacobacci – Thank you very much.

Ted Baltes, 23 General Wooster Road, Derby, CT – My question – I attended a Zoning Board meeting last week in regards to Marcucio Gardens putting a cease and desist on there near an R-3 Zone if you will – I was just wondering how we were making out with that? If it has been ordered?

Mr. Hughes – We'll question the Building Official when he does his monthly report. Actually we'll question him – if you have something else that you want to say now in the public you can say it.

Mr. Baltes – No that's fine. I'm just wondering how we're doing.

Byong Nim Choi, 209 Roosevelt Drive, Derby, CT – I didn't quite understand what the gentleman was saying on the Greenway. Are you providing bags for the dogs?

Mayor Staffieri – Yes. We'll be providing – as a matter of fact his company will be providing the holders and the bags. So this way is someone's dog does business they can get the bag and pick it up and throw it away.

Ms. Choi - I want to know if the bags are biodegenerated bags. Because I walk two to three times a week there. I pick up garbage along the way. What some people do is pick up the dog waste in a plastic bag and throw over the bank. It's better not to pick up at all.

Mayor Staffieri – We're providing garbage pails that should be getting installed soon because they have arrived. Ron, Tuesday they'll be getting installed?

Mr. Culmo – Yes.

Mayor Staffieri – Next Tuesday they're going to be installing the garbage pails every so often.

Ms. Choi - That will be better. Also, could there be a sign that say's please don't discard...

Mayor Staffieri – Rubbish, garbage. That would be a littering offense that says it at the beginning of the trail both ways.

Mayor Staffieri asked three times if anyone else would like to address the board.

Hearing no one else from the public wishing to address the board...

PUBLIC PORTION CLOSED

APPROVE MINUTES OF THE APRIL 26, 2007 REGULAR MEETING

A MOTION was made by Mr. Sill with a second by Mr. Benanto to approve the minutes of the April 26, 2007 regular meeting as presented. **Motion carried.**

APPROVE MINUTES OF THE MAY 11, 2007 SPECIAL MEETING

A MOTION was made by Mr. Bomba with a second by Mr. Szewczyk to approve the minutes of the May 11, 2007 special meeting as presented. **Motion carried.**

SUB-COMMITTEE REPORTS

Community Relations – Mr. Szewczyk said Mark Lanzieri submitted his paperwork for Court House Dogs to the committee, which found all the paperwork to be in order. He said the other item discussed was the possibility of establishing an architectural review board in Derby. He noted that Ted Estwan, the Chair of Planning & Zoning was in attendance and that he would like Mr. Estwan to continue to attend the meetings until this is finalized. Mr. Szewczyk again encouraged the public to attend the meetings. He noted that this committee meets the first Tuesday of each month at 6:30 p.m. in the lower level media center. Mr. Sill asked Mr. Szewczyk if he had available the blight information that was discussed at the meeting. Mr. Sill said it is the Old Porch & Patio building, which has fallen into disrepair with the bricks and windows and it should be added to the blight list.

A MOTION was made by Mr. Sill with a second by Mr. Hughes to place the old Porch & Patio Building on First Street on the Blight List. **Motion carried.**

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to approve the Vendor Permit application for Court House Dogs. **Motion carried.**

Operations & Procedures – Mr. Bomba stated that the Operations & Procedures Committee meets the first Monday of each month at 6:30 p.m. in the lower level media center. He said this month the committee discussed the City Treasurer's position noting that since the Ordinance was passed regarding the Joint Finance Director's position the committee is recommending that the stipend paid to the City Treasurer be lowered. Mr. Bomba then read the following statement into the record:

Following a discussion with the City Treasurer, he apprised the committee of the fact that the long term plan for the finance department included the reduction of staff, the hiring of a Finance Director, and a reduction of the Treasurer's Stipend.

The Stipend is currently \$20,000.00 and the committee is recommending a reduction to \$12,000.00. This would be an \$8,000.00 reduction, and is another indication that this administration is working in creative ways to ensure the city's finances are properly handled, but doing so in a cost effective manner.

As a result of implementing sound fiscal controls and utilizing the city financial software for all accounts, there have been efficiencies gained, and although the stipend is being reduced, the duties and responsibilities of the Treasurer, as defined in the Charter, are not changing. This is a change to the ordinance for the allocation for the Treasurer.

The committee will be revisiting the other salaries and stipends contained in the ordinances over the next few months.

Therefore, our committee recommends the following:

Move that the Board of Aldermen reduce the stipend for City Treasurer as contained in the City Ordinance to \$12,000.00 effective the election November 2007, beginning December 2007 and thereafter.

Mayor Staffieri commented that is very good. He said his only question is do we need to see how this progresses in regards to the Joint Finance Director's position first before we vote on this? He commended the committee on doing a great job and asked if they had contacted the current City Treasurer regarding this change. Mr. Bomba said they had. Mr. McLiverty said the thought was by voting on this tonight there's no gray area before the election where anyone can say that it's a political ploy. You passed the first ordinance and this is the second ordinance that would go with it. He noted that they have spoken to Corporation Counsel about this and he was the one who drafted the language.

A MOTION was made by Mr. Bomba with a second by Mr. Hughes to reduce the stipend for City Treasurer as contained in the City Ordinance to \$12,000.00 effective the election November 2007, beginning December 2007, and thereafter. **Motion carried.**

Mr. Hughes said he would like to read into the record a letter he received from a constituent:

Marion M. Cafasso, B.S., R.N.
20 Grandview Boulevard
Derby, CT 06418

About four years ago, when I was speaking to the then Chairman of the Derby Board of Aldermen concerning my increased assessment, I suggested a tax freeze for the elderly based on age and amount of years as a citizen of Derby. About two weeks after I initiated this conversation the tax freeze appeared in the newspaper as a campaign pledge???? This was a sound suggestion so that seniors can maintain their homestead. Many towns have initiated this practice. We have lived at this location for fifty-two years. We are leery to sell the house and relocate. Aside from taxes, our water bill, electricity bill, sewer assessment, and oil have increased. It really would help if the City Fathers would really understand the plight of the seniors who own homes in Derby. My husband is eighty years old – I am seventy-six years old. Carmen worked at Sponge Rubber (B.F. Goodrich) for twenty-six years then he was put out to pasture with about 900 workers – scrambling for jobs. Needless to say we are not in an upper income bracket; similar to most seniors in Derby. Enclosed is an article that might enlighten the Board of Aldermen – to make my point:

- a) We do very little shopping (can't use new downtown)
- b) We do not play soccer (can't use Witek Park)
- c) Have no children in the school system (can't use new school)
- d) We have limited driving (due to price of gas)

We feel we supported the education budget totally because neither one of our sons attended public school. We did not complain as many seniors have used the private system willingly. Please consider the plight of the seniors in Derby who are trying their best to maintain their property, pay their bills and support our city. Respectfully, Marion M. Cafasso

NOTE: LETTER ATTACHED TO ORIGINAL MINUTES ON FILE IN CITY CLERK'S OFFICE

Mayor Staffieri said he can't agree with our seniors more than what this letter states. He said we definitely need to establish some kind of help for our seniors. The Mayor asked Messrs. Sill and Hughes if they would like to move this forward with a more in-depth study. Mr. Sill and Mr. Hughes said they would look into it.

CULTURAL COMMITTEE REPORT

- Street Closing for Derby Days and Fireworks Display – Saturday June 23, 2007

Rich DiCarlo from the Cultural Commission reported that Derby Day will be held on Saturday 23, 2007 and they are requesting the closure of Elizabeth Street from Thompson Place to Fifth Street from 6:30 a.m. to 6:00 p.m. on that date.

Mr. Hughes asked Mr. DiCarlo if he has discussed this with the Police Department. He said he had. Deputy Chief Narowski said the Traffic Commission has reviewed it and approved it.

Mr. DiCarlo said he would also like to request the closure of Elizabeth Street on Tuesday, July 3, 2007 for the fireworks. He said they were looking to have lower Elizabeth Street closed from Thompson Place down to Main Street. Mayor Staffieri asked Mr. DiCarlo if he has talked to the Traffic Commission about this and how it would tie into the Storms request. Deputy Chief Narowski said the local Traffic Commission did not get the request in time for the last meeting – it is on the agenda for the next meeting. He did state that he does not see a problem in granting this request. Mr. Hughes said we could vote on the item pending approval of the Traffic Commission.

A MOTION was made by Mr. Hughes with a second by Mr. Benanto to approve the closure of the upper portion of Elizabeth Street between Thompson and Fifth Street for Derby Day, June 23, 2007, which has already been approved by the Traffic Commission and then on July 3, 2007, authorize the closure of the lower part of Elizabeth Street from Thompson Place to Main Street pending approval from the Traffic Commission. **Motion carried.**

Yvonne Bonita from the Derby Cultural Commission requested volunteers for the Dunk Tank on Derby Day. She said if anyone would like to volunteer to please contact the Cultural Commission.

BID WAIVER FOR THE FIREWORKS ON JULY 3, 2007

Mr. Hughes passed out an informational sheet to the board members. He stated that Bay Fireworks were the successful bidder in Shelton and they were also the same company that performed the fireworks for Derby & Shelton last year. The breakdown of the two bidders is as follows:

- Bay Fireworks – 1,643 shells - \$11,500
- Zanbelli – 1,414 shells - \$12,000

A MOTION was made by Mr. Sill with a second by Mr. Bomba to approve the bid waiver for the fireworks on July 3, 2007 to Bay Fireworks in an amount not to exceed \$11,500.00.

DISCUSSION ON MOTION

Mr. DiCarlo also noted that he needs to request apparatus on hand around the clock when the fireworks arrive the day before. Mayor Staffieri instructed Mr. DiCarlo to talk to the Fire Marshal and the Fire Commissioner to make those arrangements. He also instructed him to coordinate with the Police Department and with Vin Vizzo from Emergency Management.

MOTION CARRIED.

It was noted since two aldermen are absent this evening Patty Finn was instructed to contact them for their written consent of the motion.

BUILDING DEPARTMENT REPORT – APRIL 2007 (David L. Kopjanski, Building Official/Zoning Enforcement Officer)

Mr. Kopjanski said that everyone should notice the spike in income for this month's Building Department report. He said this reflects the Griffin Hospital Cancer Center Foundation Building. He said there will be another one next month for the actual building permit.

Mr. Sill asked Mr. Kopjanski if he had a report on the Marcucio property. Mr. Kopjanski said following the Planning & Zoning Commission meeting last month Mr. Baltes came to his office the next day and he said that day he sent a notice to the owner of Marcucio Gardens that they had violations on the residential portion of the property. The notice was sent out Certified Mail, Return Receipt Requested and Mr. Kopjanski noted that they received it on May 19. He said they were given ten days to abate the violations otherwise they are subject to fines per Section 195-139 of our Zoning Regulations. Mr. Kopjanski stated if they don't comply with the notice to abate the violations then it will be turned over to Corporation Counsel to pursue penalties in the violation. He said yesterday he received a report from City Engineer Michael Joyce that laid out some of the chronology of the things that have been happening at the property. There were also some recommendations that Mr. Marcucio has to do. Mr. Kopjanski noted that there is a pending Special Exception Application from Mr. Marcucio to have a nursery operate on the residential portion of the property. He stated that the property is a bit confusing since it is actually comprised of two lots. One lot, which is the front lot, where the store is located is zoned B-1 and the rear lot, which is the larger lot with 7+ acres, is actually split into two zones; the front part being B-1 and the rear being R-3. He said what has been happening over the last nine years is there has been a small but steady encroachment into the residential portion of that rear lot for commercial purposes. Mr. Kopjanski stated it reached the new escalation this spring by the installation of the concrete storage bins for mulch; the bins are about 100 feet long. He also noted that there has been parking of storage trailers for supplies on the rear property. He said it is quite obvious from the rear yards of the properties up on General Wooster Road and it's also obvious from New Haven Avenue. He said it's an intensification of the commercial use of the property that they never had before. He said those were actually the two items that he cited in the violation notice to Mr. Marcucio for removal within ten days. Mr. Kopjanski informed the board members that the deadline for the notice will

be May 29th. He noted that Mr. Joyce's letter gives the chronology of the things that have happen on the property and also gives recommendations not only for zoning but also for Inland/Wetlands because there are wetland issues there also. Mr. Sill stated there is a retention pond on the property. Mr. Kopjanski said there is and that retention pond acts as the detention basin for the General Wooster and Commodore Hull neighborhoods up above the property. He said the detention basin is by deed and the maintenance of the basin is Mr. Marcucio's responsibility. He noted that Mr. Marcucio has the ability to charge residents up in those neighborhoods up to \$150.00 per year; although he does not believe that Mr. Marcucio has charged anyone yet. He stated that there are a bunch of restrictions on that property that are listed in the deed because that was part of the Cornfield Subdivision property.

Mr. Bomba asked about the R-3 Section of the property. He said if Mr. Marcucio is granted the Special Exception would this allow him to have what he has right now. Mr. Kopjanski said that it might. It would depend on the conditions that the Planning & Zoning Commission would place on that property if they were so inclined to grant a Special Exception for the operation of the nursery on the property. He said a Special Exception Application is what it sounds like – it's a Special Exception from the normal zoning requirements of that zone and whatever conditions that the Planning & Zoning Commission feel are suitable to allow a breach of those zoning requirements is what they would allow or not allow. So they can approve it with certain conditions.

Mr. Sill asked if the residents of the area would be notified when that meeting would occur. Mr. Kopjanski said they would be notified by Certified Mail, Return Receipt Requested and it is a public hearing. He said all the property owners within a radius of 500 feet have to be notified by Certified Mail.

At this point in the meeting Mayor Staffieri allowed Mr. Baltes to ask a question of Mr. Kopjanski.

Mr. Baltes – Just a question as far as the description where it's listed as Derby as a nursery it's listed as a greenhouse area or planting trees on the ground. It doesn't really mention about mulch containments or the parking of commercial vehicles, dump trucks, backhoes, flatbeds, and so on.

Mr. Kopjanski said our definition of a nursery is fairly general. He said it talks about greenhouses, uses that are normally associated with nurseries. He informed Mr. Baltes that the Planning & Zoning Commission is well versed in the regulations and they will give it due consideration when it comes before them.

Mrs. Moran said this item isn't on the agenda but she asked Mr. Kopjanski about the situation at the bottom of David Humphrey's Road. Mr. Kopjanski said they were approved back in January to expand the two buildings and they were granted the approval by the Planning & Zoning Commission and the Inland/Wetlands Commission.

Report placed on file.

FIRE MARSHAL REPORT – APRIL 2007 (Philip A. Hawks, Fire Marshal)

Mr. Sill commented to Fire Marshal Hawks that it is a great report. Report placed on file.

POLICE DEPARTMENT REPORT – APRIL 2007

Chief Mascolo said there is a correction on his report pertaining to item #1. He said there was a miscommunication – the amount that they are looking for regarding the raise for the Dog Warden is \$4,000.00. He said in addition to that the Supernumeraries have a \$10,000 Life Insurance Policy and he said they would like to request that the Dog Warden receive the same policy. Chief Mascolo said the Dog Warden is the best one that they have ever had – he said they don't pay him for as much work as he does. He is a very loyal, dedicated guy and he should be rewarded for his service. The Chief noted that even with this raise it is still a very modest income. He said if any of the board members has any questions regarding the request to just contact him.

Mayor Staffieri said he would take the Chief up on that and it will be sent to Alderman Bomba's committee for review.

Chief Mascolo then asked the board members if anyone had any questions regarding his report. The board stated they had no questions. Report placed on file.

- **Police Union Contract**

Chief Mascolo said everyone should have a copy of the Contract that was just settled with the Union. He said it's a complicated document and it will take awhile to digest. He said if anyone had any questions just to call him or Ken Dupke, the Union President. He said there is a reasonable explanation behind everything that you see there and much of it is very complicated – don't take anything at face value. The Chief asked the board not to fall prey to any disinformation that they might hear about the contract and to call him or Officer Dupke with any concerns.

Mayor Staffieri said he knows that the department and the commissioners have been working very hard and diligently on this contract.

Mr. Sill said usually what we do is take a look at the contract and we have thirty days to act and if no one has any problems with it, it just becomes valid in thirty days.

There was a discussion as to the date of the contract. It was noted that it was ratified on May 10, 2007.

Union President Dupke noted that the primary issue in the contract is the transition to rotating schedules. He said Derby is one of a few places where we didn't staff weekends on a permanent basis. In addition to that the Derby Police Union agreed to engage a premium share with the City of Derby. He said it is a monumental contract.

Mayor Staffieri suggested voting to take no action. In the meantime if someone finds something in the contract they should notify the Chief.

A MOTION was made by Mr. Szewczyk with a second by Mrs. Moran to take no action on the Derby Police Union Contract. **Motion carried.**

FIRE DEPARTMENT REPORT – APRIL 2007 (KELLY CURTIS)

Mr. Curtis said there is really nothing new to report. He informed the board members that Assistant Chief Butler is had been out on medical leave; however he has returned as of last Friday. He said they are moving forward with all of the buildings and that the Finance Board has a copy of all the information. He said the only thing they have held back on is the façade on the front of Paugasset Hose. He feels that they may needs to re-bid it since the numbers came back too conflicting. Mr. Curtis said morale in the department is good and there haven't been any fires.

Alderman Benanto said he would like to publicly thank the fire department regarding the storm that occurred a few weeks ago. He said he had over a foot of water in his basement and they helped him out and he heard that the department was all over Derby helping people out under similar circumstances. Mr. Curtis said they were out at one home three days straight because they couldn't keep the water out of this woman's home. Mr. Benanto said he would just like to thank the department on behalf of the citizens of Derby. Mr. Curtis said he would pass the message of thanks along to the departments. He said they were able to get a little bit of money out of their storm watch funds to give to a few guys who worked a few days straight. Mr. Curtis noted that Chief Charlie Sampson was up and down the river for three days.

Mayor Staffieri said we all thank the fire department for their efforts during that storm. He said we were especially thankful that Charlie Sampson happened to have those days off from work. He was all over doing work.

Mr. Szewczyk said he hasn't concentrated on the fire department lately and he was wondering about the maintenance problems at the facilities. Mr. Curtis said the biggest things are the roofs and also the floor at the Storm Engine Company. He said he would be able to prepare a list for the aldermen. Mr. Curtis said he knows across the street right now is a sore subject with money being paid out and none coming in but with the amount of property that is down in back there something needs to be done down the road regarding the Storms. He said the Storms building is the next building that something is going to have to have something done to it – whether relocated or a new structure. He said it is not a matter of just needing more room; there are other issues with the building. We need to analyze whether we want to put money into the building or to look somewhere else for a structure. He said it isn't for this administration or the next, but it should be thought of.

STORMS FIREHOUSE REQUEST OF ROAD CLOSURE ON OLIVIA STREET IN FRONT OF THE FIREHOUSE

Mr. Lenart said last year they asked and received permission to close the street in front of the firehouse on the night of the fireworks to have a picnic for the firemen and their families. He said they took care of the traffic control on both ends of the street. He said the street would only be closed one-half hour prior to the fireworks and would re-open as soon as they could get it cleared after the fireworks. He said he didn't know whether they needed to go through the Traffic Commission that's why they decided to approach the Board of Aldermen first.

A MOTION was made by Mr. Bomba with a second by Mr. Szewczyk to approve the closure of the portion of Olivia Street in front of Storms Engine one-half hour prior to the commencement of fireworks on July 3, 2007 pending approval from the Traffic Commission. **Motion carried.**

Mr. Lenart invited the board members and their families to Storms on July 3, 2007.

PUBLIC WORKS DEPARTMENT REPORT – APRIL 2007 (RON CULMO)

Mr. Culmo explained that all the garbage receptacles have been installed in the downtown area. They will have all the garbage receptacles and the doggie bag dispensers installed on the Greenway. He said they also anticipate having some of the benches installed on the Greenway this week. The Derby Day banner has also been installed. Mr. Culmo said he would like to express his appreciation to Alderman Szewczyk for appearing before the Tax Board hearing on the Public Work's budget and supporting the budget. Mayor Staffieri said the aldermen all support the Public Works. Mr. Culmo said he understands that; however he was especially grateful that Mr. Szewczyk took the time to go to the Tax Board hearing.

REFUND OF EXCESS TAXES PAID REQUESTED THROUGH 5/16/07

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to approve the refund of excess taxes paid through 5/16/07 in the amount of \$3,463.18 as submitted by Tax Collector Cinda B. Buchter. **Motion carried.**

REQUEST FOR APPROVAL OF TRANSFER OF UNCOLLECTIBLE TAXES TO SUSPENSE IN ACCORDANCE WITH C.G.S. 12-165

Mr. Hughes said everyone should have the email from City Tax Collector Cinda Buchter. He explained that this was also done last year. Any taxes that Ms. Buchter is unable to collect goes into a separate account and they concentrate their collection efforts on that list.

A MOTION was made by Mr. Hughes with a second by Mrs. Moran to approve the transfer of uncollectible taxes to the suspense list in accordance with C.G.S. 12-165. **Motion carried.**

CHANGE OF CHIEF ADMINISTRATIVE ASSISTANT JOB DESCRIPTION AS VOTED UPON BY THE BOARD OF ALDERMEN ON APRIL 28, 2005 FOR THE POSITION OF CHIEF ADMINISTRATIVE OFFICER SHALL BE AMENDED TO REPLACE THE PHRASE "Increases in the salary of the Chief Administrative Officer will be equal to the percentage increase for the salaries of the Derby Police Department" WITH THE FOLLOWING PHRASE "Increases in the salary of the Chief Administrative Officer will be determined by the Mayor based upon his evaluation of performance and pay increases from other City Unions negotiated."

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to accept the change of the Chief Administrative Assistant Job Description. **Motion carried.**

REAPPOINTMENT TO DERBY INLAND/WETLAND AGENCY – PAUL DINICE, PAUL PADILLA

Mayor Staffieri said the terms for Mr. Dinice and Mr. Padilla had expired. Inland/Wetland Chair Fred Columbo said both gentlemen have done a good job, they attend meetings and they are interested in remaining on the Inland/Wetlands Agency.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to approve the reappointments of Paul Dinice and Paul Padilla to the Inland/Wetlands Agency. **Motion carried.**

APPOINTMENT TO THE NAUGATUCK VALLEY HEALTH DISTRICT – SUSAN CARTER

Mayor Staffieri noted that Ms. Carter's appointment had expired. She has been involved with the Health District for quite some time and does a great job and would like to continue.

A MOTION was made by Mrs. Moran with a second by Mr. Boulton to approve the reappointment of Susan Carter to the Naugatuck Valley Health District. **Motion carried.**

REMOVAL OF GREENWAY DOG BAN FOR THREE MONTH TRAIL PERIOD STARTING JUNE 1, 2007

A MOTION was made by Mr. Szewczyk with a second by Mr. Sill to approve the removal of the Greenway Dog Ban for a three month trail period starting June 1, 2007.

DISCUSSION ON MOTION

Mr. Hughes asked Mr. Culmo if the signs will be down and everything installed by June 1, 2007. Mr. Culmo said everything needed would be installed as of June 1, 2007.

MOTION CARRIED.

PERMISSION FOR VALLEY ROOFING SIGN AT BRADLEY SCHOOL

Mr. Hughes said Valley Roofing offered to do some work on the roof pavilion at Bradley School for no charge. They would just like to leave a job site sign. The ordinance says the sign can be placed for ninety days.

Mayor Staffieri said they ought to be commended for doing that work for free.

A MOTION was made by Mr. Bomba with a second Mr. Boulton to grant permission to Valley Roofing to place a job site sign at Bradley School for ninety days. **Motion carried.**

NEIGHBORHOOD ASSISTANCE ACT – PUBLIC HEARING (PATTY FINN)

Ms. Finn stated that as with every year the Connecticut Neighborhood Assistance Act Program provides a tax credit to business firms that make cash investments in qualifying community programs conducted by tax exempt or municipal agencies. She stated that the community programs must be approved by both the municipality in which the programs are conducted and by the Department of Revenue Services. She informed the board that four applications were received:

- 1) The Recreation Camp
- 2) Griffin Hospital
- 3) TEAM
- 4) City of Derby Emergency Management

Ms. Finn said she is not asking for approval of the applications this evening. The Board of Aldermen must vote on the applications at their next meeting to be held on June 28, 2007. She stated that the public hearing notice was published in the legal notices section of the New Haven Register and applications were sent out to groups that had participated in the past.

Mayor Staffieri then opened up the Public Hearing:

Kelly Curtis, 22 Grandview Blvd., Derby, CT – What is an avenger and what does the Town/City of Derby need an avenger for?

Ms. Finn – The Avenger – I have the whole book in my office – it is...

Mayor Staffieri – I think it's one of those six wheelers...

Ms. Finn – Oh, it does everything.

Mr. Curtis – That's great but you know what? Maybe that money should be used for cots, water...

Ms. Finn – Well Chief Sampson was also sent this so he could have applied.

Mr. Curtis – You're right – I'm not talking about that...

Ms. Finn – But the...

Mr. Curtis – Am I allowed to speak?

Ms. Finn – Sure.

Mr. Curtis – I'm talking about you're spending money – or you're looking for money for some eight wheel thing - we've got two quads – Vinny's got a quad, but what do we have – this is my biggest gripe...

Mayor Staffieri – Those quads don't belong to them.

Mr. Curtis – All right then he borrows one. But the Storms have one, the fire department has one. My biggest gripe for the past twelve years with the Civil Defense is what do they have to take care of the citizens in the time of need. Do they have cots, do they have water, do they have blankets, do they have pillows? As far as I know they don't have a single (inaudible.) They've got enough radios so that they can talk to somebody in Hong Kong. They've got this band with all this communication. But my biggest complaint is, and I'm complaining as a tax payer having nothing to do with the Fire Department, as I said in a sub-committee meeting what is the Civil Defense or OEM going to do for my mother at eighty-two years old, an invalid in the middle of winter who loses power? Is there a fire house to take her to for warmth – no. Is there a place to take her to be warm – where am I going to take her to Griffin Hospital or do I just leave her home to freeze? This has been a gripe of mine for years. And when I see money – tax money – someone else's tax money being spent on something that I don't see the town needing where we don't have the essentials that years ago that we did have, meaning cots, blankets, that stuff – I don't understand why no one has opened their eyes to this. No matter what administration there is nothing for the day-to-day needs. We should know from Katrina that there's nobody to help for two to three days. So how do we help our own people? I remember when I was Fire Chief I asked for cots for the guys during snow duty – there were no cots. I work up in Bethel, my boss is the OEM Director, he's got to have 500 cots in the basement of City Hall. And I'm just using cots as an example. I don't know if there's anything set up for storage, or provisions for water for people if something happens. This has been something that has been gnawing at me for months – I've brought it to the subcommittee every year and just hearing stuff like this, like this 8-wheeler – maybe this isn't the place Mayor but this is a concern as a taxpayer.

Mayor Staffieri – This is a concern and some of the things that you have been saying I know the answers to them – like the cots you brought up. Because cots sit around for so long they rot away – I asked Vinny that question myself. So where do you set it up – you don't. So the State Homeland Security has eliminated that. So if you need them Red Cross provides them. But what we need to do is to have you and maybe the Aldermen have Vinny come down and answer the questions that need to be answered.

Mr. Curtis – It's really got to be done. I mean I see this video thing that was done last Thursday night. What do we need this video for? Chief would you ever want somebody watching over your back on a video how you handle a (inaudible) incident? We don't want nobody over our back watching us extricate somebody out of a car or put out a fire. We don't need someone second guessing us. There may be issues for it – I don't know (inaudible) – I'll sit down.

Mayor Staffieri – I think it has to be discussed within the right people and I will facilitate that for you.

NUMEROUS VOICES COULD NOT DISTINGUISH.

Mayor Staffieri – They're just applying for it.

Mr. Curtis – If they're going to use the Fire Department name shouldn't that come before me first? I would think so seeing that I oversee the Fire Department. This is the first I've heard of it. If I wasn't here tonight I would not have known nothing about it.

Mayor Staffieri – This wasn't applied for the Fire Department...

Ms. Finn – It was applied for the Police, the Fire Department – anyone of any emergency use.

Mr. Curtis – Ok thanks – I mean it's something new that I didn't know about. You know what I mean communication is a big problem.

Ms. Finn – That's why the DEMHS person...

? – If I have a need for an All Terrain Vehicle I'll turn to the Fire Department.

Mayor Staffieri – You know Kelly I talked to Charlie Sampson I think it was last week in regards to there's a lot of miscommunication.

Mr. Curtis – (Inaudible)

Mayor Staffieri – And I told him what we need to do – I told him, maybe I should have told you – let's bring the right people together to talk about this – the duties. You have four different Fire Departments, you have the Storms, Emergency Management – we have to put it under control of someone.

Mr. Sill – The Fire Chief has nothing to do with this. He has nothing to do with equipment.

Mr. Curtis – Well he has something to do with Homeland Security. And that got pushed right away from the Fire Department as the liaison.

Mayor Staffieri – Well I don't know – I would have to find out from someone from the State or someone from Homeland Security if the Fire Department has anything to do with it.

Mr. Sill – It sounds like you have to bring people together.

Mayor Staffieri – Yeah, I don't know – I'm just thinking out loud.

Mr. Curtis – Mayor you had two Chiefs as the liaison, okay? Allan started working out of town all of a sudden Vinny's got control of it. I don't think its good – I just don't think it's good. Three terms – I mean two terms in a row...

Mayor Staffieri – I think the best way to deal with it is let's put the right people together. If you have any suggestions.

Mr. Curtis – I've made them but I can't get an answer Mayor. I can't get an answer. Was Vinny officially made in charge of this or is Allan still in charge of it? By rights Allan should be the one still in charge of it until the change is made. But the change has to come from you. Charlie tried to get information from Homeland Security. He was told that he cannot get information – it has to go through Vinny Vizzo. So that means someone put Vinny Vizzo in charge.

Mayor Staffieri – At one time what I recall – face it Allan dropped off the face of the world. He was coming to the department meetings and he just dropped out and there was a void there. Not blaming Allan – he's got a job, he's got to feed his family – there was a void there. Someone stepped into the void, whether it's right or wrong. Let's correct it.

Mr. Curtis – (Inaudible.)

Mayor Staffieri – Kelly, Kelly this is not the time.

Mr. Curtis – Then we'll both end it then.

Mayor Staffieri – End – enough – and we'll look to correct it. Okay thank you. Anyone else from the public like to say anything? All right.

PUBLIC HEARING ENDED

HOUSATONIC RIVER ESTUARY COMMISSION

Resolution establishing the Housatonic River Estuary Commission

Said Commission shall consist of seven members, one member from Derby, Shelton, Ansonia, Orange, Stratford, and Milford and a member-at-large. A member shall be appointed by the chief elected official of each member city or town and shall serve for two years. The chief elected official of each town or city shall fill their vacancy as it may occur. The six appointed members shall choose the member-at-large. The Commission may employ expert and other assistants as it judges necessary and may accept funds from any source. Notwithstanding any other provision of the Connecticut General Statutes, funds appropriated to the commission, or received by the commission from any other source, shall be held in the custody of the commission and expended by the commission for the purposes set forth in section 25-170 (b) of the Connecticut General Statutes as amended.

The Commission may study any issues relating to the Housatonic River and may make such recommendations as may be necessary to maintain, protect and restore the resources of the estuary of the Housatonic River. The Commission shall consider the adverse impact any action

proposed in or for the Housatonic River estuary may have upon the marine resources of said river. The Commission may prepare and submit a report to the local legislative bodies of the towns represented on said Commission.

Mayor Staffieri said this came about in regards to the dumping that was briefly allowed on the Housatonic River. Mr. Hughes said we would need to make an appointment. Mayor Staffieri said eventually we will make an appointment.

A MOTION was made by Mr. Sill with a second by Mr. Szewczyk to adopt the Housatonic River Estuary Commission Resolution. **Motion carried.**

APPROVAL OF CITY AUDITOR – FRANCIS H. MICHAUD, JR., CPA

Mr. McLiverty said in accordance with the Connecticut General Statutes and the Office of Policy & Management the legislative body has to approve an auditor. The recommendation would be to stay with Frank Michaud as the City Auditor. Mr. McLiverty said Mr. Michaud has been conducting the audit for approximately eight years and he noted that it is not uncommon to keep an auditor for that amount of time because they start to learn how the City operates.

A MOTION was made by Mr. Hughes with a second by Mr. Bomb to approve Francis H. Michaud, Jr., CPA as the City Auditor. **Motion carried.**

DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT/GRANTS WRITER

Mayor Staffieri said Sheila O'Malley has been hired as the new Director of Community & Economic Development/Grants Writer. She has a wealth of experience under economic development and grant writing. She will be available to the Police, Fire, and Schools to aid them with their grant writing. Mr. Sill welcomed Ms. O'Malley aboard. Mayor Staffieri said Ms. O'Malley had worked in the past with Waterbury Mayor Jarjura and former Congressman Jim Maloney.

Mr. Hughes said we have an ordinance that we need to look at for the creation of the Director of Community & Economic Development/Grants Writer. He said he spoke to Atty. Coppola about this and everyone should have a copy of the proposed ordinance change. He said we are looking to approve the ordinance this evening, which will then go out to bid before it become effective.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve the ordinance for the Director of Community and Economic Development/Grant Writer.

DISCUSSION ON MOTION

Mrs. Moran said it says the Mayor is vested with the authority to remove the Director of Community & Economic Development/Grants Writer for any cause that shall seem to the Mayor sufficient and the Mayor shall be the sole judge.

Mr. Hughes said that was also the language in the former ordinance.

Mayor Staffieri said the appointed positions that's how they are. He said they established if she does a good professional job, six months from now she will be evaluated and given a contract.

Hearing no further discussion.

MOTION CARRIED.

A MOTION was made by Mr. Sill with a second by Mr. Szewczyk to accept the position description for the Director of Community & Economic Development/Grants Writer. **Motion carried.**

PERMISSION FOR ST. MARY'S/ST. MICHAEL'S CHURCH TO HANG A PANCAKE BREAKFAST SIGN FOR THE MEMORIAL DAY BREAKFAST.

Mr. Hughes said he was approached by the St. Mary's/St. Michael's Home School Association regarding their annual pancake breakfast and they would like to hang a 6' long banner on the fence at the end of Elizabeth Street, which will be removed after the breakfast. Mr. Hughes noted that the sign was professionally made at Staples.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to grant permission for the St. Mary's/St. Michael's Church to hang a pancake breakfast sign on the fence at Elizabeth Street for the Memorial Day Breakfast. **Motion carried.**

EXECUTIVE SESSION – IF NECESSARY

No executive session was required.

ADJOURNMENT

A MOTION was made by Mr. Szewczyk with a second by Mr. Sill to adjourn the meeting at 8:33 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary