

## **DERBY BOARD OF ALDERMEN MEETING**

**DERBY CITY HALL – JUNE 28, 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, James J. Benanto, Jr., Joseph M. Bomba, Anthony Szewczyk, Matthew DeBarbieri, Beverly Moran (arrived at 7:05 p.m.)

Absent: Dennis Devonshuk, Ronald Sill, Scott M. Boulton

Also Present: The Honorable Mayor Anthony Staffieri  
Philip Robertson, Chief Administrative Officer  
Laura Wabno, Town & City Clerk  
Philip A. Hawks, Fire Marshal  
Ronald Culmo, Director, Public Works  
Janet Robinson, Ph.D., Superintendent of Schools  
Martin Hubbard, Chair, Board of Education  
Leo Moscato, Director, Derby Parking Authority  
Joseph T. Coppola, Corporation Counsel

#### **ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA**

Mr. Hughes said he would like to add the following items to the agenda:

Item #7. – Add resignation of Robert Cerritelli from the Board of Apportionment & Taxation  
Item. #7a. – Add Republican Caucus to appoint Second Ward Alderman Replacement and new Board of Apportionment & Taxation member

New Item #25. – Senior Center Grant Resolution  
New Item #13a. – Discussion regarding the Derby Dump

Due to a numbering typo on the agenda Mr. Hughes read the correct items and their corresponding item number.

New Item #27. – OPM Grant Resolution  
New Item #28. – Appointment of Stanley Muzyk to the Greenway Committee

Executive Session will now be Item #29 and adjournment will now be Item #30.

**A MOTION** was made by Mr. Benanto with a second by Mr. DeBarbieri to add the items to the agenda and accept the agenda as amended. **Motion carried.**

## **PUBLIC PORTION**

Leo Moscato, Jr., 34 Lewis Street, Derby, CT – Regarding the Senior Center I know we're getting some monies – I think that's the grant that we're getting \$400,000 something for – I suggest and would hope that we could follow along the restoration of all the buildings downtown – the façade and the facia that I've actually taken some pictures and sent to some of the Board of Aldermen actually needs to probably be restored. Probably more than anything because that's the first thing that you see when you come across that bridge – besides the dumpster that's over by TEAM you see that. So what I'm saying is that it's in very poor shape – we keep our property up adjoining that and we hope it could just roll right down to the next building. It's the first thing that you see and hopefully (inaudible). Thank you.

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 JUNE 28, 2007 REGULAR MEETING**

**A MOTION** was made by Mr. DeBarbieri with a second by Mr. Bomba to approve the minutes of the June 28, 2007 regular meeting as presented. **Motion carried.**

### **RESIGNATION OF DENNIS DEVONSHUK FROM THE DERBY BOARD OF ALDERMEN AND ROBERT CERRITELLI FROM THE BOARD OF APPORTIONMENT AND TAXATION**

Mr. Hughes read the following letter into the record (**attached to minutes**)

Ken Hughes  
President, Board of Aldermen  
470 New Haven Avenue  
Derby, Connecticut 06418

Dear Ken:

I regret to inform you that I am resigning from the Board of Aldermen effective as soon as a replacement can be named.

This company that I have worked for over the last 15+ years has gone through a merger and is relocating to New Jersey. I have accepted a position in the new company but it means that I have to move to New Jersey this summer with my family. I have been preparing for the move since January of this year, and have also needed to take on additional work responsibilities and travel associated with the job change. This has limited my availability to attend Board of Aldermen meeting and has negatively impacted my effectiveness as an Alderman. Therefore, I have made the decision to resign now in order to allow the Board to fill my vacancy with someone who can better represent and serve the people of the 2<sup>nd</sup> Ward.

It has been an honor to be elected to the Board and a pleasure to work with such a fantastic group of elected officials and administrators. My only regret is that I will not be here to help complete the renaissance of this great city. But I will be intently watching your progress from New Jersey and will be visiting often. I will still have a vested interest in Derby because my friends and family will still live here and will raise their families here and I am excited about their

future here. I know that you, Mayor Staffieri and all the elected Boards and city administrators will make it happen. Good Luck and God Bless.

Sincerely, Dennis Devonshuk, Alderman 2<sup>nd</sup> Ward, Derby, Connecticut

Mayor Staffieri – I would like to make a comment for the record – I tell you Mr. Devonshuk was a great alderman. Whenever he was here he had a lot of input to put in and he is a very intelligent person.

Mr. Hughes then read into the record the letter of resignation from Robert Cerritelli (**attached to minutes**)

The Honorable Mayor Staffieri  
c/o Derby City Hall  
1 Elizabeth Street  
Derby, Connecticut 06418

Dear Mr. Mayor,

I apologize for missing so many meetings; however I spend more time at the Vet's Hospital than in my own home. Tony, I have been on the Tax Board for 25 years and I have enjoyed every minute. In the last six months I have been fighting the biggest battle of my life. It is not fair to the Board, or to the taxpayers of Derby. Tony, I think this is one of the best boards we have had, and I wish them the best. Again, I apologize, but I must resign.

Sincerely yours, Robert A. Cerritelli, Board of Taxation

Mayor Staffieri – Again I would like to thank Mr. Cerritelli for the years of service that he has put in to the City of Derby and thank him for everything that he has given to us.

**A MOTION** was made by Mr. Hughes with a second by Mr. DeBarbieri to accept the resignations of Dennis Devonshuk as Alderman from the 2<sup>nd</sup> Ward and Robert Cerritelli as a member of the Board of Apportionment & Taxation. **Motion carried.**

#### **REPUBLICAN CAUCUS TO APPOINT SECOND WARD ALDERMAN REPLACEMENT AND BOARD OF APPORTIONMENT AND TAXATION MEMBER**

**A MOTION** was made by Mr. Hughes with a second by Mr. Bomba at 7:10 p.m. to caucus to select replacements for Mr. Devonshuk and Mr. Cerritelli. **Motion carried.**

**A MOTION** was made by Mr. DeBarbieri with a second by Mr. Bomba to appoint John Boanno as the new 2<sup>nd</sup> Ward Alderman. **Motion carried.**

**A MOTION** was made by Mr. DeBarbieri with a second by Mrs. Moran to appoint Mark Nichols as the new Board of Apportionment & Taxation member. **Motion carried.**

Mayor Staffieri noted for the record that both positions are Republicans.

#### **COMMITTEE REPORTS**

*Community Relations* – Mr. Hughes informed those present that due to the 4<sup>th</sup> of July holiday there was no Community Relations Committee meeting this month.

*Operations & Procedures* – Mr. Bomba also noted that the Operations & Procedures Committee did not meet this month.

**BOARD OF EDUCATION REPORT – (Janet Robinson, Ph.D., Superintendent of Schools)**

Dr. Robinson noted that everyone should have a copy of the Board of Education's minutes from their June 2007 meeting. The July 2007 meeting was just held last week and the minutes for that meeting are not finished. She asked if anyone has any questions.

Mr. Bomba said about a year ago there were some items illegally dumped on City property in back of the High School and he thought the intent was to have it cleaned and he noticed that it has not been cleaned and he is curious as to when this is going to take place.

Dr. Robinson said it had been cleaned immediately after that particular incident occurred. She said she hasn't been back there recently. She will check on this and report back to the Board.

**DERBY HISTORICAL SOCIETY – PERMISSION FOR USE OF GREENWAY OCTOBER 12, 13, 19, 20, 26 & 27, 2007 – “LEGENDS BY THE LANTERN” TOUR – Robert Novak, Jr., Executive Director**

Mr. Hughes said Mr. Novak is not in attendance; however he has submitted a letter, which Mr. Hughes then read into the record (***attached to minutes***)

Date: July 16, 2007

To: Mayor Anthony Staffieri  
Ken Hughes, Board of Aldermen President  
Board of Aldermen

From: Robert Novak, Jr., DHS Executive Director

Re: October Greenway Walk

The Derby Historical Society would like to conduct a second “Legends by Lantern” tour on the Derby Greenway this year. Unlike last year where we scheduled two 3-day weekends, this year we'd like to schedule three 2-day weekends on Fridays and Saturdays. Our experience showed that Sunday night was the weakest in terms of attendance, and the most difficult to find volunteers for. We plan on hosting three walks a night at 7PM, 8PM, and 9PM on Friday and Saturday, October 12, 13, 19, 20, 26 and 27.

Last year about 300 people attended the Legends by Lantern tours, despite the fact two days were rained out. Many experienced the beautiful Derby Greenway for the first time, and it was one of the most successful new events we have held in years.

Our success would not have been possible without the support of the City of Derby and its Mayor and Board of Aldermen. We hope to enjoy the same support from the City this year. While we do plan on running the operation with our own personnel and volunteers, we will need to request specialized services, such as Auxiliary Police, that we are not in a position to provide. We also would like to request permission to put some signage at the Greenway entrances.

Right now, we are working out the finer details of the walk. The basic structure has already been planned. While we will be charging admission, we will encourage people to buy tickets in advance, as we will likely have to limit the number of patrons on each walk, due to the availability of lanterns.

This year's route would be the same as last year, commencing at the O'Sullivan's Island parking lot, between mile markers 0.4 and 0.5, to the dead-end circle on Hog Island after mile marker 0.6. From there the group will walk under the railroad trestle, up the small hill to overlook East Derby, then return to the O'Sullivan's Island parking lot. The total distance will be about a four-tenths of a mile. Patrons will stay on the paved Greenway trail at all times. See the map at right – the bold black line is the exact route.

Many volunteers stepped forward last year, some as costumed actors and others to act "behind the scenes", such as selling tickets, crowd control, special effects, support, etc. Many wish to return this year, while other new volunteers wish to join.

Please feel free to contact me, either in person, at my Humphreys House office at 735-1908, or via e-mail at [derbyhistoricalsoc@juno.com](mailto:derbyhistoricalsoc@juno.com), at any time, if you wish to discuss this matter further. With the permission of the Board of Aldermen we are certain that this event, for the second year in a row, will bring positive publicity to both the City of Derby and its wonderful new Greenway.

Sincerely, Robert Novak, Jr., Executive Director, Derby Historical Society

Mayor Staffieri said last year he went on the Legends of Lanterns Tour and it was very well received. They did an excellent job and he can't wait to do it again this year.

**A MOTION** was made by Mr. Bomba with a second by Mr. DeBarbieri to grant permission to the Derby Historical Society to use the Derby Greenway on October 12, 13, 19, 20, 26, and 27 for the "Legends of the Lantern" tour. **FRIENDLY AMENDMENT TO MOTION** – Grant permission to the Derby Historical Society to place signage at the Greenway entrances.

#### **DISCUSSION ON MOTION**

Mr. Szewczyk asked if we could add another Friendly Amendment to add the Sunday dates if they find that attendance is better this year and the Sunday dates are needed.

**FRIENDLY AMENDMENT TO MOTION – To add the option of the Sunday dates if the Derby Historical Society requests them.**

**MOTION CARRIED.**

#### **GREENWAY COMMITTEE UPDATE – DERBY HALL OF FAME – Jack Walsh**

Mr. Walsh said several months ago the Board of Aldermen empowered the Greenway Committee to serve as the Selection Committee for the Derby Hall of Fame. He said Derby will be the first community in the Valley, and one of the few in the State, to have a "City Hall of Fame."

Mr. Walsh said eleven individuals have been selected to be in the first class. He said the concept would be that they will be honored physically on the new brick plaza by the fountain on the Greenway Trail and then their full biographies will be on line.

The first inductees for the City of Derby Hall of Fame – 2007 are:

**Ebenezer Don Carlos Bassett** – Ebenezer Don Carlos Bassett was the first African American to be appointed an ambassador to a foreign country when President Ulysses S. Grant appointed him as Ambassador to Haiti in 1877. He was born in Litchfield, but was educated in Derby. He was also a nephew of Eben Tobias, one of several Black Governors of Connecticut from Derby.

**Lou DeFilippo** – “Coach” Lou DeFilippo was Derby High school football coach from 1968-1982. Though coaching one of the smallest schools in the state, he led his teams to a record of 116-30-8, including two state championships and five undefeated seasons.

**Frank Gates** – Frank Gates was one of the leading philanthropists in Derby history. A talented businessman active in a wide variety of civic activities, he left his fortunes in trust for the continual benefit of the City of Derby and surrounding communities.

**John Ireland Howe** – John Ireland Howe was an inventor and businessman famous for his work in automating the production of the common pin. His “rotary machine” is still on display at the Smithsonian Institute in Washington D.C.

**Commodore Isaac Hull** – Commodore Isaac Hull was one of the greatest naval heroes in U.S. history. As commander of the U.S.S. Constitution during the War of 1812, he defeated the British frigate Guerriere marking the first time in history that an English frigate had struck its flag to an American ship of war.

**David Humphreys** – David Humphreys served as side-de-camp to George Washington during the Revolutionary War and had the honor of carrying the surrendered British colors from Yorktown to the Congress in Philadelphia. He was the first U.S. Minister to Portugal and served as Minister to Spain. He introduced merino sheep to the U.S. and established Humphreysville, which is today’s town of Seymour.

**Frances Eliza Osborne Kellogg** - Frances Eliza Osborne Kellogg was a woman ahead of her time. She was a success in business, leader in conservation and generous in philanthropy. Included in her lasting legacy is Osbornedale State Park, the largest tract of open space in Derby, which she gifted to the State of Connecticut.

**Reverend Richard Mansfield** - Reverend Richard Mansfield was the first resident Church of England clergyman in Derby. He served for 72 years, a period marking what may be the longest rectorship recorded in the United States.

**Edmund Strang** - Edmund Strang was simply “Mr. Scout” in Derby. Though active in a variety of civic activities, he is best known for his incredible work in Scouting. In 1927, he formed Cub Pack 3 in Derby and was assistant cubmaster and cubmaster for 68 years – the longest tenured cubmaster in U.S. History.

**General Joseph “Fightin’ Joe” Wheeler** - General Joseph “Fightin’ Joe” Wheeler grew up in Derby before graduating from West Point and serving in the U.S. Army in the Mexican War. He resigned from the U.S. Army and served in the Confederate Army as a Junior Cavalry General during the Civil War. After the war he served nine times in the U.S. House of Representatives from the State of Alabama. He later served as a major general during the Spanish American War. He was appointed a Brigadier General in the U.S. Army by President McKinley. His statue is

on display in the U.S. Capitol in Washington as a representative of the State of Alabama. He is buried in Arlington National Cemetery.

**PFC Frank Witek** – PFC Frank Witek is the only Valley native to have earned this country's highest military honor, the Congressional Medal of Honor. He was awarded the medal for conspicuous gallantry during the Battle of Finegayan at Guam on August 3, 1944. Witek Park is named in his honor.

Mr. Walsh said he hopes that this City Hall of Fame will continue and that four or five individuals would be selected and that it would be done in conjunction with Derby Day. He said he hopes to have all the items wrapped up for the Greenway Plaza (bricks, fountain, etc.) and hold the dedication on Labor Day weekend, which would also coincide with the Annual All Class Reunion.

Mayor Staffieri lauded Mr. Walsh and the Greenway Committee for the great job that they have done. Mr. Hughes said the whole plaza is going to have a huge impact.

Mr. Walsh said the fountain is in, the lion heads restored and the water to the fountain has been reconnected; however they would prefer to wait until the dedication to have the water turned on. He believes that 138 engraved bricks have been sold to date. If anyone wishes to view the writings they are on the website. Mr. Walsh also noted that there will be benches placed around the fountain, which have also been donated by area citizens. He said he also hopes to have informational bulletin boards installed. Historic signage will also be installed along the Greenway at a later date.

Mayor Staffieri noted that it is wonderful to see all the events taking place on the Greenway and it truly shows the pride that we have in the community.

**CULTURAL COMMISSION REPORT** – Laura Wabno, Town & City Clerk, informed Mayor Staffieri and the Board of Aldermen that no report was submitted this month.

**PUBLIC WORKS DEPARTMENT REPORT – JUNE 2007 (Ron Culmo, Director)**

Mr. Culmo gave a brief update on the Road Bond work. He noted that all the manholes have been replaced and the curbing has been taken out. Paving will commence on Monday and hopefully by Thursday this phase of the project will be done. Depending on remaining funds we should hopefully be able to do another eight or nine roads. Mr. Culmo said the Clerk of the Works has been doing an amazing job for the City and the work is proceeding a lot smoother than it had in the past. Mr. Sill said just having this person there seems to be keeping everything under control. Mayor Staffieri thanked Mr. Culmo for the work.

Mr. Hughes asked Mr. Culmo who is responsible for the vegetation on the dikes? Mr. Culmo said James Robinson, who is the person in charge of Flood Control, is responsible and he will speak to him about the overgrown vegetation.

Mr. Bomba asked about the status of the Flood Control Gates. Mr. Culmo said they should be ready very soon and he will call the factory for an update. He noted that everything is still being done manually and is working fine.

Mr. Culmo said he has heard complaints about signage around town and his department taking down signs. He said he is just following the City Charter that states Board of Aldermen approval is needed to erect a sign.

Report placed on file.

### **DISCUSSION REGARDING THE DERBY DUMP**

Mr. Hughes said he was made aware of a few complaints about the dump closing early once in a while. The dump should be open from 7:00 a.m. to 3:00 p.m. Monday – Friday and 8:00 a.m. – 12:00 p.m. on Saturdays with no exceptions. He questioned whether a letter needs to be sent from the Board of Aldermen to the Public Works stating these are the hours and if the dump closes early someone will be reprimanded. Mr. Sill asked if this has been brought to the commissioner's attention. Mr. Culmo said he received several complaints over the past several weeks about the transfer station being closed – twenty minutes to three; fifteen minutes to three during the day. He said somebody working up there defaced the sign that Public Works paid for stating that the hours of operation were 7:00 a.m. – 12:00 p.m. and 12:30 p.m. – 3:00 p.m. He said he installed the sign because there has been problems with people leaving early. The hours for Public Works are 6:45 a.m. – 3:15 p.m. and the employees at the Transfer Station have to come to the garage in the morning to punch in and return in the evening to punch out. He said he would have no problem with a letter coming from the Board of Aldermen. Mr. Sill asked if there is a phone up at the Transfer Station. Mr. Culmo said there is and a phone call can be made daily to make sure that they are there. Mayor Staffieri asked if there is time clock at the Transfer Station. Mr. Culmo said there isn't; however he has looked into it and the cost would be approximately \$600.00.

**A MOTION** was made by Mr. Hughes with a second by Mr. Sill to send a letter from the Board of Aldermen to Ron Culmo stating that the hours of the Transfer Station are 7:00 a.m. to 12:00 p.m. Monday through Friday and 8:00 a.m. to 1:00 p.m. on Saturdays and that due to complaints about the Transfer Station closing early a call will be made daily near the end of the shift to the Transfer Station to confirm that there are no early closings. **Motion carried.**

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

Corporation Counsel noted the increase in the amount of building permits this month. Mr. Kopjanski said the Cancer Center at Griffin Hospital is actually ahead of schedule and they are looking to pour the footings on Monday.

Mr. Szewczyk asked about Beau View Arms Condominiums. Mr. Kopjanski said they have discovered that Peter Flynn with Preferred Management is the company that manages the condos. He said any problems with defects in the building or blighted conditions, etc. is much better handled by a management company rather than the association president. Mr. Kopjanski said the problem at Beau View Arms has been taken care of.

Mr. Bomba asked about the violations at Marcucio Gardens. Mr. Kopjanski said the storage of materials and the truck and machine activity has ceased. He said Mr. Marcucio has yet to submit an application to the Planning & Zoning Commission for a Special Exception to do a limited amount of commercial nursery work up on the top of his property. He said Mr. Marcucio is awaiting the plans from Barakos-Landino, the engineering firm that they have obtained. Mr. Kopjanski said his office hasn't received any complaints about the property in over a month. Mr. Bomba said he also recalls a report from Michael Joyce about the integrity of the structure

of the hold basin on the property and he asked Mr. Kopjanski if he knows if the repairs have been made. Mr. Kopjanski said Mr. Marcucio appeared before the Inland/Wetlands Commission in July because they have to grant the permission before any kind of reconditioning is done to the basin. He said he believes Inland/Wetlands have approved the concept plan that was submitted. The pipes that let the water out of the basin need to be relocated since they are positioned too low; they must be raised in order in order to let the basin retain more water. Mr. Bomba said he doesn't believe that was the only problem that was listed in the report. Mr. Kopjanski said he also knows that Mr. Marcucio is planning on relining the basin with clay, which is what really needs to be done in order to preserve the integrity of the basin. He stated that Mr. Marcucio is working with the City Engineer and the Inland/Wetlands Agency. He is also in contact with the Chairman of the Planning & Zoning Commission. Report placed on file.

#### **BLIGHT REPORT – JUNE 2007**

Mr. Kopjanski informed the board members that there were some outstanding notices sent out and some responses have been received. He noted one of those notices is First Street. Mayor Staffieri stated that there are some hefty lien amounts. Mr. Bomba said the property on McLaughlin Terrace has been on the report for quite some time. Mr. Kopjanski said that project is finished and is in good shape and the property owner needs to follow up with Corporation Counsel. Atty. Coppola said the property owner has yet to follow up with him. Mayor Staffieri asked about the property on 4 Yocher Lane. Mr. Kopjanski said this is a vacant piece of property that the person purchased with the Blighted condition on it. It is maintained; however the person has not come forward to have the blight lien removed. He noted sometimes the property owner waits until they have a buyer to remove the blight lien, which is the case with McLaughlin Terrace.

Corporation Counsel asked about 192-194 Caroline Street – the Blight Report states that the court date is continued. Atty. Coppola informed Mr. Kopjanski that the property owner has actually withdrawn the case. Mr. Kopjanski said he was not aware of that. Atty. Coppola said the lien will remain as is.

Report placed on file.

#### **FIRE MARSHAL REPORT – JUNE 2007 (Philip A. Hawks, Fire Marshal)**

There were no questions asked. Report placed on file.

#### **FIRE DEPARTMENT REPORT – JUNE 2007**

Laura Wabno, Town & City Clerk, informed Mayor Staffieri and the Board of Aldermen that no report was submitted this month.

#### **POLICE DEPARTMENT REPORT – JUNE 2007**

Laura Wabno, Town & City Clerk, informed Mayor Staffieri and the Board of Aldermen that no report was submitted this month.

#### **REAPPOINTMENT OF GREG RUSSO – DERBY REDEVELOPMENT AGENCY**

Mayor Staffieri said Mr. Russo has been involved with the Redevelopment Agency for a number of years and he is a very good and active participant with the agency.

**A MOTION** was made by Mr. Szewczyk with a second by Mrs. Moran to approve the reappointment of Greg Russo to the Derby Redevelopment Agency.

## **DISCUSSION ON MOTION**

Mr. Hughes said there was some concern at the last meeting regarding this reappointment. He said he directed the Chair of the Redevelopment Agency, Rick Dunne, to bring this item up at the Redevelopment Agency meeting, which they did and they have submitted a letter to the Board of Aldermen. Mr. Hughes read the letter into the minutes **(attached to minutes.)**

### **Resolution of Support – Endorsement of proposed re-appointment of Greg Russo to new 5 year term on Redevelopment Agency**

Mr. Dunne explained this is a resolution of this Agency supporting the appointment of the Mayor. It is the Mayor's appointment to make. The Board of Aldermen must concur. At the recent Board of Aldermen meeting the item was tabled, with a request to provide additional input. This proposed resolution is an attempt to provide additional input to the public and Board of Aldermen.

Mr. Dunne is not a fan of the amended agreement. He said he has worked with Greg for a number of years, in different capacities. He has worked for him and with him. His opinion is he has never let politics enter into anything. He's very competent in his decisions and very thorough. Mr. Dunne personally supports his endorsement.

Mr. Kelleher was on the Board of Aldermen, the first part of this agreement was not the one when he left office. The Redevelopment Agency met infrequently, once a year, met with the developer one time in 18 months. The Agreement has changed. Mr. Russo is very professional and able. Mr. Russo is a great asset and Mr. Kelleher fully endorses him to the Agency.

Mr. Stevens has worked with Greg on various boards and commissions. The only member to question the agreement in all areas of concern was Mr. Russo. Mr. Stevens fully supports his reappointment.

Mr. Sill asked if there is a list of people wishing to be appointed to the Derby Redevelopment Agency. Mayor Staffieri said there is not.

Mr. Bomba asked if these were the only members present at that meeting. Mayor Staffieri said the other member was not there; he was absent.

### ***MOTION CARRIED.***

## **APPOINTMENT OF DELPHINE J. KREZEL – DERBY PARKING AUTHORITY**

Mayor Staffieri said there is vacancy in the parking authority since Leo Moscato has stepped down and is now a paid employee of the Parking Division. Mr. Hughes said the Mayor received a letter from John Dorosh, Chairman of the Derby Municipal Parking Authority, supporting this appointment, which he read into the record **(attached to minutes)**

Mayor Anthony Staffieri,

It is my honor to recommend Delphine Krezel as a new member of the Derby Municipal Parking Authority.

Gratefully, John Dorosh, Chairman, Derby Municipal Parking Authority

**A MOTION** was made by Mr. DeBarbieri with a second by Mrs. Moran to approve the appointment of Delphine Krezel to the Derby Municipal Parking Authority. Mr. Szewczyk abstained. **Motion carried.**

### **ANTI-GRAFFITI ORDINANCE – DISCUSSION & POSSIBLE ACTION**

Mr. Hughes said last month the board directed Corporation Counsel to draw up a proposal for an Ordinance pertaining to graffiti, which he has and all board members have a copy of it.

**A MOTION** was made by Mr. DeBarbieri with a Mrs. Moran to accept the Anti-Graffiti Ordinance.

### **DISCUSSION ON MOTION**

Mr. Szewczyk said he has a problem with this and he isn't sure this is the path we should take. He said basically this is a reward, a bounty for reporting graffiti culprits. Atty. Coppola said if there is graffiti a reward could be offered to the person who brings forth the person who committed the graffiti. He said it is based on the Ordinance in Waterbury.

**Mr. Szewczyk abstained from voting. MOTION CARRIED.**

### **VENDOR PERMIT ORDINANCE – DISCUSSION & POSSIBLE ACTION**

Mr. Hughes said the Community Relations Sub-Committee has taken this upon themselves a few times to review the Ordinance on vendor permits. We found that we are lagging behind other towns in terms of fees. Derby was charging \$75.00 per year, where other towns were charging \$200.00 - \$250.00 per year. He said Derby was charging \$3.00 for a day permit while other towns weren't even offering a day permit. Mr. Hughes said Corporation Counsel has reviewed the proposed changes. He said the proposed fee would now be \$250.00 per year. One area that would need to be reviewed is whether or not the City would want to offer day permits. He noted that one of the biggest times that we get hit is during the parades – that is why there are so many vendors on Memorial Day in Derby. Mr. Hughes said Shelton and Ansonia charge \$200.00 for a year with no day permits offered. Mr. Szewczyk said for our regular vendors such as Court House Dogs the \$250.00 would be acceptable since he is here most of the year where some other vendors come in for a limited time and take away from our established retail merchants. Mr. Hughes said he would like to see the day permit abolished.

**A MOTION** was made by Mr. DeBarbieri with a second by Mr. Sill to adopt the Vendor Permit Ordinance as written with the exception of the Day Permit Fee Section, which will be stricken. **Motion carried.**

Ms. Wabno noted the Ordinance states that the Town & City Clerk collects the Fees. She said it should really read the Finance Office.

### **FRIENDLY AMENDMENT TO MOTION**

Change the "Town & City Clerk" reference to read the "Finance Department."

**MOTION CARRIED.**

Mrs. Wabno questioned whether college students selling magazine subscriptions during the summer months will be included in the ordinance. Mr. Hughes said he feels that they would have to follow the same procedure as everyone else does. If they come in as one person its \$250.00; if they come in as a group it's \$450.00. Mrs. Wabno suggesting placing that language in the ordinance. Mr. Hughes said a vendor is a vendor.

### **POOPER SCOOPER FINES – DISCUSSION & POSSIBLE ACTION**

Mr. Hughes said there have been many discussions on this topic. There has been a decision to raise the fine from \$50.00 to \$100.00 per incident. He said as he still has to sit with the Chief of Police to discuss enforcement he would like to **TABLE** this item until he has the time to meet with Chief Mascolo. Mr. Bomba said he would like to see how many tickets have been handed out over the past five years.

**A MOTION** was made by Mr. DeBarbieri with a second by Mrs. Moran to TABLE this item until after Mr. Hughes discusses enforcement issues with Chief Mascolo and reports back to the Board of Aldermen. **Motion carried.**

### **PERMISSION TO USE GREENWAY – AREA CONGREGATIONS TOGETHER – SEPTEMBER 29, 2007 7:00 A.M. – 11:00 A.M**

Mr. Hughes stated that the Mayor had received a letter from Area Congregations Together (ACT) that he would like to read into the record:

June 12, 2007

The Honorable Anthony Staffieri, Mayor  
Derby City Hall, Office of the Mayor  
1 Elizabeth Street  
Derby, CT 06418

REQUEST: Permission for Use of Greenway  
DATE: September 29, 2007  
PURPOSE: 10<sup>th</sup> Annual Walk for the Hungry & Homeless

Dear Mayor Staffieri,

We are in the planning stages of this event and we respectfully request your permission for use of the Greenway, September 29<sup>th</sup> from 7am-11am. Our walkers will travel from the "BJ's" entry way and walk to the half-way point and return to the "BJ's" entrance. We will have volunteers along the way also to guide the participants.

I will also be in touch with Derby Police Chief Eugene Mascolo upon confirmation of approval from your office.

I thank you for your continued support and attention. I look forward to your response.

Most Sincerely, Elizabeth Holcomb, Director of Operations cc: Derby Aldermen, Chief Mascolo

Mayor Staffieri noted that last year we gave permission to this group, which conducted this event very respectfully. He also noted that it is for a very good cause.

**A MOTION** was made by Mr. DeBarbieri with a second by Mr. Bomba to grant permission to Area Congregations Together to use the Greenway Trail on September 29, 2007 from 7:00 a.m. to 11:00 a.m. for their 10<sup>th</sup> Annual Walk for the Hungry and Homeless. **Motion carried.**

**SENIOR CENTER RESOLUTION**

Mr. Hughes read the resolution into the record:

**CERTIFIED RESOLUTION OF APPLICANT**

**WHEREAS**, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Economic and Community Development, pursuant to Public Law 93-383, as amended, and,

**WHEREAS**, pursuant to Chapter 127 c, and part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Economic and Community Development is authorized to disburse such Federal monies to local municipalities; and,

**WHEREAS**, it is desirable and in the public interest that the City of Derby make application to the State for \$400,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

**NOW, THEREFORE, BE IT RESOLVED BY THE DERBY BOARD OF ALDERMEN:**

That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and

That the filing of an application by the City of Derby in an amount not to exceed \$400,000 is hereby approved, and that the Mayor is hereby authorized and directed to file such application with the Commissioner of Economic and Community Development to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the City of Derby.

**A MOTION** was made by Mr. Hughes with a second by Mr. Sill to approve the Senior Center Grant Resolution for submission to the State Department of Economic and Community Development. **Motion carried.**

**OPM GRANT RESOLUTION**

Mr. Hughes read the OPM Grant Resolution into the record:

**RESOLUTION**

Be it resolved by the Board of Aldermen of the City of Derby that the City of Derby Economic Development Office, acting by and through its Executive Director, is authorized to apply for \$2,500.00 for Cultural Commission Programs and \$7,500.00 for Greenway Trail Enhancements through the Office of Policy and Management (OPM). The Economic Development Office is further authorized to act on behalf of the City and enter into agreements in connection with this application and programs. This includes the fulfillment of all administrative requirements of the OPM.

**A MOTION** was made by Mr. Hughes with a second by Mr. Benanto to approve the OPM Grant Resolution.

### **DISCUSSION ON MOTION**

Mr. Hughes said he is happy to see these items come forward.

### **MOTION CARRIED.**

### **APPOINTMENT OF STANLEY MUZYK TO THE GREENWAY COMMITTEE**

Mayor Staffieri said there is a vacancy on the Greenway Committee and Mr. Muzyk had contacted his office expressing his desire to serve on a board. The Mayor noted that Mr. Muzyk did a good job on the first School Building Committee.

**A MOTION** was made by Mr. Szewczyk with a second by Mrs. Moran to approve the Appointment of Stanley Muzyk to the Greenway Committee. **Motion carried.**

### **EXECUTIVE SESSION (IF NECESSARY)**

**A MOTION** was made by Mr. Hughes with a second by Mr. Sill to go into Executive Session at 8:20 p.m. subject to adjournment, inviting Corporation Counsel Joseph Coppola and Public Works Director Ron Culmo, to discuss personnel issues. **Motion carried.**

Respectfully submitted,

Patricia Finn  
Recording Secretary

**PLEASE NOTE THAT RECORDING SECRETARY DID NOT ATTEND MEETING. MINUTES DERIVED FROM TAPE RECORDING OF MEETING.**

***\*Minutes subject to Board of Aldermen approval at next monthly meeting***