

DERBY BOARD OF ALDERMEN SPECIAL MEETING

DERBY CITY HALL – JULY 30, 2009 – 7:00 P.M.

MINUTES

The Honorable Mayor Anthony Staffieri called the public hearing to order at 7:35 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Anthony Szewczyk, Beverly Moran, James Benanto, David Lenart, Joseph Bomba, Ken Hughes, President, and Scott Boulton.

Absent: James Allaire and Ronald Sill.

Also Present: Corporation Counsel - Joseph Coppola.

Additions, Deletions, Corrections to the Agenda

There are no additions etc. as this is a special meeting.

Public Portion

Robert Tirschman - 40 Hotchkiss Terrace, Ansonia, Secretary of the Hotchkiss Hose. He is here tonight to speak on the item of Waiver for the Valley Center for the Arts. This came upon us quick, he has no objections to the sign, but he asks for a little appreciation and thought as to where it is placed and that it does not cover the name Hotchkiss Hose. It is very significant to the members of company past and present.

Kelly Curtis - 22 Grandview Boulevard. Hotchkiss Hose is a City building and so they (members of the fire department) don't have any say but there is a lot of history there almost 175 years of history. It has sentimental value to them. They would like to leave the name on the building.

Rich DiCarlo - Valley Arts Council. It is an overlay banner, to move it would require putting bolts into the structure.

Mayor Staffieri feels they can all work together.

Kelly Curtis - There is an old picture of Hotchkiss with the apparatus he would like to have a copy made of and hang it in the building. Mayor Staffieri thinks this is a great idea.

Marc Garofalo - 95 Academy Hill Road. Mr. Garofalo commented on the timeliness of the posting of this meeting pursuant to the FOI Statutes to be posted at City Hall and also on the internet. This was not posted within 24 hours of this meeting, he wants that on the record. Next, he questions the item for the Water Pollution Control Composition. He is not sure what this is, it is hard to make comment when we don't know what this is. He would like to reserve some time to speak on that. The item for the delay of the re-evaluation, this has never been discussed. It is hard for anyone to comment. Clearly, this is another election year maneuvers to delay this, and it is a disservice. Also, he asks the Board of Aldermen candidates, the Mayor and the Democratic Mayoral candidate to pledge to not take campaign funding from people who are doing business with the City right now. Also, is there a possibility for people connected to the administration to get there assessment of their house reduced? Also, there was a question he raised the last time about people making checks out to Annex. The answer was sometimes that

is being done, which is not part of the agreement, because there is some processing being done. He would like some clarification on what that means. The administration said all of the money is going to go to the City. Also, with the redevelopment, there was a press release about a real estate agent and a broker coming in for a project. The City is in litigation and there are requirements by redevelopment statute that you have to follow and it is inappropriate to discuss these things as if it were with the ability to be given to people connected to the administration at this time.

Dan Waleski - 21 Elm Street. Public portion has historical significance. In colonial times, if you took time to come to a meeting by the elders of the community at the least they could hear what the individual had to say. Mr. Waleski feels the previous speaker is taking this opportunity to speak without definitive facts and the speech has political overtones which he objects to, this is not the objective of a board of aldermen meeting, nor the objective of having a public portion. He also wants to note his regrets the resignation of Mr. James Allaire. He was a welcome sight and an active participant in all City matters. He had the City and public's interest always at the top of the City's business. He is a gentleman who was a credit to the board and the City and perhaps at some future date may he have some opportunity to serve the City.

Mayor Staffieri asked how many years he has been attending meetings. Mr. Waleski said his father sat on the Tax Board in the 30's and 40's for twenty two years, and occasionally asked his sons to accompany him to these meetings. He is 85 years old now. Everyone present applauded Mr. Waleski.

Mr. Rich Antonucci - Annex Associates. It has been one year since he took over the transfer station. He has collected over \$25,000.00. The previous administration collected 3,000.00-4,000.00. Under this administration every quarterly report has been filed.

Mr. Hughes wanted to correct an erroneous statement made during the public portion. The agenda was posted correctly downstairs and he checked with the FOI commission, The Derby website is not a City run website, we don't have to post the agenda on the website, so that was an incorrect statement that it must be posted. Also, the discussion of the Water Pollution Control Authority Ordinance, we are actually setting a public hearing date tonight so the public will have a month to think about it.

Public Portion Closed.

Approval of Minutes - June 25, 2009 A MOTION to approve by Mr. Hughes, second by Mr. Bomba, all in favor. **Motion carried.**

Resignation of James Allaire, First Ward - Board of Aldermen

Mr. Hughes received a letter from Mr. Allaire that he can no longer commit the time for personal reasons. Mr. Hughes is sorry to see him go. Mayor Staffieri added that Mr. Allaire served to make Derby a better place.

A MOTION by Mr. Hughes to approve the resignation of Mr. Allaire, second by Mr. Boulton, all in favor. **Motion carried.**

Republican Caucus

A MOTION to call a Republican caucus by Mr. Hughes, second by Mr. Benanto, all in favor. **Motion carried.**

A MOTION to come back into the meeting at 7:54 p.m. by Mr. Bomba, second by Mr. Lenart, all in favor. **Motion carried.**

Appointment of Replacement - First Ward - Board of Aldermen

Mr. Hughes said the Republican members discussed and selected Sam Pollastro as the Board of Alderman replacement to serve the remainder of Mr. Allaire's time.

Committee Reports - Community Relations -

Add to Blight List

4-8 Caroline Street
201 Hawkins Street
226 Derby Avenue
48-52 Smith Street
14 Indian Avenue

Attorney Coppola said one of the items on the list for 4-8 Caroline Street is being addressed and asks the Board to consider tabling this item.

A MOTION to table this property by Mr. Hughes, second by Mr. Bomba, all in favor. **Motion carried.**

A MOTION to add the other properties by Mr. Bomba, second by Mr. Szewczyk, all in favor. **Motion carried.**

Removal of Blight Designated Properties

196 Derby Avenue
145-147 MT Pleasant Street
27-29 McLaughlin Terrace

A MOTION to remove the properties from the blight list by Ms. Moran, second by Mr. Szewczyk, all in favor. **Motion carried.**

Mr. Szewczyk encourages people to attend the community relations subcommittee meetings as there will be items discussed that may have strong feelings such as memorials at traffic accident sites.

A MOTION to appoint an appeals hearing officer for 20-22 Caroline Street by Mr. Hughes, second by Mr. Lenart, all in favor. **Motion carried.**

Mr. Hughes said donation bins were also discussed at the Community Relations meeting pertaining to no ordinance for the placement of the bins.

A MOTION by Mr. Hughes to set a public hearing at the next Board of Aldermen meeting to receive public input second by Mr. Bomba, all in favor. **Motion carried.**

Department Reports

Board of Education - no one present

Cultural Commission - they did not meet this month. Mr. DiCarlo wanted to thank Fire Department, Police Department and Public Works Department for their help with the fireworks extravaganza.

Public Works - Mr. Culmo said he has been noticing leaf bags with dirt in them. They have documented the addresses and will send a letter to those people.

Building Report - no questions on the report.

Facilities Inspector Report - Mr. Hughes said it is nice to see properties coming off the blight list.

Fire Marshall Report - Mr. Hughes asked Mr. Hawks what he thought of the proposed ordinance. Mr. Hawks said it can be done, but it can be stretched further.

Fire Department Report - Mr. Curtis said the new truck will be ready in 4-6 weeks. One fire house has worked to raise money for the fireworks for 2010. He is hoping the other three companies will follow suit.

Police Department – Supernumerary Program. Ms. Moran asked if the police union contract has been signed. Attorney Coppola said it has not. Attorney Coppola said all but one of the grievances have been dropped. Ms. Moran said when this first started it was given to the aldermen at the last minute the first time. She voted no because she didn't have enough time. She got this yesterday and she doesn't see any police commissioners or someone from the union to ask if this is been agreed upon. The Mayor said the union and the management are in favor of this. Mr. Al Czajkowski (former supernumerary) said no one was advised what the new program entailed and suggest this item be tabled.

A MOTION to reinstate the supernumerary program to seven under the new program by Mr. Lenart, second by Mr. Bomba, Mr. Boulton recused himself, Ms. Moran against, Mr. Pollastro abstained. Five in favor. **Motion carried.**

Parking Authority Report - Mr. Szewczyk said the first bids (four of them) came in higher than the budget allowed. This time there were nine bidders. The winning bid dropped considerably than from the original bid, but is still over budget.

Refund of Excess Taxes \$914.26 - Cinda Buchter

A MOTION to approve by Mr. Hughes with a second by Mr. Bomba, all in favor. **Motion carried.**

Adoption of Ordinance - Requiring a Reflective Symbol on Structures Using Engineered Lumber.

A MOTION to approve without number five (5) and six (6) by Mr. Hughes, second by Mr. Lenart, all in favor. **Motion carried.** Mr. Lenart said Mr. Frank Pepe will donate the first allotment of stickers. Mr. Lenart also wanted to thank John Schaeffer, training officer of the Green Castle Indiana Fire Department along with Frank Ricci from New Haven who spoke at last month's meeting who assisted him greatly with writing this ordinance.

Discussion of Ordinance - Article XIV - Sec. 7.63 Water Pollution Control Authority - Composition. Discussion. Set Public Hearing Date. The Mayor said the Tax Board has requested establishing an authority as they have lengthy meetings as it is, and then they are subjected to another meeting afterwards. At one time there was a separate authority for WPCA.

A MOTION to set a public hearing for next month by Mr. Hughes, second by Mr. Boulton, all in favor. **Motion carried.** Ms. Moran asks that some of the Tax Board members be present.

Discussion of Ordinance - Article XXIV - Sec. 7-121., Sec. 7-122., and Sec. 7-123. Emergency Response Committee. Discussion. Set Public Hearing Date.

A MOTION to set a public hearing for next month by Mr. Hughes, second by Mr. Bomba, all in favor. **Motion carried.**

School Building Committee Invoices - Discussion and Action

A MOTION to approve by Mr. Lenart with a second by Mr. Szewczyk to approve, all in favor. **Motion carried.**

Delaying of Re-evaluation. Discussion/Action

Mr. Hughes said the legislatures recently passed a statute which allows municipalities to delay revaluation for one year due to cost (\$300,000.00 for Derby), it has nothing to do with politics as some opponents have said.

A MOTION to allow the Mayor to talk with the Assessor and inform that the Board of Aldermen approved the delay by Mr. Hughes with a second by Mr. Szewczyk, all in favor. **Motion carried.**

Waiver - Valley Center of the Arts. Sign Permit Fee Waiver for 119 Caroline St. - Two (2) signs 19" x 35" to be placed over "Hotchkiss Hose" inscription on facade. - Rich DiCarlo.

A MOTION by Mr. Bomba so long as "Hotchkiss Hose" appears, second by Mr. Szewczyk, all in favor. **Motion carried.**

Executive Session: Beyond Distributors, LLC - Litigation: Possible Action

A MOTION by Mr. Benanto to go into Executive Session at 8:43 p.m. with a second by Mr. Benanto and invite Attorneys Bradshaw, Coppola and Mayor Staffieri, all in favor. **Motion carried.**

A MOTION to come out of Executive Session at 8:54 p.m. by Mr. Boulton, second by Mr. Benanto, all in favor. **Motion carried.**

A MOTION by Mr. Hughes to authorize the city attorney and Tom Girard to take all necessary steps to conclude the settlement agreement, second by Mr. Bomba, all in favor. **Motion carried.**

Adjournment

A MOTION to adjourn at 8:54 p.m. by Ms. Moran with a second by Mr. Bomba, all in favor. **Motion carried.**

Respectfully Submitted,

*Denise Cesaroni
Recording Secretary*

*****These minutes are subject to the approval of the Board of Aldermen at their next regular meeting.**