

DERBY BOARD OF ALDERMEN

DERBY CITY HALL – MAY 26, 2011

MINUTES

The Honorable Mayor Staffieri called the meeting to order at 7:09 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Barbara DeGennaro, Stephen Iacuone, Beverly Moran, James Benanto Joseph DiMartino, David Lenart Joseph Bomba, and Scott Boulton.

Absent: Ken Hughes - President

Also Present: Corporation Counsel - Joseph Coppola, David Kopjanski, Fire Chief Bill Nicoletti, OEM Director Charles Sampson, Public Works Director Ron Culmo and Chief of Police Jerry Narowski.

Public Hearing - Layout of public roadway over property located along Division St, Derby CT formerly known as "DOT" parcel. (as presented by Corporation Counsel- Joseph Coppola, Esq).

"Mr. Mayor, Members of the Board of Aldermen, in your package it contains a (underneath number four) a copy of the public notice, a map of the layout of the DOT road, a portion of it and a property description and a value from Nocero, & Dillon.

As most of you know the DOT road is out to bid, it's being designed. The design has been accepted with what level we can accept it, while it goes through the budget process, I'm sorry the bidding process.

So here to my right, is the beginning of the DOT road...I apologize if it's hard to see. Whatever questions you have we will either have to bring you up here, or I could try to bring the map around.

This is the beginning of the DOT road, which begins with the BJ's driveway ends, okay. So that DeCarlo & Doll designed that from that point to a point, I think it's 180 feet or, I'm sorry I don't recall how long it is, to another point which ends on a separate map. So I will have to turn over to another section when we get to the layout of the whole, entire, road.

So, going back to what we have to do tonight, the Charter Section 77, there's basically two obligations that we have tonight. One, is to accept the layout pursuant to their design, meets and bounds and so on, and second of all if it affects any property owners a discussion as to how it affects it, basically value, okay.

Turn to the first part, which is the layout. The layout is basically over eighty percent City owned property. I believe less than twenty percent, so it could be eighty, between eighty and ninety percent is own, I'm sorry, is owned by the City, and the remainder is owned by one property owner, Vartelas Trust, I think is the name.

So, as far as the design over the City property, does anybody have questions, or do you need to see what the meets and bounds are? It's over six properties, so basically what that means is if they have to take another five feet they will, another four feet less they will. Any questions on City property?

So, the portion of this map and the portion that's in your handout, is the area that goes over another portion...I'm sorry goes over a portion of another property owner's property. It's at their most.....it would be, the eastern border of this property which basically abuts the uh, the river retention wall there, the dike. So, along so many feet from the dike over to, I think it's fifty feet in, that's the portion of the property that the City is going to require to have to take it for, in order to build that road, and that's in the handout. Any questions on that? In the handout, is the description, the property description which has the meets and bounds and the actual map. Any questions on that?

Okay, so pursuant to the Charter then, we now have to have a subcommittee of the group review the meets and bounds, review the value assessment and report back to the board.

Now, I don't think any of you weren't aware of the DOT road, we've been throwing maps around for a few months. The only difference is this really has a meets and bounds description and so on.

So the subcommittee would just review that, come back to the committee...um and give an opinion as to whether or not the map has satisfied, in other words, you can figure out where the road is, and second what value that we have. We did three appraisals, which you have is the highest appraisal from the City's point anyway.

So, it's something that won't take long. We can probably take care of it tonight if you so choose. Other than that, once you come back to the full board, the two things that we would require it's that you accept the layout, pursuant to the DeCarlo & Doll mapping and that I would put in the record what it is labeled at, and then from there make an offer to the property owner as to the value. Any questions"?

Mayor Staffieri - "Mr. Lenart would you entertain having a quick meeting with your subcommittee?"

Mr. Lenart - "I could, I believe it's alright".

Attorney Coppola - "You can, if you want".

Mr. Bomba - "second it"

Mayor Staffieri - "To speed things along, to keep the project moving, I would say would be a good reason, you have yourself....Kenny's not here, Joe and Barbara. We'll take a five, ten minute recess, whatever time you need. And, uh, go in the other room and discuss it, you have Corporation Counsel here, to thoroughly explain it to you".

Mr. Lenart - "yeah".

Mayor Staffieri - "that's okay?"

Attorney Coppola - "the subcommittee by the way is not for a public discussion, you do not need to post minutes, this is just to go over technical and value of a property. That's what it is for. It is not a public... is anyone from the owner of the property here"?

Mayor Staffieri - "And the owner, wou..., the owner....."

Attorney Coppola - "It was published in the paper, pursuant to the statute, and I actually spoke to the owner, so"

Mayor Staffieri - "and you invited him to come here, to be here, if he wanted to be here"

Ms. DeGennaro - "to, what is the subcommittee actually doing"?

Attorney Coppola - "you're going to review the actual design and if you have any questions of it, review the appraisal that we have, for the highest appraisal we have, the property description, and if there is any issues with those, then you have to report back to the regular board, full board. If you any issues with those you have to report back to the full board.

Mayor Staffieri - "Can I have a uh...."

Attorney Coppola - "Then the full board, after that, I'll then request that we accept the layout of the full board and have a vote on it and authorize the City to make an offer, whichever number it is."

Mayor Staffieri - "Can I have a motion to have a recess"?

A MOTION to take a recess by Mr. Bomba, second by Mr. Lenart, all in favor at 7:17 p.m. **Motion carried.**

Ms. Sheila Parizo (public) - "Mr. Mayor, as a point of order....."

Mayor Staffieri - "Excuse me, no..."

Ms. Sheila Parizo - "I believe a subcommittee is supposed to be posted, and you do have to keep minutes".

Attorney Coppola - "I disagree, so"

Mayor Staffieri - "Corporation Counsel knows the rules, I hope a little better than you do, thank you".

A MOTION to return at 7:31 p.m. by Mr. DiMartino, second by Mr. Lenart, all in favor. **Motion carried.**

Mr. Lenart reports the engineer agreed to put the road down as close to the water way as possible, the appraised property value is \$70,000 dated Feb 18, 2011. The committee recommends going with the appraisal. **A MOTION** to approve by Mr. Lenart, second by Mr. Boulton, all in favor. **Motion carried. A MOTION** to allow the City to make an offer to the property owner for \$70,000 by Mr. Lenart, second by Mr. Bomba, all in favor. **Motion carried. A MOTION** to close the public hearing by Mr. Lenart, second by Mr. Bomba, all in favor. **Motion carried.**

Public Portion

Dan Waleski - 21 Elm Street. Mr. Waleski expressed his appreciation to the City in preserving two historic water impellers and placing for public display.
Sheila Parizo - 30 Laurel Avenue. Ms. Parizo wants to know when the City wide budget will be approved by the Board of Aldermen. Ms. Parizo would like to see a report on the revolving loans on small business loans. Why is the Charter not on line?

Jack Walsh spoke of the Hall of Fame choices on the agenda.

Public Portion Closed at 7:30 p.m.

Approval of Minutes - April 28, 2011

A MOTION to approve the minutes by Mr. Bomba, second by Mr. Lenart, all in favor. **Motion carried.**

Additions, Deletions or Corrections to the Agenda

Derby Fireworks and appointment of auditors will be added to the agenda. **A MOTION** to approve the amended agenda by Mr. Lenart with a second by Mr. Bomba, all in favor. **Motion carried.**

Committee Reports – Community Relations

Vendor Permits:

Citizens Campaign for the Environment - Special Exemption - Kristen M. Pellizzari. Mr. Lenart stated there have been several issues with them soliciting without a permit and not at the listed hours. Ms. DeGennaro recommends Corporation Counsel send another letter.

Brats Balloons - Novelties - Thomas Sutcliffe. **A MOTION** to approve by Mr. Lenart, second by Ms. DeGennaro, all in favor. **Motion carried.**

Action Enterprise - Balloons/Novelties - Bruce Romanoff. No action taken.

Sweetheart Ice Cream - Prepackaged Ice Cream - Michael & Edward Giovanni. **A MOTION** by Mr. Lenart, second by Mr. DiMartino, all in favor. **Motion carried.**

Recommendations for Additions to City of Derby Blight List

46-48 Fifth Street, 37 Hawkins Street, 47 Hawkins Street, 103 Hawkins Street, 253 Roosevelt Drive, 114 Olivia Street, 44 Hawthorne Avenue, 350 Derby Avenue, and 199 Caroline Street. **A MOTION** to approve by Mr. Lenart, second by Mr. Boulton, all in favor, Ms. DeGennaro recused herself from 350 Derby Avenue. **Motion carried.**

Permission for Walnut Hill Community Church - Derby Green - Saturday July 16, 2011 from 6:00 to 9:00 P.M. - Craig Mowrey. **A MOTION** to approve provided they meet the police department requirements and the availability of port-o-lets by Mr. Bomba, second by Mr. Lenart, all in favor. **Motion carried.**

Department Reports

Board of Education -

Derby Middle School - Permission for Sign Placement for Spring Musical - June 2 2011. **A MOTION** to approve by Mr. DiMartino, second by Mr. Lenart, all in favor, **motion passes.**

Cultural Commission – no one present. Mr. Lenart questioned the renting out of space.

Public Works - no questions on the report.

Building Report - no questions on the report.

Facilities Inspector Report – no questions on the report. Mr. Kopjanski is monitoring 247-249 Hawthorne Avenue as it appears to be used as a rooming house. 236 Hawthorne Avenue is abandoned.

Fire Marshal Report - no one present.

Fire Department Report –

Fee Waiver - East End Hose Co. 3 - Picnic Grove - August 21 2011 - Robert Laskowski, Captain. **A MOTION** by Mr. Lenart, second by Mr. Bomba, to approve with the requirement of the \$100.00 returnable deposit, all in favor. **Motion carried.**

CMED Compact Agreement - Tom Lenart Jr. **A MOTION** to table until the Mayor and Corporation Counsel can speak with those involved, by Mr. Bomba, second by Mr. Boulton, all in favor. **Motion carried.**

Police Report - The BoAT approved the police department budget. The SRO was cut. Chief Narowski outlined the last thirty days of activity.

Office of Emergency Management -

Funding is in place for the City Hall generator. Mr. Sampson would like a fee waiver for the electrical permit. The item will be brought to the board next month.

Parking Authority Report - no one present.

Refund of Excess Taxes requested thru May 23, 2011- \$127.50 - Cinda Buchter, Tax Collector.
A MOTION to approve by Ms. Moran with a second by Mr. Lenart, all in favor. **Motion carried.**

Request for Approval of Transfer of Uncollectable Taxes to Suspense in Accordance with CGS 12-165. **A MOTION** to approve in the amount of \$74,036.67 by Mr. Bomba, second by Mr. Lenart, all in favor. **Motion carried.**

Use of Empty Lot at 98 Olivia Street - Paragon Construction - Storage until early November 2011
A MOTION to approve by Mr. Benanto, second by Mr. Lenart, all in favor. **Motion carried.**

Greenway Phase III Committee - Hall of Fame for 2011

William F. Durand, Brother Adelphus Patrick (James McKenzie), Col. Holton Wood, Major Wilbur Fiske Osborne and Reverend John Jordan Dillon O.P. **A MOTION** to approve by Mr. Lenart, second by Ms. Moran, all in favor. **Motion passes.**

Fee Waiver for St. Mary - St. Michael School - Picnic Grove - June 6, 2011 - 10:00 to 1:30 P.M. - Linda Coppola **A MOTION** to approve by Mr. Benanto, second by Mr. Boulton, all in favor, **motion passes.**

Permission to use the Derby Greenway for 14th Annual Walk for the Hungry & Homeless - September 24, 2011. - Spooner House - Liz Holcomb, Director of Operations **A MOTION** to approve by Mr. Benanto, second by Ms. Moran, all in favor, **motion passes.**

Accept Resignation of David Manley from the ZBA. Appointment of Sam Pollastro, Jr. from Alternate to Regular (12/31/12) A MOTION to approve by Mr. Benanto, second by Mr. Boulton, all in favor, **motion passes.**

Permission to use Derby Gazebo/Green for Derby Daycare Graduation Ceremony - Gladys Lazurek, Director. A MOTION to approve by Ms. Moran, second by Mr. Boulton, all in favor, **motion passes.**

Fireworks

Mayor Staffieri addressed the board. The fireworks is privately funded. This year we are going back to Bay Fireworks. Shelton had a bidding process and Bay Fireworks was the only bidder. The Shelton display will cost \$12,000. We are negotiating a contract that will be for \$11,500. The difference is Shelton can use 6 inch shells and Derby can only use 5 inch shells based on the location of where the fireworks are being shot from. Therefore, the displays should be equal. At the last Board of Aldermen meeting, Dave Lenart presented a motion to close Elizabeth Street. That motion passed. The date is July 1, Friday, 2011. The rain date would be July 2, 2011 Saturday.

Auditor

A MOTION to appoint the current auditor Michaud & Accavallo as the City auditor for FY 10-11 and FY 11-12 by Ms. Moran, second by Ms. DeGennaro, all in favor, **motion passes.**

Adjournment -

A MOTION to adjourn at 8:42 p.m. by Ms. Moran, second by Mr. Benanto, all in favor, **motion passes.**

Respectfully Submitted,

*Denise Cesaroni
Recording Secretary*

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