

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL, ALDERMANIC CHAMBERS – DECEMBER 8, 2005 - 7:00 P.M.

MINUTES

Mayor Anthony Staffieri called the meeting to order at 7:02 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Anthony Szewczyk, Matthew DeBarbieri, Beverly Moran, James Benanto, Ronald Sill, Joseph Bomba, Kenneth Hughes, Scott Boulton, Dennis Devonshuk (arrived at 7:08 p.m.)

Also Present: Gary M. Parker, Director, Public Works
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Keith A. McLiverty, City Treasurer
Chief Andrew L. Cota, Jr., Derby Police Department
Laura Wabno, Town & City Clerk
Theodore Estwan, Jr., Chairman ZBA, Police Commissioner
John DeBarbieri, Interim Chief Administrator
Allan Coppolo, Chief, Derby Fire Department
Kelly Curtis, Fire Commissioner, Derby Fire Department
James Butler, Jr., Assistant Fire Chief
Charles Sampson, Assistant Fire Chief
Joseph Coppola, Corporation Counsel

ADDITIONS, DELETIONS, CORRECTIONS & ADOPTION OF AGENDA

Mayor Staffieri informed the board that he would like to delete item 18 from the agenda - *NAME NEW STREET OFF OF DIVISION STREET AS BOB SKOWRONSKI DRIVE PURSUANT TO SECTION 77 OF THE CITY OF DERBY CHARTER*. Mayor Staffieri noted that he has no objection regarding this item, however, there was no paperwork accompanying this request.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Bomba to delete the one item and adopt the agenda as amended. **Motion carried.**

PUBLIC PORTION

Mayor Staffieri opened the public portion by stating if anyone would like to speak on an item that is on the agenda there would be a five minute limit to address that item. If someone would like to address the board on an item that is not on the agenda they would have a three minute time limit.

Dan Waleski, 21 Elm Street, Derby, CT – I'm undoubtedly the senior member in this assembly – probably the only one who will speak at the public portion. I just want to take this opportunity to welcome this new administration to City Hall. I think it's significant that you're holding your first meeting in the new City Hall. As you know you are not only the senior legislative governing body of the City, but you are our, as citizens, our direct representatives. We feel that's quite a high honor and we look forward to fruitful, meaningful, actions by your board not only for a few citizens, but for all the citizens of Derby. And I just congratulate you and wish you well. Thank you Mr. Chairman.

Michael J. Kelleher, 39 Belleview Drive, Derby, CT – Mayor I do have an agenda item but I would like to read a statement if I may.

Mayor Staffieri – Go ahead.

Mr. Kelleher – Michael Kelleher – Belleview Drive – Ms. Finn nice to see you again.

Ms. Finn – Thank you.

Mr. Kelleher – In January of 1984 I was sworn in with then Mayor DeBarbieri, a polite and honest man – that was twenty-two years ago. Since then we've had four other Mayors – Richard Grande, Gino DiMauro, Alan Schlesinger and Marc Garofalo. I've served with Alan and Marc and from what I can remember the transitions were smooth. But it appears this year it's a little different. Missing tapes, erased hard drives, (inaudible), incomplete hard drives, destroyed documents, etc... I am a Truman, Roosevelt and Kennedy Democrat and I am proud of my party, most of the time. You folks have been in office for six days and since then there has been several statements in both the print media and television newscasts of the former administration stating "the new administration doesn't know how local government works. They need all the help – all they need do is call on me and I'll tell them. They should know – that's Government 101." New Haven Register. "I'll be happy to show them how the government works." Channel 8 News – December 12th. These statements have implied that you do not know how to govern. I thought they were both degradable and condescending. And I had hoped our Democrat leader could have behaved better than that. People who say you don't know how to govern – the people who say that you don't know how to govern were removed from office on November 8th by the voters of Derby. They got tired of the local government operation. It has been said that when the center of the universe is finally discovered there will be some people disappointed to find out that they're not it. You have all been chosen by the people to turn things around in this community. You only have to look outside those windows to see where to start. It's pretty hard to miss that isn't it? In taking on all the problems in Derby and finding solutions to them, you're going to have disagreements between each other. This is a good thing. Because when two people think exactly alike only one of them is doing the thinking. You'll figure it out and you'll solve it and work out all the problems. I have confidence in the Mayor, the Aldermen, his new assistants and especially this (inaudible) fellow right here who is going to be our new Fire Commissioner. The people of Derby wanted change and they want you to give it to them. It's time for the rest of us to get on with our lives and for you to get on with the City's business. Thomas

Jefferson once said that character is the most important quality in a political leader. I believe you all have that. I'd say good luck to you, but luck has nothing to do with it. It's time and effort and you're all prepared and you will give both. I'm sure you will give both to the City all the time. Thank you Mr. Mayor and Aldermen for giving me time to speak. Thank you.

Mayor Staffieri – Thank you Mr. Kelleher. Anybody else from the public? Hearing none...

PUBLIC PORTION CLOSED

WAIVER FOR SCOTT BOULTON

The following was submitted by Scott Boulton (***attached to minutes***):

To Members of the Derby Aldermanic Board,

I, Scott Boulton, respectfully request the Board of Aldermen's permission to concurrently serve the City of Derby as a member of the Board of Aldermen while remaining in the capacity of police officer within the Derby Police Department.

Furthermore, I understand that I shall abstain from voting on issues which relate to Derby Police Department matters. Respectfully, Scott Boulton.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Bomba to approve the waiver for Scott Boulton. **Motion carried.**

ELECTION OF THE PRESIDENT OF THE BOARD OF ALDERMEN

Mr. DeBarbieri said he would like to nominate Ken Hughes as President of the Board of Aldermen. Mr. Boulton would second the nomination.

A MOTION was made by Mr. Szewczyk with a second by Mr. Boulton to close the nominations. **Motion carried.**

A MOTION was made by Mr. DeBarbieri with a second by Mr. Boulton to nominate Ken Hughes as President of the Board of Aldermen. **Motion carried.**

ADOPTION OF ROBERTS RULES OF ORDER

A MOTION was made by Mr. Bomba with a second by Mr. Boulton to adopt Roberts Rules of Order for all future meetings of the Board of Aldermen. **Motion carried.**

MINUTES (Ronald Sill only remaining Member of the Board of Aldermen able to accept the Minutes of the 11/22/05 meeting)

Mr. Sill adopted the minutes of the 11/22/05 meeting with the following correction noted by Mrs. Moran – Typo on the first page should be “refund” not “regund.”

Mr. Szewczyk said he had a question to ask about the minutes since he is not familiar with Roberts Rules of Order – could someone please provide a background as to why

the Public Works report was tabled at the last meeting? Mr. Sill said it was tabled because the report was not available for the meeting.

APPOINTMENT OF CORPORATION COUNSEL (JOSEPH COPPOLA)

Mayor Staffieri said he has asked that Mr. Joseph Coppola be appointed Corporation Counsel. He informed the board that he has known Mr. Coppola for quite a while. He was a former Derby resident. Mayor Staffieri stated that Mr. Coppola has a wealth of knowledge and excellent credentials.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Bomba to appoint Joseph Coppola as Corporation Counsel for the City of Derby. **Motion carried.**

APPOINTMENT OF INTERIM FINANCE DIRECTOR

Mayor Staffieri informed the board that Mr. Schlesinger is a lawyer who attended Wharton School of Business. He has also served as a State Legislator and former Mayor for the City of Derby. He noted that many people find former Mayor Schlesinger to be one of the finest fiscally knowledgeable Mayors that Derby has ever seen.

A MOTION was made by Mr. Bomba with a second by Mr. DeBarbieri to appoint Alan Schlesinger as Interim Finance Director.

DISCUSSION ON MOTION

Mr. Devonshuk asked if we have a stated timeframe for interim? Mayor Staffieri said basically we are going to be reorganizing the positions that were made prior to this administration taking over and they would be eliminating some of the positions. Mr. Devonshuk said there is no predetermined timeframe for the position. Mayor Staffieri said that is correct. Mr. Szewczyk said the bottom line is this should save us money. Mayor Staffieri said that is correct. He noted that they are accepting applications for the positions that were made by our predecessor and they are looking to consolidate some of the positions.

Motion carried.

APPOINTMENT OF INTERIM DEPUTY FINANCE DIRECTOR

Mayor Staffieri said one of the things that both he and former Mayor Garofalo agreed on was appointing Joan Williamson as the Deputy Finance Director to train the new Finance Director. Joan is a wealth of knowledge and she is a great asset to us. She has been a tremendous asset during the transition.

A MOTION was made by Mrs. Moran with a second by Mr. DeBarbieri to appoint Joan Williamson as Interim Deputy Finance Director. **Motion carried.**

APPOINTMENT OF INTERIM CHIEF ADMINISTRATOR

Mayor Staffieri said Mr. DeBarbieri is retired from the banking industry. He served on the CDAP for Ralph Romano as a one-term Mayor; as a Police Commissioner under Alan Schlesinger. Mr. DeBarbieri is also a Navy Veteran. Mayor Staffieri said the word interim in front of these positions is because part of the job assignment is to recommend a plan to consolidate and reorganize the Mayor's staff to a more manageable structure. He

noted that all salaries are in the current budget and there would be no additional costs in the Mayor's office this year. Next year's budget will include the office staff restructure to reflect the fiscal reality of our City and to lower salary requirements of that office.

A MOTION was made by Mr. Boulton with a second by to appoint John DeBarbieri, Sr. as Interim Chief Administrator. Mr. DeBarbieri abstained. **Motion carried.**

APPOINTMENT OF CITY OF DERBY FIRE COMMISSIONER (KELLY CURTIS)

Mayor Staffieri said Mr. Curtis has served the City in the fire service since he was a young man. He has been through every position possible and has served the City well. His father served as a Commissioner twenty years ago and Kelly is following in his foot steps. Kelly is setting a great example for the next generation of the Curtis Family.

A MOTION was made by Mrs. Moran with a second by Mr. DeBarbieri to appoint Kelly Curtis as City of Derby Fire Commissioner. **Motion carried.**

Mayor Staffieri then administered the Oath of Office to Mr. Curtis.

DETAIL SETTLEMENT OF MILONE & MACBROOM

Mayor Staffieri said apparently this wasn't clear to many people, including himself, regarding the past due bills owed to the City Engineer. The City has settled the bills and have gotten Milone & MacBroom to reduce some of the price. The City settled for \$135,815.00 to Milone & MacBroom and made payment. Milone & MacBroom in turn knocked off \$78,000.00 from the bill.

UPDATE ON SMALL CITIES GRANT (DUE 11/30/05 SIGNED AND SENT OUT 12/6/05)

Mr. McLiverty explained that the Small Cities is not out of his office, however, due to the transition he has been asked to review it. Mr. McLiverty said this is a Small Cities Residential Rehab grant that was given to the City to rectify code violations in private residential structures. He noted that the grant expired on November 30th of this year and we need a budget extension in order to draw down the rest of the funds to close out the project. Mr. McLiverty informed the board that the other Small Cities Grant that the City currently has is called a Revolving Loan Grant. Business owners are able to apply for a low interest loan – 3% - to do improvements to their place of business provided that for every \$12,000.00 they receive they must hire a position. He explained that in the past the Mayor has made a recommendation to the full board and then the board approves the loan.

NAME BRIDGE OVER THE DERBY CANAL AS BRIAN DENNEHY BRIDGE

A MOTION was made by Mr. Szewczyk with a second by Mr. DeBarbieri to name the bridge over the Derby Canal as the *Brian Dennehy Bridge*. **Motion carried.**

AUTHORIZE MAYOR STAFFIERI TO EXECUTE AGREEMENT BETWEEN THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND LAKE HOUSATONIC AUTHORITY FOR DELEGATION OF BOATING LAW ENFORCEMENT AUTHORITY

A MOTION was made by Mr. DeBarbieri with a second by Mr. Szewczyk to authorize Mayor Staffieri to execute the Agreement between the Department of Environmental

Protection and the Lake Housatonic Authority for delegation of the Boating Law Enforcement Authority. **Motion carried.**

AUTHORIZE TEMPORARY USE OF OLD CITY HALL LOCATED AT 35 FIFTH STREET FOR BOARD OF EDUCATION OFFICES

Mayor Staffieri said during the campaign he promised the people of Derby that he would save as much money as he could across the entire budget. We are currently paying \$7,500 a month for rent and utilities to house the Board of Education at 33 Elizabeth Street. Since the old City Hall is empty it is his suggestion that we use the old City Hall to house the Board of Education. After being elected he started the research and found that the Board of Education could be moved to the old City Hall. Superintendent Janet Robinson has estimated that it would cost \$30,000± to fit up the old City Hall. Mayor Staffieri noted that there is a study that is being performed right now and it is 80% complete so by the time it is complete, since we are in contract with it we can't void it, so by the time we actually get funding for doing the renovations at the new City Hall would be a couple of years. So by putting the Board of Education at the old City Hall we would be saving that money and it would also keep the old City Hall from falling into disarray.

A MOTION was made by Mr. Bomba with a second by Mr. Sill to authorize the temporary use of the old City Hall located at 35 Fifth Street for the Board of Education Offices.

DISCUSSION ON MOTION

Mr. Hughes asked Mayor Staffieri how soon would the move happen? Mayor Staffieri said Mrs. Robinson said they could be in by the end of December. He said he had spoken to Mrs. Robinson during the election regarding this matter and she thought it would be a great idea to move to the old City Hall. Mr. Szewczyk noted the problems with the HVAC unit at the old City Hall. Mr. McLiverty stated that the pool heater also heats the upstairs and that it would have to be separated. Mayor Staffieri said he is sure when it comes time for the major renovations we could look at it then.

Motion carried.

NOVEMBER 2005 BUILDING DEPARTMENT REPORT

Mr. Kopjanski explained that the report is done on a monthly basis. It has a breakdown of the number of building permits by category that were done for the previous month. The report also includes Zoning Certificates, Reoccupancy and Certificates of Occupancy. Mr. Kopjanski noted that the Blight Report is usually a separate item since it is a separate ordinance that governs blight. The Blight List shows the properties that are currently on the list and the status of the properties. Mr. Kopjanski said there are some properties that are just about ready to come off – they have been sold and improvements have been made. As in the past the property owner approaches the Board of Aldermen to request that the property be taken off the list and the liens either removed or reduced.

Mr. Hughes asked what is the process for putting a property on the Blight List?

Mr. Kopjanski said it is in the Ordinance. He said it is a series of notifications to the property owner.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Sill to accept the November 2005 Building Department Report. **Motion carried.**

NOVEMBER 2005 FIRE MARSHAL REPORT

Mr. Hawks said his process is similar to Mr. Kopjanski's. His report is basically the status of how much time his office is putting in. He informed the board that Plan Review is the review of plans that are submitted to the City to meet fire code. Property Inspections are the properties that were inspected that particular month and the outcome.

A MOTION was made by Mr. Sill with a second by Mr. DeBarbieri to accept the November 2005 Fire Marshal Report. **Motion carried.**

APPROVE ROAD BOND INVOICES - \$46,989.00

Mayor Staffieri said these are costs associated with the on-going road bond.

A MOTION was made by Mr. Sill with a second by Mr. DeBarbieri to approve for payment the road bond invoices as presented. **Motion carried.**

APPLICATION FOR VENDOR LOCATION LICENSE, ARTHUR NOVARRO – FLORAL SERVICE CORP. LOCATION REQUEST 445 NEW HAVEN AVENUE

Mayor Staffieri said he has been informed that Mr. Novarro is here every year to sell flowers on different holidays.

A MOTION was made by Mr. Szewczyk with a second by Mr. DeBarbieri to approve the application for Vendor Location License of Arthur Novarro for 445 New Haven Avenue. **Motion carried.**

Mr. Novarro was present and thanked the board for their approval. He informed the board that in past years he has donated the flowers for the Valentine's Day Weddings that have taken place at City Hall. He said if the tradition of the weddings continues with the new administration that he would be happy to donate the flowers again. Mayor Staffieri thanked Mr. Novarro and said that the City would be in touch with him as the date nears.

DISCUSSION ON NEW ALDERMANIC COMMITTEES

Mayor Staffieri said they are restructuring the aldermanic committees. He noted that all the aldermen have come forward for potential assignments to the boards. They are going to be restructuring the committees to make them more effective. Mr. DeBarbieri said the Board of Aldermen members have been coming in all week expressing a desire to join the boards. He said they would have the final restructuring done in two weeks and would present it to the public at that time. Mayor Staffieri said they are also looking at what works in other towns.

UPDATE ON COMPUTER AND DISC ISSUES

Mayor Staffieri said there is not much to say on this subject. There is an on-going police investigation. He has completely washed his hands of this and he has put it entirely in the hands of the Police Department.

REFUNDS TO BE APPROVED – EXCESS TAXES PAID 11/1/05-11/30/05 – CT STATE STATUTE 12-129

Mayor Staffieri said this list was prepared by our Tax Collector, Cinda Buchter, and it requires Board of Aldermen approval.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Szewczyk to approve for payment the Tax Refund List in the amount of \$2,311.43. **Motion carried.**

EXECUTIVE SESSION – UPDATE PYKA VS. CITY OF DERBY

A MOTION was made by Mr. DeBarbieri with a second by Mr. Szewczyk to go into Executive Session at 7:45 p.m. regarding pending litigation, inviting Corporation Counsel, with no action to be taken and subject to adjournment. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary

/paf
Attachment

A TAPE RECORDING OF THIS MEETING IS ON FILE IN THE TOWN & CITY CLERK'S OFFICE