

**DERBY BOARD OF ALDERMEN MEETING
“SPECIAL MEETING”**

DERBY CITY HALL, ALDERMANIC CHAMBERS – MAY 11, 2006

MINUTES

The Honorable Mayor Anthony Staffieri called the meeting to order at 7:05 p.m. All rose and pledged Allegiance to the Flag.

Roll Call

Present: Anthony Szewczyk, Beverly Moran, James Benanto, Joseph Bomba, Kenneth Hughes, Scott Boulton, Matthew DeBarbieri, and Ron Sill. Absent: Dennis Devonshuk.

Also Present: Joseph Coppola, Corporation Counsel
Lt. Eugene Mascolo, Derby Police Department
Ronald J. Culmo, Director of Public Works
Philip Hawks, City of Derby Fire Marshall
Laura Wabno, Town & City Clerk

ADDITIONS, DELETIONS, CORRECTIONS TO THE AGENDA

Noted that since this is a “Special Meeting” there can be no additions the Agenda is accepted as presented. Request that 12B will be removed from the Agenda as posted.

For point of record Mayor Staffieri asked Atty. Joseph Coppola to explain “Abandonment” as pertains to Item #7. L Street is mainly a paper road with a large portion unpaved and portions of Mohawk Avenue are the two parcels currently up for discussion under Item #7. Atty. Coppola stated that Abandonment means that the City would no longer be required to plow, asphalt or maintain the parcels in question. However, this does not mean that the City would give transfer of Title. The City would still own title to the roadbed beneath the Street lines.

PUBLIC PORTION

Noted for the record that since this is a “Special Meeting” only items on the Agenda as presented may be addressed.

John Orazietti 56 Sodom Lane, Derby; Chairman of the Democratic Town Committee. - Mr. Orazietti is here tonight to speak on behalf of the neighbors that will be effected by the decision of Abandonment of the two parcels of land under Item #7. The neighbors are questioning their voice in City government and their concerns are not being addressed. It seems apparent to the effected neighbors of the parcels that the property in question is all but sold to Griffin Hospital without going out to bid. Mr. Orazietti suggested that this matter be tabled and that this be referred to the Council of Governments for further review.

Mayor Staffieri and Atty. Coppola assured Mr. Orazietti that the parcels in question will go out to bid and that there is no deal to sell the parcels to Griffin Hospital.

Sharlene McEvoy, 200 Emmett Avenue, Derby, CT – Thanked the Members of the Board that participated in a walk of the area in question (Item #7) for some of them it was the first chance to actually see the areas in question. Ms. McEvoy submitted a handout for the record to all Board Members (on file in the Town/City Clerk's Office) She also asked that Mayor Staffieri excuse himself from any agreements with Griffin Hospital stating that Mayor Staffieri was selected as one of 24 new Corporators to serve on the Griffin Hospital Board of Directors. Mayor Staffieri stated that all Mayors and Selectmen of the Valley towns are given this honor by the Griffin Hospital. Ms. McEvoy submitted a petition signed by residents of the Mohawk-Emmett Avenue area (on file in the Town/City Clerk's Office) requesting that the City of Derby and Griffin Hospital discontinue any further plans for the extension of Griffin Hospital into this area of Mohawk-Emmett Avenue. Ms. McEvoy made several mention to their reasons of concerns referring to page 5 and 6 of the BOA minutes of 1/26/06. Included in her submission for the record Ms. McEvoy also presented a copy of General Statutes, Title 8 Zoning, Planning, Housing, Economic, Community Development, and Human Resources Chapter 126 Municipal Planning Commissions Sec 8-24 Municipal Improvements. The handout also included a history of homes demolished, business location demolished and houses taken over by the Griffin Hospital (all on file with this report). A copy of all of Ms. McEvoy's concerns and comments are on copy fully in the Town/City Clerk's Office with the entire minutes and package of this meeting. Ms. McEvoy included a message from Patrick A. Charnel, President/CEO of Griffin Hospital in which he states that the developing of our project is vital and will hold informational forums to be held in upcoming months and to the best of her knowledge no forums have been held. She urged this Board to have a Public Hearing so that the Planning and Zoning and the Town Engineers have a chance to give a complete report before any decisions can be finalized.

Daniel Waleski, 21 Elm Street, Derby, CT – Mr. Waleski was unable to voice his concerns regarding the granite Water Fountain relocation as previously discussed at the last Board of Aldermen meeting because this is a Special Meeting.

Sylvia Stevens, 12 Indian Avenue, Derby, CT – Would like to know the reasoning for building at the end of Mohawk Ave. The Street is already highly traveled and this would seem to only bring more traffic into an already congested area. Her second concern is the blasting that would have to take place, which is practically in her back yard and the effect that it may or may not have on her home.

Betty Lally, 172 Emmett Avenue, Derby, CT – Thanked all members of the Board who walked with the neighbors recently and listened to the concerns of the residents. She stated that back in February 2006 she meet with the Mayor and voiced her concerns about the rumors of the expansion of Griffin Hospital into the Mohawk Avenue area and the effect it would have on the neighborhood. She was disappointed to learn that this information was not relayed to this Board and no further contact was made once this project was started.

Barry Clarke, 338 Seymour Avenue, Derby, CT - His property borders the back of this current project and the idea of the blasting and increased traffic just what effect this project will have on his property. Mr. Clarke already has problems with people using his property for their own private parking during the day and a turn around even with the No Trespassing Signs clearly visible. He stated that he has made numerous calls to the Derby Police Dept. but the problem continues.

Mayor Staffieri stated to Mr. Clarke if he has any further problems with the parking situation and does not receive any results please call his office.

Patrick A. Charmel, Griffin Hospital President/CEO Derby, CT – Parcel is already zoned “Industrial” these concerns have been discussed with the Planning and Zoning Commission and the Board of Aldermen. One concern was a rear entrance to this part of the campus, to put that rumor to rest there are no plans to have a rear entrance off Mohawk Avenue. Surveys are available for review along with plans if accepted and approved. The parking problem is also a concern of the Hospital and this demand is not being overlooked by the Hospital. This parcel will include 200 additional service parking spots. Blasting surveys would be done prior to any final plans. This information will be shared with the neighbors and surrounding areas effected. The Hospital cannot proceed until all the foundation work (surveys, Inland/Wetland and Planning & Zoning) is complete. Although the Hospital has purchased several parcels of land without the abandonment of this section and opportunity to bid for purchase of this land the project would be at a stand still. Griffin Hospital has strived to be a good neighbor and if there, more concerns please bring them to my attention and we will work with you.

Mr. Szewczyk asked questions regarding a survey of a site plan dated 11/5/05. Mr. Charmel did not have the specific set back/buffer footage and the plans did not show the dimensions. Mr. Charmel assured Mr. Szewczyk that the Hospital was well aware of the privacy for its neighboring homes to the proposed campus and that the buffer would more than likely be much larger than required. An engineer would have all figures and if a retaining wall would have to be built it would be built, this is a concern voiced by Mr. Clarke that there would be a continuing runoff from the step incline. Ms. Lally asked what was the objection to having a satellite campus to the Hospital. Mr. Charmel stated it is a matter of efficiency. There is a lot of inter-working among the Hospital. Griffin Hospital serves 36-37,000 last year alone through their Emergency Room Services. Without the expansion, the Hospital could quite possibly lose its Physical Therapy area. With the possibility of expanding the current Campus this would enable the Hospital to better serve the public and allow patients who now must go out of the Valley for Cancer treatments to stay closer to home and allow the Hospital to better serve the needs of the Valley.

Daniel Waleski, 21 Elm Street Derby, CT – The original intention of the Hospital was to serve the citizens of Valley and it would seem that now we are reaching out further and competing for the patients of the Yale New Haven Hospital and surrounding areas.

Mr. Charmel said that the main reason for the expansion is to serve the needs of the local Valley residents the proof is the 36-37,000 patients who used the Emergency Room Services and who must now go out of the Valley for cancer treatments.

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – Asked if traffic surveys have been done and the effect that this would have on the area especially at the Rte. 8 exits. Mr. Charmel stated that yes surveys have been done and are still currently being done.

Mr. Szewczyk also made note that all the studies are available at the DOT Office located at the Derby Train Station

APPROVAL OF THE MINUTES OF APRIL 4, 2006

A Motion was made by Mr. Sill, second Mr. Benanto. Discussion on the Motion: Mr. Hughes stated that at the last meeting an incorrect address was stated for the Blight List. That address was 195 Caroline Street. The correct address should have been 192-194 Caroline Street. Mr. Hughes then read a letter into the record (on file in the Town/City Clerk's Office) from David Kopjanski, Building Official and Zoning Officer for the City of Derby. Making note of the correction. Motion made to accept the minutes with the correction. **Motion carried.**

A map of the area affected by the Abandonment of L Street and a portion of Mohawk Avenue was presented for review and was available prior to this meeting in the Town/City Clerk's Office.

Mr. Coppola stated that back January 2006 the BOA empowered Corp. Council and the Mayor to discuss with Griffin Hospital the purpose and the reason for their expansion. It was the determination of Corporation Council through Title searches and to have Griffin Hospital obtain a surveyor to ensure that the abandonment would not affect Mr. Defillipo's property whether it be him or future owners of his property. After the survey was completed, the Planning & Zoning Commission was asked to provide an 824 referral this was sent to P&Z and the City Engineers study before a recommendation could be made. A letter was placed into the record from Milone & MacBroom, City Engineers along with the map of the area in discussion.

Corp. Council made note that a notice was placed in the Connecticut Post 4/29/06 and 4/30/06 regarding this Public Hearing this evening. Copy of said notice is on file in the Town/City Clerk's Office.

There was also a Summary Appraisal prepared by Durocher Associates, Inc. of 718 West Woods Road Hamden, CT dated May 3, 2006. The appraised value of the land in question was \$127,500.00. (On file in the Town/City Clerk's Office)

There currently is no agreement with Griffin Hospital or any other persons for the purchase of said property the property would still have to follow all the guidelines and go out to bid.

Mr. Sill asked how much of the road would the City still own and not abandoned by this agreement. It was stated by Corp. Council Coppola that approximately there still would exist a paper road that would remain (90' by 50') in the hands of the City.

Mrs. Moran asked if the current land that runs through Derby Glass would still have to be maintained. By not abandoning this, the City would have to maintain the road. Past interest in the purchase of the land was the costs of the blasting far exceeded the last purchaser's expectations.

A Motion was made by Mr. Bomba, second by Mr. Hughes, to abandon L Street and Mohawk Avenue as depicted on the survey map, One NO vote. One abstention **Motion carries.**

TAX REFUND (MAIN REALTY GROUP) – Atty. Cohen was present for questions from the Board. Mr. Hughes presented for the record a copy of the field cards and there

was an error in the reporting of square footage of 10,620 in reality the actual square footage was 6,220.

Motion made by, Mr. Hughes, second by Mr. DeBarbieri, all in favor. **Motion carries.**

FIRE MARSHALL REPORT – Phil Hawks present. No questions, report on file.

POLICE DEPARTMENT REPORT – Lt. Eugene Mascolo present. No questions, report on file. Lt. Mascolo would like Mr. Szewczyk to know that the Police Dept. did inquire with the Senior Center and they are not interested in any of the old Police Department computer equipment. American Legion has asked for two of the old typewriters and are currently waiting to hear from the Purple Heart Association if they have any need for any equipment currently available.

CMED REPORT – No one present at this time for further action. Corp. Council said this is different from the previous agreement. **Motion** to carry this item over to another meeting when someone is present to detail the agreement to the Board. Motion by Mr. Bomba, second Mr. Szewczyk, all in favor. **Motion carries.**

WORKER'S COMPENSATION MATTER – Stankye, Mancini, and Ewen. The case of Mr. Mancini was removed at this time. Corp. Council is seeking a motion from the BOA to go into negotiations with Mr. Stankye and Mr. Ewen with what was agreed upon in Executive session in regards to their heart and hypertension claims against the City of Derby. Medical Part has been satisfied on behalf first for Mr. Stankye and sees no reason for not going into negotiations for his claim. **Motion** made by Mr. Hughes, second by Mr. DeBarbieri, Scott Boulton abstained. **Motion carries 7 with one abstention.**

Mr. Ewen has a work related injury and in review of his file he falls into the category and Corp. Council is seeking permission from the BOA to start negotiations on his claim of heart and hypertension claims against the City of Derby. **Motion** made by Mr. Hughes, second by Mr. DeBarbieri, Scott Boulton abstained. **Motion carries 7 with one abstention.**

PUBLIC WORKS – EARLY RETIREMENT OFFER – Offer of any early retirement package to any Public Works Employee and WPCA employees who fall into the similar category as offered last year. Corp. Council is seeking permission to offer the proposal for employees who feel that they meet the guidelines of either 5 years short in length of employment of 5 years in age and accept an Early Retirement Package. Corp. Council will report to the BOA with the results. **Motion** made by Mr. Hughes, second by Mr Szewczyk, all in favor. **Motion carries.**

TAX ABATEMENT – HALLOCK'S LANDING- EXTENTSION REQUEST – Representing Hallock's Landing, Dr. Anita Coscia, Vice President. Dr. Coscia stated that at this time they are at 98% complete and waiting for the elevator to be inspected before they can proceed any further and begin the screening process for the tenants. Corp. Council stated that there is still time left in the prior agreement and if there is a possibility that all loose ends can be tied up by June 30, 2006 there would be no need for the extension. **Motion** made by Mr. Hughes to revisit this issue in July if necessary, second by Mrs. Moran, all in favor. **Motion carries.**

FIREWORKS DISPLAY DERBY/SHELTON COMBINATION – Mayor Staffieri presented three different proposals for the Board to review. Along with the fireworks display the Derby/Shelton Bridge would be closed off for a Live Concert this is all in collaboration with the Cultural Commission as well as the Derby Police Department. **Motion** before this Board is to approve the Fireworks Display (\$11,500.00) pending the approval of the Tax Board and the Concert on the Derby/Shelton Bridge, Mr. Bomba, second by Mr. Hughes, all in favor. **Motion carries.**

Mr. Ron Culmo entered at this time and asked that Public Portion be reopened and asked that the lighting be addressed in the Archie Moore area. Mr. Culmo was informed that this a “Special Meeting” and that this item can not be addressed due to the fact that it was not previously placed on the Agenda.

VARCA GRANT APPLICATION – Mr. Bob Wood, President of the Valley Association for Retarded Children and Adults. A copy of Mr. Woods request is on file in the Town/City Clerk’s Office. VARCA wants to replace the air conditioning system and replace the roof. Under the Grant VARCA must meet the requirements of DMR in order to proceed. Corp. Council stated that further information is required before this Board can take any action and is aware of the 100 year that VARCA has with the City of Derby since 1968. There is no action taken at this time pending further documentation for clarification. There are two types of Liens, if it attaches to the Real Estate this Board would have to approve this.

DERBY HISTORICAL SOCIETY – UTILIZATION OF GREENWAY RIVERWALK IN FALL FOR HISTORICAL GUIDED TOURS - Letter read into the record seeking permission to hold Lantern Guided Historical Tours in the fall along the Greenway Riverwalk. Letter with request on file in the Town/City Clerk Office. Pending all conditions regarding insurance are answered. A **Motion** to allow the Derby Historical Society to hold Lantern Guided Historical Tours in the fall, made by Mr. Hughes, second by Mr. DeBarbieri, all in favor. **Motion carries.**

Motion to adjourn, Mr. Sill, second Mrs. Moran, all in favor. **Motion carries.**
Adjourn 8:50 PM

Respectfully submitted,
Laura A. Wabno

May 18, 2006