

DERBY BOARD OF ALDERMEN SPECIAL MEETING

DERBY CITY HALL – JUNE 15, 2006 - 7:00 P.M.

MINUTES

The Honorable Mayor Anthony Staffieri called the special meeting to order at 7:00 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Anthony Szewczyk, Beverly Moran, James Benanto, Joseph Bomba, Kenneth Hughes, Matthew DeBarbieri, Ron Sill, Dennis Devonshuk

Absent: Scott Boulton

Also Present: Keith A. McLiverty, City Treasurer
Laura Wabno, Town & City Clerk (arrived at 7:15 p.m.)
Philip Robertson, Chief Administrator, City of Derby
Leo Moscato, Chairman, City of Derby Municipal Parking Authority
Joseph Coppola, Corporation Counsel

ADDITIONS/DELETIONS/CORRECTIONS AND ADOPTION OF AGENDA

Mr. Hughes requested the following changes:

- Move agenda item #8 – Police Department Settlement for Officer Andrew Mancini (Executive Session) would now be agenda item #18 a.
- Move agenda item #19 – Vendor Permit – Stockbridge Gourmet Cheesecake & Delectables (Brian & Lisa Stockbridge) – to become new agenda item #17a.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve the changes to the agenda. **Motion carried.**

PUBLIC PORTION

Dan Waleski, 21 Elm Street, Derby, CT – I just want to thank the Board of Aldermen for being present at the Redevelopment Agency meeting the other day. I thought it was very instructive and I can't tell you how much we appreciate your attending that very, very important meeting. Thank you very much.

Leo Moscato, Chair, Derby Municipal Parking Authority – Just want to thank you guys for whoever did this. I saw it in the paper today and it's beautiful for the seal. And hopefully I know Tony Szewczyk is on the Parking Authority with us with a few other people and maybe we can get together and put a nice big seal up on the parking garage to put a nice stamp of approval on the downtown. Just wanted to thank you guys very much. I feel very proud of this happening. Thank you.
Mayor Staffieri asked if there was anyone else who would like to address the board.

Hearing no one else from the public wishing to address the board...

PUBLIC PORTION CLOSED

APPROVE MINUTES OF MAY 24, 2006 SPECIAL MEETING

A MOTION was made by Mr. DeBarbieri with a second by Mr. Hughes to approve the minutes of the May 24, 2006 special meeting. **Motion carried.**

COMMITTEE REPORTS

Mayor Staffieri complimented the Beautification Committee – the makeup being Mr. Hughes, Mr. Sill and Mr. Bomba. They have done a great job in removing and replacing the greenery around City Hall – it looks beautiful.

Downtown Committee (Tony Szewczyk) – Mr. Szewczyk said the last meeting was well attended. He informed the board that three members from the public were present asking if the City had plans to institute an ordinance regarding eminent domain. The committee informed those folks that it would be addressed by the Board of Aldermen at the July meeting. Mr. Sill received a positive response from the folks on Caroline Street regarding the City's response to the problems on that street.

Mr. Hughes said he would like to add the following properties to the City's Blight List:

- 199 Caroline Street
- 288 Roosevelt Drive
- 39 King's Court
- Tax Map 7-10, Lot 6 (Derby Avenue)

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to add 199 Caroline Street; 288 Roosevelt Drive; 39 King's Court; and Tax Map 7-10, Lot 6 (Derby Avenue) to the List of Blighted Properties.

DISCUSSION ON MOTION

Mrs. Moran asked about E Street? David Kopjanski was to look into it. Mr. Hughes said he would need to follow up with Mr. Kopjanski.

MOTION CARRIED.

Mr. Hughes said he would like to motion for the release of the Blight Lien from 27-29 McLaughlin Terrace. The rehab on the property is completed and the owner is seeking release from the lien. Mr. Hughes said all but \$4,000.00 should be released from the Lien. The \$4,000.00 would cover the City's expenses, which the incurred during this process.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to reduce the property lien on 27-29 McLaughlin Terrace to \$4,000.00. **Motion carried.**

RESOLUTION: PRE-TAX/POST-TAX, BOARD OF EDUCATION; PARA-PROFESSIONALS, SECRETARIES AND CUSTODIANS

Mayor Staffieri said this item is on the agenda as an informational item. It will be addressed at the Board of Apportionment & Taxation's meeting on Monday. The Mayor asked Philip Robertson, Chief Administrator to address the board.

Mr. Robertson – Back in the year 2001 the Collective Bargaining specifically for members of the Para-professionals, secretaries and custodians, and the Board of Education that there was a requirement that they begin contributing to the health insurance. That contribution was supposed to be done pre-tax. Not being here and you not being here for some reason it was never taken out pre-tax; it was always taken out post-tax. We became of that item, and when I say “we” the Mayor, became aware of that item – it was based on a complaint filed with the State Labor Counsel. They were brought in and we had a hearing (inaudible) and as the Mayor instructed me he wished to proceed with this in fairness and so we agreed that we would pay the difference as to what we it would have made doing it pre-tax vs. post-tax. We further agreed that we would do it on such and such a date – May 17th as I recall – between the hours of 10:00 a.m. – 11:00 a.m. for one union 4:00 p.m. to 6:00 p.m. for the other. They had to bring into that meeting copies of their 1040's and other supporting forms and their taxes to indicate if they had deducted the contribution to the insurance. I have come up with a total of those people who appeared and whose tax returns indicate they had not deducted that and there's approximately 30 people and the total amount actually comes to \$9,997.64. I will take this number to the Board of Apportionment & Taxation on Monday night. This is purely here not for your approval but just for your information.

Mr. Bomba – Is that all of these people? Or is it just a small amount?

Mr. Robertson – That represented almost all of the people. There were a few people who did not feel it was worth their time to put it on their tax returns. There were some people who brought in tax returns, which I did not find accurate.

APPROVAL OF THE CITY OF DERBY SEAL

Mayor Staffieri said he hopes everyone has had a chance to review the seal. Marianne Feroce, an Art Teacher at Derby High School did a beautiful job and she has done the City a great honor in establishing a City Seal. We are one of the oldest Cities in the country and we have never had a seal. The Seal depicts a Schooner, which used to be built on O'Sullivan Island, the Housatonic and Naugatuck Rivers, the Derby/Shelton Bridge, our three Church spires, and our City flower the Lilac.

Mr. Bomba said the seal looks awesome and it's about time. Mr. Hughes noted that it was a back and forth process with the design of the seal. Mayor Staffieri said there were many proofs prepared before the final design. Mr. Sill said she did a beautiful job on the seal. The Mayor informed the board that Ms. Feroce put in a lot of her own personal time on this project. She does not want any monetary compensation, however, she asked if and when any money is ever generated by the Town Seal (T-Shirts, etc...) if a portion of the money could be donated to the Art Department at

Derby High School on a yearly basis. The board members acknowledged that this would have to be researched.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Sill to accept the submitted seal by Marianne Feroce as the City of Derby's Official City Seal. **Motion carried.**

HOMESTEAD AVENUE BLOCK PARTY – SATURDAY 7/15/06; RAINDATE SUNDAY 7/16/06

Mayor Staffieri said a request for a Block Party on Homestead Avenue for either July 15, 2006 or in case of inclement weather on Sunday July 16, 2006. Mr. Hughes noted that this party has been held for several years and the residents have been in contact with Corporation Counsel about the issue of insurance and also with Chief Cota. Atty. Coppola clarified that it is not an issue of insurance it's a release and an understanding of what they can't do on the street. Atty. Coppola said he has the release and he will be emailing it to them.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to approve the request for the Homestead Avenue Block Party pending the signed release. **Motion carried.**

APPROVAL OF APPLICATIONS FOR THE NEIGHBORHOOD ASSISTANCE ACT PROGRAM

Ms. Finn said she is requesting the board's approval on the four applications that have been submitted under the Neighborhood Assistance Act Program. It was noted for the record that the applications were reviewed during the Public Hearing for the Program held by the Board of Aldermen at their May 24, 2006 Special Meeting.

- Greater New Haven Community Loan Fund, Inc.

Requesting \$50,000.00 – Funds will be used to augment the Greater New Haven Community Loan Fund's Community Loan Pool to supply low-cost, flexible financing and technical assistance to community based development projects that are building or rehabilitating low-income or affordable housing units to create or sustain vibrant neighborhoods.

- City of Derby Fire Department

Requesting \$7,500.00 – Ad campaign to reach out for volunteers for the Volunteer Fire Department and Emergency Medical Services.

- Birmingham Group Health Services

Requesting \$15,000.00 – Staffing for the Umbrella's domestic violence shelter program for evening and weekend hours.

- Birmingham Group Health Services Valley Substance Abuse Action Council

Requesting - \$5,000.00 – For their "Turning 21 Campaign." The program is an awareness and education

A MOTION was made by Mr. Hughes with a second by Mr. Bomba: Move that the Board of Aldermen approve the Neighborhood Assistance Tax Credit Application from the Greater New Haven Community Loan Fund, Inc.; City of Derby Fire Department; Birmingham Group Health Services; Birmingham Group Health Services Valley Substance Abuse Action Council. **Motion carried.**

APPROVAL FOR CONTRACT WORK ON THE CITY OF DERBY DRIVE THRU AREA (CITY HALL)

Mayor Staffieri said the Invitation to Bid was published in the New Haven Register. Mr. Kopjanski stated the guidelines that would need to be followed. Two contractors bid on the work:

1. Mark Masonry - \$24,090.00
2. DiGiovanni & Sons Construction, LLC - \$35,090.00

Mr. Szewczyk said he didn't know that there were full architectural drawings prepared for this item. He said everything seems to be in order. However, he was a little surprised by the difference in bids, which was over a 10% difference.

Mr. Sill asked how access would be gained to this room. Mayor Staffieri said a doorway would be cut near the Tax Collector's office. Mrs. Moran asked if the monies were in place for this expenditure. Mayor Staffieri said it would be paid from the City Hall renovations line item. The Mayor said this would also include having a slab poured on the corner of City Hall so that the clock may be installed. Mr. Hughes said there was a footnote on the higher bid, which states plus the excavation for the footing. He noted that the excavation for the footing was already included in the lower bid. Mayor Staffieri said there are two main reasons to undertake this project – 1.) Aesthetics and 2.) The Town Clerk needs to have a private area to store sensitive documents. Also the Building Inspector, Fire Marshal and City Treasurer require additional storage. He noted there is no electric or HVAC included at this time.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to award the contract work for the Enclosing of the Exterior Drive-thru to Mark Masonry in the amount of \$24,090.00. **Motion carried.**

REQUEST FROM AREA CONGREGATION TOGETHER (ACT) FOR USE OF THE DERBY GREEN ON SEPTEMBER 30, 2006 FROM 7:00 A.M. – 11:00 A.M. FOR THE 9TH ANNUAL WALK FOR THE HUNGRY & HOMELESS

Mr. Hughes read into the record the letter received from Area Congregations Together:

Dear Mayor Staffieri,

We are in the planning stages of this event and we respectfully request your permission for use of the Derby Green, September 20th from 7:00 a.m. – 11:00 a.m. Our walk route travels from the Green, up to Griffin Hospital, down to Atwater Avenue and returns to the Green.

I will also forward you a map, and be in touch with Derby Police Chief Andrew Cota upon confirmation of approval from your office.

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

Most Sincerely, Elizabeth Holcomb – Director of Operations

Mrs. Moran asked whether we know if Chief Cota received the letter. Mayor Staffieri said we could approve it contingent upon the Chief's approval. Mrs. Wabno stated that this is done every year, TEAM also participates.

A MOTION was made by Mr. DeBarbieri with a second by Mrs. Moran to approve use of the Green on September 30, 2006 from 7:00 a.m. to 11:00 a.m. for Area Congregations Together 9th Annual Walk for the Hungry & Homeless, contingent on the approval of Chief Andrew L. Cota, Jr. **Motion carried.**

APPROVAL OF THE 2006-2007 CAPITAL PLAN ITEMS

City Treasurer Keith McLiverty passed out two documents to the board members – one is the City of Derby Capital Plan and the other is the Board of Education Capital Plan. He said today is a culmination of approximately four months of work in which the Capital Planning Commission reassessed all the needs of the various department heads. It commenced with every department head putting in their request for capital items for each of the next five years. The Capital Planning Commission then sat with each department head, reviewed the items in detail and then worked together to re-established their priorities and come up with a Five –Year Capital Plan. The members of the Capital Planning Commission – Ron Sill, Bev Moran, Ken Hughes, Marty Martino, Henry Domurad, and Marty Hubbard – worked very well together. Mr. McLiverty said the most difficult task they faced was capturing the lack of a Five-Year Plan for the last four years. He said they plan on spending approximately \$1.1 million next year in capital items. Of that \$1.1 million only \$450,000 is actually coming from the taxable Grand List in FY '06-'07. The \$1.1 million is comprised of three numbers:

- 1) \$450,000 from the Taxable Grand List
- 2) \$450,000 from our already established Fund Balance
- 3) \$233,000 from LoCIP

Mr. McLiverty explained that LoCIP is money that the State allocates to each municipality on an annual basis for capital improvements. He stated the importance of a Capital Plan is you cannot get your LoCIP money until you have an adopted Five-Year Plan. So it is critical that we have a Five-Year Plan so the State sees that we're actually looking at our infrastructure. Mr. McLiverty said the second agency this document is very important to is the rating agencies – Standard & Poor's and Moody's. Those are the two agencies that establish credit ratings for the Cities. When a City has a capital plan they like to see it funded under two umbrellas – 1.) pay as you go and 2.) bonding. He said the \$450,000 out of the fund balance and the \$450,000 out of the taxable Grand List demonstrates clearly for the rating agencies that they're items that we cover as we pay as we go. The second umbrella, which is bonding, is when we start to get into the new roof at the high school and possible additions or renovations to the various schools.

Mr. Devonshuk asked if there is a proposed division between the two. Mr. McLiverty said no – it is different on each municipality. He said they just like to see that an investment is being made. He said primarily one of their concerns is if we issue bonds for roads they want to know that we have mapped out our infrastructure needs, which are usually the larger budget items, and that we're not going to have spikes and valleys with the mill rate. They want to see that it is a steady growth. Mr. McLiverty said the second thing they want to see – especially with the two new laws out (GASBY 43 & 45, which are fixed asset depreciations where they are modifying governments and public entities financial statements to be more reflective of a corporate entity) and the second one is Post Retirement Benefits. Mr. McLiverty said the only standard that they set is they like to see the Fund Balance between 5% - 11%. In the Fund Balance there are two components – Reserved Fund Balance and Unreserved Fund Balance. Reserved is Fund Balance money that is earmarked for a particular project. Unreserved is really the “rainy day fund.” He said we are currently between 5% - 6% of the Fund Balance. Last year was more than that, which enabled us to draw down the \$450,000. Mr. McLiverty stated that the other indicator that they watch very carefully is our debt ratio. We don't want to have more than 10% - 15% of our budget going to debt.

Mr. McLiverty reviewed the City of Derby Draft Capital Plan for the board members:

Police Department

The Capital Planning Commission met with Chief Cota, Det. Narowski, Lt. Mascolo, and the Police Commissioners.

- Handguns (40) - \$26,000
- New Gym Equipment - \$16,100 (current equipment over 10 years old)

Mr. McLiverty noted that their original request included software server and PC Computers. He said during discussions it was determined that they had enough money in their current operating budget to cover those expenses.

Fire Department

Fire Chief Vehicle (CHARTER) – Mr. McLiverty informed the board that the Charter specifies that the City must make an annual appropriation of \$10,000.00 for Capital apparatus for the Fire Department. He noted that this item is not carried over to the total because it is not something that requires a vote. It must be done. He said the proceeds in the past have funded the Fire Chief's vehicle. It does not have to be used for this purpose; however, that is what has been done in the past.

Mr. McLiverty stated that the Fire Department primarily asked for renovations to the various fire houses. A lot of them are in disrepair with most of them having HVAC problems and water leaks. If the water leaks are not corrected it will only lead to mold and infrastructure issues. The Capital Planning Commission determined that the entire LoCIP allocation of \$233,000 would go to the Fire Department. During the discussions with the Fire Department it was also ascertained that they have certain technology needs. Currently one of the Chief's drives around from fire house to fire house with a disc collecting the reports to bring back to the Chief's Office at Hotchkiss Hose in order

to have them properly submitted to the Fire Marshal. The technology issue would also be addressed with the LoCIP allocation.

Public Works

Mr. McLiverty said Commissioner Culmo requested a cart for the Greenway Trail, which would give them access to provide tools and equipment to the trail.

Public Works are also looking for four vehicles. Two would be 350 Four Wheel Drive with plows; one is a new bucket truck (the old one was put out of commission.) The third vehicle is just a regular pickup truck. The big item under Public Works is for the Flood Control Repairs, which is estimated at \$100,000, to repair just one set of the main gates. It was noted that there are other gates that also require repairs. Mr. Culmo is going to be carefully scrutinizing these other gates so that the City could be provided with a realistic number for future years. These gates absolutely need to be repaired. Mr. McLiverty said the Mayor is pursuing another piece of equipment that was part of the gate that was repaired for \$70,000 – the gate came back and the shaft didn't line up and it is not operational and the City spent the \$70,000. He noted that Mr. Culmo believes that this could be done for \$100,000, however that number may change. The condition of the gates is absolutely horrible. It was noted that last month when we had those three to four days of heavy rains if the tide had shifted and high tide had come in three hours earlier most of Main Street would have been wiped out. It is critical that these gates are repaired. The City has received numerous violations from the Army Corps of Engineers going back three to four years. Mr. Hughes said the letters have been received all along and simply ignored. The last item being requested is \$1,500 for an oil filtration system.

Planning & Zoning

Ted Estwan, Jr., Chairman of the Planning & Zoning Commission requested \$10,000 to update the regulations. The regulations have not been updated in thirty years.

Parks & Recreation

Resurface the Derby Veterans' Pool and Replace Main - \$38,000. Mr. McLiverty said they did the surface around the pool approximately ten years ago with a Veterans' Memorial Grant that was given by the State of Connecticut. He stated that the pool is utilized quite often – Parks & Rec offer parties and different events. It is one of their revenue sources. Mr. Bomba asked how long has this been in dire need or repair. Mr. McLiverty said it has been years.

Replace Seating Planks – \$25,000. The Home side of the football field has concrete slab steps with wood benches. This would allow for those to be removed and replaced with aluminum or some sort of composite seats. Mr. McLiverty said this does not address the Visitors bleachers.

Backstop – Ryan Softball Field - \$10,000. Mr. McLiverty said this estimate may be high. However they went high because of possible costs for footings, etc.

Outfield Fence – Ryan Softball Field - \$20,000. There have been discussions whether it is going to be 12', 20', or 30' high. The Capital Planning Commission can't decide that

but we can caution them about going 12' or 15' because if you get an arced fly ball it is possible to hit a car. The actual height of the fence hasn't been decided.

Lighting Upgrade Ryan Complex - \$25,000. This is for all new lighting at Ryan Field. There are certain zoning codes regarding lights that must be followed.

Senior Center

Mr. McLiverty said the Senior Center has some major issues. He noted that Mr. Sill visited the site to view the problems. Mr. McLiverty said their original request was \$100,000 for a new elevator shaft. After Mr. Sill went down to the center and they had no idea why that request was made because the elevator is fine. Mr. Sill said it was put in by someone other than them and they didn't even know why.

- Roof Replacement - \$27,040
- Boiler Replacement - \$15,000
- Intercom, camera, buzzer - \$5,000
- Outside Lighting - \$5,000

Storms Ambulance Corp

Mr. McLiverty said the Capital Planning Commission adopted the Capital Plan May 8th that had the first payment for the Storms Ambulance in the Capital Plan. When it went to the Tax Board the Tax Board decided to put the money in the budget so it's funded in the '06-'07 budget but they actually moved it out of the Capital Line and put it in the Special Working Balance. The Mayor is addressing the issues as to why the Tax Board requested that. We had a discussion last evening with myself, Bev Moran, Ken Hughes, Marty Martino, and Chief Lenart. Mr. McLiverty explained to Chief Lenart what they did and he acknowledged that he is okay with that and he is anxious to resolve the issues that are outstanding with the City and proceed. Mr. McLiverty said he put the \$52,000 in the Capital Plan; however he put a footnote that it is in the Special Working Balance. All that means is if someone goes to the Capital Budget they're not going to see it there they have to go down. In fairness to the Tax Board when they moved it to the Special Working Balance, which is usually just a bunch of money put together, they clearly delineated as "Down Payment Storms Chassis." So that \$52,000 is the down payment for the chassis, which takes approximately one year for fabrication.

The other item requested is to replace 2 sets of the JAWS of LIFE System, which is really four pieces.

Library

Mr. McLiverty said he would like to commend them because they came in again with a flat operational budget. They originally asked for four items; however they moved one item off to the next year. The items requested are:

- Front Column Maintenance - \$6,800
- Front Portico Maintenance - \$6,500
- Exterior Wood Main - \$9,000

Mr. McLiverty noted that this work was not done as part of the Library renovation project. He said the City tried to get this work done as a Change Order during the original renovation however it never happened.

City Wide

City Wide Technology - \$20,000. Mr. McLiverty said the primary purpose of this is installing a speaker system, which would be linked to a wall mounted CD unit. It would also be linked to cameras so that certain meetings could be televised to Tele Media. He said the primary issue is getting the recording system to allow the meetings to be recorded digitally, which would make it easier to maintain and file.

Greenway Cameras - \$15,000. This is a combination of security and safety. There has been vandalism occurring on the trail. These would be poles with a mounted camera and an emergency phone. The cameras would feed into a video system at the Police Station. The phone would immediately go to a 911 Dispatcher. This is still in the preliminary stage. The \$15,000 would probably cover two units.

Municipal Infrastructure/Property - \$180,000. This is for various properties throughout the town that we need to address. Mr. McLiverty said if the board would like to discuss this item further he would respectfully ask that the board go into Executive Session.

QUESTION/ANSWER

Mayor Staffieri asked Mr. McLiverty about the special lawn mower for the hillside. Mr. McLiverty said the night Mr. Culmo told him he needed it he got the Board of Apportionment & Taxation and the Board of Aldermen within seven days to allocate the funds. It is in this year's Operating Budget.

Mr. Szewczyk asked about the generator at the Paugasset's. Mr. McLiverty said he knows generators are an issue at the fire house and at City Hall. It is being addressed with UI – there are a lot of grants and opportunities to get generators.

Mr. Szewczyk said the golf cart for the Greenway is a good idea. He was wondering if there has been any discussion about the Police also using it. Mr. McLiverty said there has been no discussion. He does know that the Police have been looking at bicycles and other types of apparatus.

Mr. Szewczyk brought up the \$50,000 under Parks and Rec for FY 2007-2008, which would be used for bathroom facilities at Witek Park. Mr. McLiverty said there is a building issue on that property. The Parks & Rec Director, Dennis O'Connell, was looking down the road. If it is decided that this would be not permitted Parks & Rec would move the money to another project. Mayor Staffieri asked if there was any provision this year for portable facilities. Mr. McLiverty said he doesn't recall seeing anything. He believes there would probably be a debate between Public Works and Parks & Rec over who would eventually pay for this item. He said he is confident that they would be able to find money in the Operating Budget to cover this item.

Mrs. Moran said Witek Park has not officially been turned over to Parks & Rec so she doubts that money would be in their budget. Mr. McLiverty said it should be turned

over by fall. Mrs. Moran, who is also on the Recreation Commission, informed the board members that they have discussed the fence at Ryan Field. The height will be the correct size in order to offset law suits. Also with the seating at Ryan Field the only problem they seem to have is when it goes out to bid it needs thirty days and there is a concern that the project will not be finished before Pop Warner commences. Mr. McLiverty asked where the thirty-day timeframe came from? He said it has to be published for ten days. He said the advantage of adopting this and the money in place July 1 is the departments can proceed on with the projects on July 1.

Mr. McLiverty said he would like to explain the structure that is being put in place to help facilitate the projects. The last three fiscal operating years the surplus in the Operating Budget was a draw down of capital projects that were not completed. There could be a combination of reasons why the projects weren't completed – couldn't get it done; goal unattainable; or project never meant to get done. Mr. McLiverty said the Commission realizes that department heads are very busy; for them to go out and handle all the day-to-day work and then oversee these additional projects it is a task. The Capital Planning Commission is proposing the following – the Capital Planning Commission will not stop after plans are adopted, the Commission will continue to meet monthly (3rd Wednesday of each month.) There will be two teams on the Capital Planning Commission – each team will have a certain number of departments under them. Those departments will come to those two different teams each month to receive approval for bid specs, scope of work, bill approval, etc... That committee would then report back to the Board of Aldermen each month. One team will consist of Bev Moran, Ron Sill, and Marty Hubbard. The other team is Ken Hughes, Henry Domurad, Marty Martino and Keith McLiverty. Hopefully by having the teams assist the department heads this will help to keep the projects on target.

BOARD OF EDUCATION CAPITAL PLAN ITEMS – 2006-2007

Mr. McLiverty said this is a new concept. He said this is the first time that the Board of Education is part of the City's Capital Plan. He also believes this is the first time that we are seeing a five-year projection from the Board of Education. Mr. McLiverty said this plan was submitted by Janet Robinson, Superintendent of Schools and the Board of Education, and then through the discussion periods Lou Rogowski (Facilities Director) and Steve Anderson (Technology Director) offered a great deal of input.

Derby High School

Science Lab Equipment Upgrade – They originally asked for five science labs and wanted them all in one year. Mr. Rogowski claimed this was unachievable; it could not be done. He requested that one be done per year. The Commission has placed one per year in the plan. Also, the Middle School will have one done. This requests entails new plumbing, light boards, new desks – everything that is needed to create a science lab that is conducive to the current curriculum will be addressed.

Science Lab Mechanical Upgrade – This is equipment for the Lab – LCD Projectors, Maps, etc...

Renovate Classrooms – Two classrooms will be done at the High School, Middle School and Irving School every year for the next five years.

Replace Lockers – Fifty lockers will be replaced at the High School.

Upgrade Tech Ed Room 130 – A new CAD System will be installed.

Air Conditioning for Server Room – Mr. McLiverty said Mr. Anderson built a state of the art server room at the high school; however there is no ventilation in the room. The room has at times reached 90° - 92°. The temperature is not good for the technology in the room and must be regulated.

UPS Upgrade and Tape Backup Upgrade

Derby Middle School

Renovate Classrooms – Mr. McLiverty noted that on the plan it calls for six. It is really two at every building – High School, Middle School, Irving School.

Replace Lockers – Fifty lockers will be replaced at the Middle School.

Mr. McLiverty said between the Board of Education and the City the total is \$1.1 million.

QUESTION/ANSWER

Mr. Devonshuk questioned the air conditioning at all the schools. Hasn't this been an issue the past few years? It was noted that it was in the former Noresco plan. Mr. McLiverty said the estimate for the roof is \$2 million, which would go to referendum – the plan would be to take all the major repairs the school district has and place them on the same referendum as one comprehensive renovation. Mr. Devonshuk said if anyone is in the buildings in May and June it is very hot. It really comes down to a waste of a month of education. The board members then discussed the problems with the Noresco project. Mr. McLiverty noted that only the air conditioning in the High School auditorium was under the Noresco project – not the entire school. He said there were many different versions of why the project never worked.

Mr. Szewczyk asked if the CAD upgrade would be a full-blown CAD. Mr. McLiverty said he couldn't really respond to the level of the CAD.

Mayor Staffieri said regarding the air conditioning the school year is ending later and beginning earlier. He noted that we have also salvaged some of the money from the Noresco project and hopefully the Board of Education will put it to good use. We should have a figure shortly.

Mr. Bomba said he would like to read a statement into the record:

Dear Mr. Mayor, Members of the Board of Aldermen, and my Fellow Citizens:

I originally planned to come in here tonight and vote no on the capital planning allocations for the upcoming fiscal year. This is not because the respective city departments don't need the funding we are appropriating. It is because at the last minute, after all the Board meetings I sat in on where it was never discussed, one official

felt it was within his rights to refuse releasing the capital funds to the Ambulance corps until he received (documentation?) that was to his satisfaction. It disturbs me greatly that a committee allocates money to a certain department that services the people of this great city and had, in my opinion, proved the need for an ambulance, but one person can cast aside months of hard work by his fellow board members without their knowledge or consent. This issue between the city and the ambulance corps was never brought up in any of several meetings I sat in on and from my perspective, it seems like closed-door manipulation.

What this individual official was asking for may or may not have been legitimate. That is not my point. My concerns are with the way this person went about it. There was no public discussion at any meeting, these problems were never brought to the attention of any other city boards, and this last-minute behind-the-scenes maneuvering is not the kind of government Mayor Tony Staffieri, this Board and the rest of our slate of candidates chose to run for. We've had enough of secrets, veiled threats and non-disclosures. We want open government and accountability, not individuals asserting pressure on city agencies with no communication about the issues ahead of time. The President of this Board should not have heard about this for the first time through me, after I heard it through following up on leads of my own. This should have been brought to the Mayor's and the public's attention before he told the Ambulance Corps he was going to refuse their funding.

I will not vote no tonight because although these recent actions now make me question this individual official's motives, a no vote would hurt too many other city agencies dependent on this funding. I reluctantly voted to pass this capital plan, but rest assured, we will be diligent in making sure that in the future there will be no manipulation of authority and we will take every precaution to assure that this government will be one of openness and full disclosure.

When this board took office back in December we said that we would do what is right for this City and not play politics with decisions. Mayor Staffieri felt the same way and we will honor that pledge above all else. We are not here to play political games and issue veiled threats; we are here to take a city that has been too-long neglected and bring it into the 21st century. This kind of secrecy is what we campaigned against and we will not tolerate it in this administration.

I say this tonight in hopes of being able to allocate the money as appropriated and sit down like responsible city fathers and discuss what has to change to satisfy the Board of Taxation's decision to withhold funds that were allocated away from the Ambulance Corps without notice to any other city agency. I am confident this can be done in a civil and productive manner. Thank you.

Mayor Staffieri thanked Mr. Bomba for his comments and asked if anyone else would like to comment.

Mr. McLiverty said for the record the Tax Board voted to do that. Ten people voted to do that just so everyone is clear. He said he understands one person did it, however nine other people were clear that they were doing it and made it designated.

A MOTION was made by Mr. Hubbard with a second by Mrs. Moran to approve the 2006-2007 Capital Plan items amending the section of renovating classrooms to state renovate two classrooms at the High School, two classrooms at the Middle School and two classrooms at Irving School and modify the plan to reflect that amendment.

Motion carried.

APPROVAL OF THE FIVE-YEAR CAPITAL PLAN

A MOTION was made by Mr. Sill with a second by Mr. Szewczyk to approve the Five-Year Capital Plan. **Motion carried.**

DERBY PUBLIC LIBRARY CONTRACT (EXECUTIVE SESSION IF NECESSARY)

Atty. Coppola asked that this item be tabled. He said there has been a committee working on the contract for two years and when this administration came in they were able to get to a contract, however the Library Board of Directors are not satisfied with it so therefore it cannot be presented to the board.

A MOTION was made by Mrs. Moran with a second by Mr. Bomba to TABLE the Derby Public Library Contract. **Motion carried.**

VENDOR PERMIT – STOCKBRIDGE GOURMET CHEESECAKE & DELECTABLES (Brian & Lisa Stockbridge)

Mayor Staffieri said the location would be the former Mattie's Marina, now known as "Whitey's Marina." They are looking to have a grill at the marina to cook and serve food. The Mayor said he spoke to Chief Cota and he verbally told him that he has no problems; however he will put that in writing. Mr. Sill said Mr. Stockbridge already runs a fine business at that location and he is sure he will obtain all the approvals necessary from Chief Cota and the Valley Health Department.

A MOTION was made by Mr. Sill with a second by Mr. DeBarbieri to approve the Vendor Permit for Stockbridge Gourmet Cheesecake & Delectables pending Chief Cota's sign off. **Motion carried.**

Mr. Hughes noted that they have done a beautiful job at the marina. It is a very pleasant place to spend time.

POLICE DEPARTMENT – SETTLEMENT – OFFICER ANDREW MANCINI (EXECUTIVE SESSION)

PERSONNEL MATTERS (EXECUTIVE SESSION)

A MOTION was made by Mr. Sill with a second by Mr. Bomba to go into Executive Session, inviting Mayor Staffieri and Corporation Counsel, for the purpose of the Settlement for Officer Andrew Mancini (Derby Police Department) and Personnel Matters. **Motion carried.**

The Board came out of Executive Session at 8:40 p.m. Mayor Staffieri stated that Mr. McLiverty was asked to join the Executive Session to clarify where monies would come from for the settlement regarding Officer Andrew Mancini.

A MOTION was made by Mr. Hughes with a second by Mr. DeBarbieri for a full and final resolution of the Workmen's Compensation Claim and the employment benefit upon retirement in the amount of \$205,000.00 for Andrew Mancini. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mr. DeBarbieri to adjourn the meeting at 8:41 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary

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