

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL – SEPTEMBER 27, 2007 - 7:00 P.M.

MINUTES

Board of Aldermen President Ken Hughes called the regular meeting to order at 7:03 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Kenneth J. Hughes, Joseph M. Bomba, Anthony Szewczyk, Scott M. Boulton, Ron Sill, Beverly Moran, John Boanno

Absent: James J. Benanto, Jr.

Also Present: Philip Robertson, Chief Administrative Officer
Sheila O'Malley, Economic Development Director
David L. Kopjanski, Building/Zoning/Blight Official
Philip A. Hawks, Fire Marshal
Ronald Culmo, Director, Public Works
Chief Gene Mascolo, Derby Police Department
Janet Robinson, PhD, Superintendent of Schools
Kelly Curtis, Fire Commissioner, Derby Fire Department
Charles Sampson, Fire Chief, Derby Fire Department
Dennis O'Connell, Parks & Recreation Director
Jack Walsh, Chair, Parks & Recreation
Martin Hubbard, President, Board of Education
Kathi Ducharme, Board of Education Member
Renee Luneau, Board of Education Member
Julia Romano, Board of Apportionment & Taxation Member
Carolyn Duhaime, Board of Apportionment & Taxation Member
Glenn Stevens, Redevelopment Agency/School Building Committee
Laura Wabno, Town & City Clerk
Joseph T. Coppola, Corporation Counsel

ADDITIONS/DELETIONS/CORRECTIONS TO THE AGENDA

Mr. Hughes made the following additions/corrections to the agenda:

- Item #8a under committee reports – change “Minerva” to “Paugassett” and it will be for discussion and possible action
- Item #9a under department reports (Board of Education) – add Bradley School Playground and the SRO (School Resource Officer)
- New Item #15 – Executive Session – Discussion regarding Water Street Property; Discussion of Fire Marshal Appointment; and Discussion of the Democratic Town Committee candidates
- Item #16 – Fire Marshal Appointment and Possible Action
- Item #17 – Democratic Town Committee Candidates – Discussion and Possible Action
- Add new Item #18 – “Legends by Lanterns” signage placement
- Item #19 – Adjournment

A MOTION was made by Mr. Bomba with a second by Mr. Sill to approve the changes and additions and approve the agenda as amended. **Motion carried.**

PUBLIC PORTION

Due to the size of the audience this evening Mr. Hughes asked that each person speaking keep their comments to three minutes.

John Simko, Representing the Derby Lodge of Elks #571 – I would like to thank you for recognizing me. The Derby Elks as you know is a 170 year old organization in this town and we proudly serve the great city of Derby. The reason I'm here is to review item #4 from the Derby Cultural Commission report that was handed in I believe in a prior month. Let me read that to you – it states that "the Derby Elks Lodge failed to fulfill the promises of sponsoring the karaoke contest - \$400.00 and furnish the prizes of \$250.00 in cash and certificates totaling approximately \$650.00. The offer was reduced to \$100.00 and was not paid either. The Cultural Commission covered the expenses from the petty cash funds." This was grossly misstated. Talking to the co-chair or chair of the Derby Day, Rich DiCarlo, he asked me - also let me just mention that I hold the position of what is known as the Exalted Ruler of the Derby Lodge of Elks or President – Rich DiCarlo came to me and asked me if we would like to sponsor the karaoke contest that was going to be held. He mentioned that there would be a cost involved and I explained to him that at this time we would not be able to spend any type of money on that but we would supply judges if needed and we did supply three judges. He then mentioned that there would be a \$100.00 fee to sell on the Derby Day. The day of the Derby Day I asked Rich – I said we will give you a check within a week and he said no, it's waived, that we would not have to pay. As a matter of fact two weeks later on 4th of July he asked me again if we would sell – we sell soda and water – at the fireworks on Elizabeth Street and at that time he told me again that we would not have to pay any fee for that. I talked to our counsel – our presiding justice, a lawyer and he has asked me to have a written retraction of this statement since it is public knowledge. We would like to have that retraction signed and sent to the Board of Aldermen with a signed copy to the Derby Lodge of Elks #571. We further request that the letter be read into the minutes of the meeting of the Board of Aldermen upon its receipt by the Board. Thank you for your time I appreciate it.

Renee Luneau, 102 Hawthorne Avenue, Derby, CT (Board of Education Member) – I would like to discuss the SRO issue. The only thing that I wanted to say is that I don't think anybody from the Board of Ed ever gave the impression that police presence was needed to maintain order. I think D.H.S. is a quite orderly school. The only thing about that is that there was an SRO in there last year. The officer did get pulled quite frequently to respond to jobs in Derby. That being said even still three promotions were made. I don't know the urgency of these promotions but I think that maybe some of these promotions could have been held off until after those five people at the Police Academy graduated. A lot of these schools in the state that have officers in the high school I think there's order in those schools too. This program has been around for a long, long time and there's many facets to an SRO – many, many, many facets not just security. My thing is that I think D.P.D. depleted their own patrol numbers. None of us did it; they did it. And I'm not even talking – I can care less about respond time. Three minutes respond time is wonderful but when there's carnage and rape victims three minutes is three minutes too long. Thank you.

Keith Lawlor, Minerva Street, Derby, CT – Crowd here today - I'll try to make it brief. I know recently you changed the permit fees for outside vendors to be \$200.00, which is a wonderful thing for outside vendors we should have done it a while ago. However I was a vendor this year at Derby Day – I had a wonderful time and it was an awesome experience – cooked some good food and sold it all; didn't make any money but that's okay. What I would like to propose is that if you can possibly consider lowering it back down for just residents or the citizens of Derby to make it the same fee as it was before it would help out people like me who like to do it just for Derby Day. Thank you.

Mr. Hughes asked three times if anyone else would like to address the board. Hearing no one else from the public wishing to address the board...

PUBLIC PORTION CLOSED

APPROVE MINUTES OF THE AUGUST 30, 2007 SPECIAL MEETING

A MOTION was made by Mr. Sill with a second by Mr. Bomba to approve the minutes of the August 30, 2007 special meeting as presented. **Motion carried.**

ACCEPT RESIGNATION OF 1ST WARD ALDERMAN MATTHEW J. DEBARBIERI

Mr. Hughes read the letter of resignation from 1st Ward Alderman Matthew J. DeBarbieri into the record:

Mayor Staffieri, Board of Aldermen and Voters of Derby,

I regrettably must inform you that I will be resigning from the Board effective immediately. I will be moving out of state to pursue professional opportunities that my wife and I have been afforded and I will be unable to perform my duties as that time approaches. It is with a heavy heart that I do this and leave the city where my family has resided for over a century. It has been my honor to serve alongside you and I will be watching the development of my hometown with great interest over the next few years.

I have learned much in a short time in office. I have learned that volunteering is difficult. The demands can take a toll on one's personal life. It takes dedicated people to govern effectively, with no compensation, other than the knowledge that what they do will hopefully be felt in a positive way for years to come. This administration ran to make a difference. I believe we have done that. I think we have all acted in good conscience and I hope the voters realize that we tried our best.

I have also learned some unfortunate things as well. Although the vast majority of citizens, municipal employees and government officials are altruistic and honorable, there are few who are not. There are those who would cut the financial jugular of the city to make a quick buck while twisting noble ideas, like eminent domain, for base material gains. There are those who accept the myriad benefits municipal employment offers them and use the first opportunity to manipulate for selfish and dishonest ends. Lastly, and perhaps most disturbingly, there are those who serve the public trust and willfully choose to abuse their authority, either through ambition or neglect and lay waste the trust that voters have placed in them because of either vanity or lack of character.

As I said, these are in the vast minority, but serpents such as these are present. I have every confidence in the Mayor and this Board to continue to fight for what is right, but not necessarily popular. I wish them continued success in bringing prosperity and respectability back to a city that sorely needs it. I hope that in some minor way I have contributed to Derby's restoration. Voters of Derby, I offer my most heartfelt and humble thanks for your trust and faith in me.

Sincerely, Matthew J. DeBarbieri

A MOTION was made by Mr. Hughes with a second by Mrs. Moran to accept, with regret, the resignation of 1st Ward Alderman Matthew J. DeBarbieri.

DISCUSSION ON MOTION

Mr. Sill and Mrs. Moran noted that Mr. DeBarbieri's resignation is accepted with a big vote of thanks. Mr. Bomba said it was a real pleasure to work with Matt. He brings a whole different attitude and look at things to view when you sit and discuss things with him. He is a great friend and he will be sorely missed. Mr. Hughes said he agrees and noted that Mr. DeBarbieri has a way with words.

MOTION CARRIED.

REPUBLICAN CAUCUS TO DETERMINE 1ST WARD ALDERMAN RELACEMENT

A MOTION was made by Mr. Bomba with a second by Mr. Boulton to enter into caucus at 7:20 p.m. **Motion carried.**

A MOTION was made by Mr. Boulton with a second by Mr. Szewczyk to reconvene at 7:22 p.m. **Motion carried.**

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to appoint James J. Allaire as 1st Ward Alderman replacing Matthew J. DeBarbieri. **Motion carried.**

Mr. Hughes said Mr. Allaire is present this evening and asked him to join the members at the table. Mr. Hughes said Mr. Allaire has been a resident of Derby since 1973 attending Derby Middle School and graduating from Derby High School in 1978. He is a member of the Derby Young Republicans and has been a Derby homeowner since 1992. Mr. Allaire is also a member of the Derby Republican Town Committee. He married his wife Beth in 1999 and he is a parishioner at St. Jude's Church in Derby. Mr. Allaire has also served as a City of Derby Justice of the Peace.

COMMITTEE REPORTS

- **Add 37 Paugasset Road to the Blight List**

Mr. Kopjanski informed the board members that at the Community Relations meeting earlier this month there was a recommendation made to place this property on the Blight List because there was no activity there in attempting to correct the blighted conditions. He said since that meeting there has been some activity. Mr. Kopjanski also noted that he has had a few phone conversations and a brief meeting with the property owner. They have demolished the shed, which was the major blighted presence on the property. The shed is currently being re-built. The trash and the trailer have been removed from the front driveway and they are in the process of replacing the broken windows and the garage door. Mr. Kopjanski informed the board members that the property owner did have some financial difficulties that kept them from doing

the work. He said it is really the board's choice if you would like to add this property to the Blight List. He reminded the board members that the property owner has thirty days to complete the abatement of all the blight on the property before it goes into a fine mode. He said if they go beyond the thirty days then the blight fine would be retroactive back to the date of the initial blight notice, which was the end of May, making the fine approximately \$9,000.00.

Mr. Szewczyk said he would recommend giving them the extra time as long as progress is being made. He then asked Mr. Kopjanski if the shed is being built within code. Mr. Kopjanski said he hasn't done an inspection yet. Mr. Szewczyk said he would suggest that contact be made with the property owner to make sure the shed is being built correctly. Mr. Sill suggested discussing this in more detail at the next subcommittee meeting. Mr. Szewczyk reiterated that he would like to cut them some slack as long as they are attempting to make progress and that they contact Mr. Kopjanski regarding building the shed. The board members decided to revisit this again in thirty days.

- ***Sidewalk Reimbursement Discussion – Ron Culmo***

Mr. Culmo informed the board members that the homeowner is actually responsible for the sidewalk that is in front of their property; they own the sidewalk. He said the City has an Ordinance that says it will reimburse the property owner one-third the cost to replace the sidewalk if it is found to be in bad condition. He said the Ordinance was drawn up in 1990. Mr. Culmo said he has asked Michael Joyce to review the current costs of asphalt and concrete. He would propose that the Ordinance be reviewed to come into present time with the costs for materials. Mr. Szewczyk said he would recommend that the City acquire a "Construction Means Catalogue" that would keep the various departments (Building, Public Works, etc.) up to date with current costs.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to send this to Corporation Counsel to draft the change and bring back to the Board of Aldermen for approval.
Motion carried.

- ***Alternate Street Parking Every Day Discussion – Ron Culmo***

Mr. Culmo informed the board members that currently in Derby during the winter time there is alternate street parking for the odd and even months. He said the problem with residential and downtown parking with this type of plan is once it is time to move to the other side of the street the snow and rain that has accumulated throughout the month is now frozen and cannot be moved. He would propose a rotation of odd/even side of the streets every 24 hours. Mr. Culmo said a few towns do this now and even a town like Ansonia actually sometimes has a ban on overnight parking.

Mr. Hughes said he feels that this is going to affect a lot of individuals and suggested having this as an agenda item at the next Board of Aldermen meeting.

DEPARTMENT REPORTS

- ***BOARD OF EDUCATION REPORT – TEST SCORES EXPLANATION (Janet Robinson, PhD – Superintendent of Schools)***

Dr. Robinson said school got off to a smooth start this year. There are approximately 1,500 students. She said she would like to review the results of the CMT and CAPT scores. She said the last two years the State of Connecticut has been required to test

grades 3-8 and 10th grade. In the CMT there are five levels – 5 Advanced; 4 Goal; 3 Proficient; 2 Basic and 1 Below Basic.

Mathematics – Elementary

Math	Grade 3	Grade 4	Grade 5	Grade 6
% at Goal or above	55	35	57	49
% at Proficient or above	81	61	76	82

Reading	Grade 3	Grade 4	Grade 5	Grade 6
% at Goal or above	42	36	52	65
% at Proficient or above	67	56	72	80

Writing	Grade 3	Grade 4	Grade 5	Grade 6
% at Goal or above	67	46	63	62
% at Proficient or above	83	78	83	87

Dr. Robinson said we are seeing a big increase in our Grade 3 scores. She said when we compare our scores to the DRG, which are schools that are similar to Derby in size and economics we are consistently at very close to the top, if not the top school district beating Stamford, Norwalk, Ansonia, West Haven, Danbury, Meriden, East Hartford and Norwich in the area of writing. Dr. Robinson noted that the area that needs improving is Grades 4 and 5.

Math	Grade 7	Grade 8
% at Goal	43	39
% at Proficient	71	73

Reading	Grade 7	Grade 8
% at Goal	59	52
% at Proficient	70	69

Writing	Grade 7	Grade 8
% at Goal	62	59
% at Proficient	85	79

Dr. Robinson informed the board that they did a comparison of those students who have been consistently enrolled at the school more than two years versus those students that have not been here for two years and consistently those students with two or more years are outperforming those students who have been here less than two years.

Dr. Robinson then reviewed the CAPT scores for the board. CAPT is required for all students to graduate. CAPT measures Math, Science, Reading and Writing.

CAPT	Math	Science	Reading	Writing
% at or above Goal	15	20	15	34
% at or above Proficient	60	69	65	78

Dr. Robinson said these are scores that they are not particularly satisfied with and they feel there is a lot of work that needs to be done in this area.

Mr. Szewczyk said there is a very noticeable dip in the Grade 4 results. Dr. Robinson said they have noticed that also and they are carefully monitoring the situation to determine how to bring the scores up.

Mrs. Moran asked how many students that take the CAPT in their sophomore year pass the first time. Dr. Robinson said she doesn't have the number off the top of her head but she would be glad to get that number.

Dr. Robinson noted that in the 2002-2003 school year 25.7% at the High School were free/reduced lunch; that number has now gone up to 35.8%. Non-English home language went from 14% in 2000-2001 to 10.8% and the number of juniors and seniors working more than 16 hours per week in 2000-2001 was 37.5% and that has dropped to 31.3%, which is good because students who tend to work more than 16 hours tend to have more difficulty in school.

Dr. Robinson said if anyone has any questions after reviewing the packet to please feel free to either email her or call.

BRADLEY SCHOOL PLAYGROUND

Dr. Robinson said a group of volunteers have done a beautiful job in repairing the playground and now we need to know who is going to be in charge of maintaining the site. Mr. Hughes said it is his understanding, and he has also talked to the people who initially built the playground, that it was given to the Board of Education when it was first dedicated. Mr. Bomba noted that there is a plaque right up at the site stating that this playground was dedicated to the Board of Education – he believes it was in 1983. Mr. Hughes asked Mike Kelleher who was on the original committee to speak.

Mr. Kelleher said the playground was dedicated to the Board of Education on October 28, 1992. The playground was turned over to the late Dr. Nathan Chesler, Superintendent of Schools and Maureen Monaco, Board of Education Chair.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to outline the jurisdiction of the Bradley School Playground for maintenance responsibilities is under the auspices of the Board of Education.

DISCUSSION ON MOTION

Mr. Szewczyk asked if the work that the volunteers have been doing at the playground is finished yet. Mr. Hughes said he believes there is some minor welding that needs to

be completed. Mr. Szewczyk said it is a good experience to have everyone working there and he would be up for another date to do further work.

FRIENDLY AMENDMENT TO THE MOTION

Also add the pavilion adjacent to the playground structure.

MOTION CARRIED.

STUDENT RESOURCE OFFICER (SRO)

Dr. Robinson said she is not quite sure why this is on the agenda. She said she doesn't know if Chief Mascolo is going to speak on this later; however they are in the process of doing a Memorandum of Understanding so they will have plans for an SRO.

Mr. Hughes said this item was forwarded to him by Marcia McGuire in the Town & City Clerk's Office as a request coming from the Boar; that's why it was added.

- o ***CULTURAL COMMISSION REPORT – AUGUST 2007***

As there was no one present from the Cultural Commission the report was tabled.

- o ***PUBLIC WORKS DEPARTMENT REPORT – AUGUST 2007 (Ron Culmo, Director)***

Mr. Culmo asked if anyone had any questions. Mr. Bomba asked Mr. Culmo how bulk pickup was going. Mr. Culmo said they are fielding about 30 calls a week and it will run until the 2nd week in November and then be suspended for the winter months. Mr. Culmo informed the board that everything should be installed on the Flood Control by the end of next week. Mr. Hughes asked about the brush on the dikes. Mr. Culmo said he has talked to Mr. Robinson and someone is supposed to come in and spray the vegetation on the side of the dikes. Mr. Hughes asked if sending a letter to Mr. Robinson from the Board of Aldermen might speed things along. Mr. Culmo said it would help

A MOTION was made by Mr. Bomba with a second by Mr. Boulton to authorize Mr. Hughes to draft a letter to Mr. Robinson regarding this work. ***Motion carried.***

Mr. Culmo said his department is continuing to do their work done there. He anticipates the Army Corps of Engineers visiting very soon to do their yearly inspection. He said they should be very happy with condition of the flood controls. Mr. Sill said everyone is commenting on the new street signs and commended by Mr. Culmo for a good job. Report placed on file.

- o ***BUILDING DEPARTMENT REPORT – AUGUST 2007 (David L. Kopjanski, Building Official/Zoning Enforcement Officer)***

There were no questions asked. Report placed on file.

- o ***BLIGHT REPORT – AUGUST 2007 (David L. Kopjanski, Building Official/Zoning Enforcement Officer)***

Mr. Bomba asked about the property on McLaughlin Terrace and whether or not the owner is now required to pay the fine. Mr. Kopjanski said he thinks there is an outstanding bill of \$4,000.00, which he believes Corporation Counsel and the property owner are working out an agreement. Atty. Coppola said he has made numerous phone calls to the owner requesting payment. Mr. Sill asked Mr. Kopjanski if there was any resolution regarding the sidewalk on Derby Avenue. Mr. Kopjanski said he has contacted Alcino, LLC the owners of the property and they are not moving on it. Mr. Sill

said it is the responsibility of the property owner to maintain the sidewalk. Mr. Kopjanski said he feels that at the next subcommittee we should really discuss the entire sidewalk ordinance.

- o ***FIRE MARSHAL REPORT – AUGUST 2007 (Philip A. Hawks)***

There were no questions asked. Report placed on file.

- o ***FIRE DEPARTMENT REPORT – AUGUST 2007 (Commissioner Kelly Curtis and Fire Chief Charles Sampson)***

Mr. Curtis said they are moving forward with the renovations. The boiler is in the process of being removed and replaced at Hotchkiss Hose. He said they have signed the contract for the windows and doors at the Paugassett's, Storm's, East End and Hotchkiss Hose.

Mr. Curtis said he submitted a resolution to the Town & City Clerk's office to be included on the agenda this evening. He said he would ask that the board pass a resolution to allow the Board of Apportionment & Taxation to encumber the cost of the replacement of Engine #14 (Hotchkiss Hose) over the next five years through a lease/purchase program. He would also ask that a resolution be passed by the Board of Aldermen to allow the Board of Apportionment & Taxation to encumber the cost of the replacement of the Chief's vehicle over the next four years through a lease/payment program.

Mr. Curtis noted that the passing of the resolution by the Board of Aldermen is the first step before going to the Board of Apportionment & Taxation.

Chief Sampson informed the board that since 2000 the federal government has enacted a grant program for firefighters, which allows us to purchase equipment. He said in 2003 the City was awarded close to \$300,000 for personal protective equipment/bunker gear. The City was able to purchase 110 sets for the active firefighters. Every year prior to the submission of the grant the Chief's meet to discuss the items that need to be replaced. In 2006 and 2007 a grant application was submitted for the SCBA (Self Contained Breathing Apparatus.) The Chief informed the board that the application has been approved and the department will be receiving 28 SCBA units. The cost of these units is approximately \$162,000 – the City's share of the bill is \$4,838.60. Chief Sampson noted that this grant was written by his predecessor Chief Alan Coppolo and the other Chiefs.

Mr. Hughes asked Mr. Curtis if there is an estimated cost for the new truck. Mr. Curtis said it depends whether we have the truck ordered with new air packs or not. He said it could run anywhere from \$340,000 to \$380,000 and close to \$400,000 with air packs. He said they will be looking for a trade in value and noted if the grant works out like it should they won't need to get air packs. Mr. Hughes asked when they would be approaching the Board of Apportionment & Taxation. Mr. Curtis said they have been before the Board of Apportionment & Taxation two times already. He said they suggested that we work on the bidding process and get the specs together – he noted that the Board of Apportionment & Taxation never informed them about preparing the resolution. Mr. Hughes said that is why he is a little hesitant moving on this tonight since he hasn't discussed this with Mr. Domurad. Mr. Sill said this has been done in the past – the trucks are done on a rotating basis. Mr. Hawks said the Board of Apportionment & Taxation technically can't encumber costs into the next fiscal years unless the Board of Aldermen approves it. Mr. Hughes said if it is fine with the rest of the board he would

suggest taking some time to research this matter and discuss it at the next meeting. He also asked Mr. Curtis for a copy of the specifications. Mr. Curtis said the other thing is the Chief's car. He noted that by a Charter \$10,000 is mandated to the Fire Department every year for whatever they feel is needed. Mr. Curtis said they would like to move forward with a new Chief's car, which would cost approximately \$40,000. He noted that this would require the same resolution. There were no further questions. Report placed on file.

- o **POLICE DEPARTMENT REPORT – AUGUST 2007 – www.propertyroom.com Program Approval (Chief Gene A. Mascolo)**

Chief Mascolo informed the board that Police Officers Christopher Benanto and Scott Boulton will be promoted to the rank of Sergeant at a ceremony to be held on Monday at the Derby Police Department, which everyone is invited to attend.

The Chief said he would like to publicly thank the members of the Storm's and particularly their tracker dog who assisted in finding a distraught party who was threatening suicide up on the Greenway. He noted that they also helped them out with their all-terrain vehicle.

Chief Mascolo said he would like to ask the board's permission to engage in a contract with www.propertyroom.com. He said his future reports will list an annex of property that they will propose be turned over to www.propertyroom.com and then money will go into the revenue account. He said prior to having the property turned over the list will be circulated to department heads to see if anything could be used. Mr. Hughes said he has researched this program and there is no fee to the City to join this program. We're also not tied to this program; we can leave at any time.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to approve the www.propertyroom.com program for the Derby Police Department. **Motion carried.**

NOTE: THE RECORDING SECRETARY HAS TRANSCRIBED THIS PORTION OF THE MEETING VERBATIM

Chief Mascolo – I would like to address some of these SRO issues if you don't mind Mr. President.

Mr. Hughes – Go ahead.

Chief Mascolo – First thing I think we've established that the schools are safe. I need to state that clearly for the record that we have a safe environment for our students at the school and with a few exceptions the teachers and the administration up there are doing a fine job – you know and its one of their primary responsibilities the cops are in support up there in maintaining a safe environment. That being said I support the SRO Program; we need it, it's a great program. But the Police Department does a lot of other things other than this SRO Program. It's really just one thing that we do among many others. And the Police Department is in the process of just monumental change. Change to our management structure for the first time in many, many years; it is going to give us the opportunity to move forward. So when we look at a safe school and the benefits of the SRO Program above the safe school, really what we're compromising is some of these other benefits up at the school. So we were looking for some flexibility for a brief period for about nine months. The environment up there is safe. The people in

primary charge have (Inaudible) environment. The school, like I said with a few exceptions, is doing a great job. To maintain that environment our strategy is response for the interim of about nine months and then when I get my five out of the Academy we work towards a full SRO Program. Now that being said even with that full SRO Program – I mean Derby's a small town – you know there's going to be 31 cops when we get these 5 out of the Academy – at any time we could be hit with a bunch of Worker's Comp issues, there could be priorities elsewhere and we would have to pull that SRO out of the school anyway. You know we've had a cop up there, not an SRO Program – that's the way the past Chief chose to do it, we've had a cop up there for the past two years. That guy has gone to training, that guy has gone on vacation, we had to pull him out because of injuries – because of other issues and we've had no complaints; generally because the school was safe so we didn't think there would be such a big deal this time around. But we're listening to the public and we're going to redeploy some of our administrative personnel within the department and its going to cause some of us to wear four or five different hats but in the interest of the public perception we're going to go ahead and get somebody up there as soon as we can but that's going to be a temporary fix until we can get our new recruits trained up and get a full SRO Program up there (inaudible.) You know we had a cop in the school for the last two years – we asked for no funding for it – we included it in our budget as we have for this fiscal year – the 31 cops includes an SRO. But we got hit with two surprise retirements at the end of the year – Andy Cota and Donny Margiano left with short notice – and you know the recruiting process alone is about three months, then the Academy is twenty-two weeks and then the Field Training Program is about ten weeks plus – so we got caught short. Now with that being said because it's a reasonably safe environment at the school and none of our, none of our parents or none of our citizens should worry about their children in that school we chose to go that way. So I just want to explain to you from whence that decision came and that the fix is in. We've got a temporary fix within a week or so and a permanent fix when our five get out of the Academy. And you know I was going to try to keep this positive but with that being said I've got to address some of the comments that were made in the press and I have to say that your comments of rape and carnage are just irresponsible and it's a disservice to our community and a disservice to our parents. Now what I can tell you with confidence, because I know the facts and circumstances surrounding some of the things that I suspect that Ms. Luneau is talking about, the presence of a School Resource Officer would not have prevented the issues that she's talking about and that the school had some of the tools to deal with those issues and didn't. It had nothing to do with a School Resource Officer. To talk about carnage and rape is fear mongering and it's a disservice to everybody. So I need to state that for the record that that's one of the most preposterous things I've ever heard. I need to address another thing too that Ms. Luneau said. She said that Derby is the only organization that does not have a Police Officer in the schools. That's also grossly inaccurate. I had my Youth Officer, now Detective Division Commander, Lt. Stanko, do some research and out of 110 organizations, municipal organizations that we surveyed only 50% of them have a permanent presence in the schools. Now the big towns now of course they have more resources they can do these kinds of things. In the middle are some of the intermediate type places that have part-time presence. So 50% approximately have a cop in the schools, about 25% have a part-time presence – programs like an Enhanced Youth Officer Program, a program where they have a dedicated officer that responds to issues at the school and then 25% of these 110 organizations have no cops in the school. So again an inaccurate statement that misleads our public into thinking that there's a terrible situation and a tragedy waiting to happen up at the school – that's

preposterous. There is no tragedy waiting to happen up at the school. You know we have to worry about the same things that schools across America worry about. The absence of that School Resource Officer doesn't make us any closer to a tragedy than any other place across the country. We keep hearing about this magical money that's out there to fund the School Resource Officer. What you see is a grant to augment a budget; not supplant a budget. So I've got 31 cops in my budget this year – if I get a school grant it doesn't fund the 31st cop – what it does is require us to hire a 32nd cop. Once the grant runs out, and there's a sunset on all of these things, once the grant runs out the City is responsible for that cop. So we don't pursue that because we put it in our budget and the Tax Board is generous enough to give us enough personnel so that we can staff this School Resource Officer Program. We're in a period of transition that trust me just results in monumental change at the Derby Police Department and we're hoping for some flexibility to make this thing work. Now at the service delivery level bullying a resource into an organization is just the start of the program. The partnership at this level is what makes this program work. Now when you're a patrolman or a lower level you probably don't see a lot of those things. The resourcing stuff, the collegiate relationship you need with the other organization is what makes these things work. Now we are less than a full partner in that organization. Information is kept from us; on top of it we have to endure ridiculous comments like are being made about tragedies. Our long-term strategic plan should suffer because a safe school doesn't get the programmatic benefits of an SRO above and beyond school safety for nine months.

Ms. Luneau – Chief no one foresaw Columbine either.

Mr. Hughes – Excuse me, order, order.

Ms. Luneau – I'll leave at that but no one foresaw Columbine either.

Mr. Hughes – Renee you know the rules.

Ms. Luneau – I'm going.

Mr. Hughes – Thank you. Go ahead Chief.

Ms. Luneau – Just one word – Columbine.

Mr. Hughes – Chief.

Chief Mascolo – Again, extremely irresponsible talking about Columbine in this environment. We are no more or less at risk than any other city or school in this country in relation to an incident like that. To bring it up is just totally irresponsible. Now our organization drills continuously on how to deal with that type of environment. In the big picture is what handles an incident like that – not one cop in a school repelling (inaudible) – that's preposterous. And it's irresponsible even to talk about it. So again the Derby Police Department has been flexible. We've put a cop in that school for the past two years under our budget. We will continue to be flexible; we will continue to be the good partners in this environment. We're going to continue to endure nonsense like this and we're going to continue to do our best to make this work. But up until this point we have not been a full partner. And the comments that are being made in the paper are just totally irresponsible and a disservice to our citizens. Does anybody have any

questions in regard to this because I would be happy to respond to them because some of this stuff is just nonsense.

Mr. Bomba – She’s running out of here mentioning Columbine. If you have a dedicated SRO in the school the probability is still there that Columbine can happen; you’re talking one person.

Chief Mascolo – Well there’s no doubt a police presence in the school would make that type of incident better; however the additional infrastructure that responds to an incident like that – the Command Control, the Emergency Response Team the interface with other agencies – that’s what helps a school survive an issue like that and we work that very hard. Now are we where we should be? Nobody is but we work it every day and it’s not about one person in the school. It does make it better but by no means is it the panacea for a Columbine-type incident. And I have to apologize to the citizens of our community for somebody to even bring that up because there’s many, many good things going on. And the absence of a School Resource Officer does not make us any less susceptible to something like that and that’s a shame that she even says something like that.

Mr. Bomba – Absolutely – thank you.

Mr. Szewczyk – I have a question – right now we have the Middle School and the High School in one building and then we’re going to have a separate Middle School. Does that mean that one officer is going to handle both buildings?

Chief Mascolo – We’re working with the Superintendent on how this thing is going to look. The traditional cop stuff is only a small piece of what a School Resource Officer does - you know he can do disciplinary investigations, he can handle parking. But really we’re there in support of the school. The school has the primary responsibility for the securing the environment.

Mr. Szewczyk – Your back-up.

Chief Mascolo – And we are back-up. When you’re in a resource constrained environment like a small town like Derby you prioritize. Now our elementary schools are inherently safe. You know generally they’re younger kids and they do different things. So traditionally we worry about the older students. But like I said we’re in support of the school and if the school wants a situation where we share our School Resource Officer across the schools then certainly that’s what we’ll give them. Are there any other questions? I’m sorry if I got emotional about this but what is more important than ensuring our parents and our citizens that our schools are safe? And you know we haven’t had a presence up there from the beginning of the school; I don’t think we’ve had four calls there since the beginning of the school year and really they’ve been relatively minor. So I just don’t know what more I can say. Thank you for your time.

Mrs. Moran – Do they not call you?

Chief Mascolo – Well there are some great administrators up there that we have a fantastic partnership with but it has been less than a full partnership in the past. And the Derby Police Department cannot respond to things it doesn’t see.

Mrs. Moran – Do they understand that?

Chief Mascolo – My contact with the school district is the Superintendent and the Superintendent has been a great partner and she does understand my concerns and we work together to try to deal with them every day and as they occur. Now at the end of the last school year we were not where we needed to be. Hopefully by the time we field this new program we'll work out some of those kinks – we're working out the kinks now. The Memorandum of Understanding will solidify some things, set a base line that we can point to if we don't meet the objectives that we have set for communication and all will be well. Now that being said I can't say that the things we didn't know about weren't handled. It's just that there were many things that happened last year that we didn't know about but I can't say they weren't handled and they created a bad situation. But some bad things that happened there would not have been prevented because a School Resource Officer was there. Now I'm not saying that there's something terribly wrong because some bad things happened. You know there's 1,500 students there so stuff does happen. But to say that in the same context as this SRO discussion infers that the SRO could have prevented the rape and carnage and it would not have, it would not have. Better action from some other parties would have prevented those issues. Thank you.

o ***PARKS & RECREATION REPORT – WAIVE PERMIT FEES FOR BLEACHER WORK AT RYAN FIELD (Dennis O'Connell, Director & Jack Walsh, Chair – Parks & Recreation)***

Mr. Hughes said they are having more work done at Ryan Field and they would like to have the permit fees waived for the bleacher work. He noted that we have done this in the past.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to waive the permit fees for the bleacher work at Ryan Field. ***Motion carried.***

Mr. Hughes said one of the reasons why Messrs. Walsh and O'Connell are here this evening is to discuss field usage. We have too many programs and not enough fields.

Mr. Walsh said a study was done a number of years ago and even with the addition of Witek Park there is still a shortage. He said it is wonderful that people are out using the fields but there has to be a limit or they will be ruined due to overuse. Mr. Hughes said one of the problems that we had was the schools instituting programs prior to checking with Parks & Recreation. He said if everyone remembers a few meetings ago the Board of Education came for soccer approval for five games at Witek Park and then the schedule comes out and it ends up being 22 games. Mr. O'Connell said Mr. Oraziatti did approach the board to ask to implement a new program and that program included five additional games. He said he believes Mr. Oraziatti was under the impression that everyone already knew about the existing games and he was just adding on 5 games. Mr. O'Connell said Parks & Recreation gives the fields to the schools first. He said the problem that we have is we don't have enough fields. Ryan Field has 65 soccer games and come Thanksgiving Day that field is going to be complete dirt and people will be screaming. Mr. O'Connell said he feels we really need to spend some money on the Bradley School field if we want to maintain Witek Park the way that we like to. Mr. Hughes said the Board of Education has been told to come to this board with any requests. There needs to be a mutual understanding. Mr. Bomba said he knows that there is no confusion on our part. Mr. Hughes asked if Emmett O'Brien has any fields. Mr. Walsh said Emmett O'Brien has a track with a soccer

field in the center of it. He said an ideal solution would be the installation of artificial turf at Ryan Field – it would solve a lot of problems. Mr. O’Connell also noted that would benefit Witek Park tremendously.

The board members will send a letter to the Board of Education outlining their concerns.

REFUND OF EXCESS TAXES PAID THROUGH 9/19/07 – (Cinda Buchter, Tax Collector)

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to approve the refund of excess taxes paid through 9/19/07 as per the request from Cinda Buchter, Tax Collector. *Motion carried.*

“ADOPT A SPOT” PROGRAM DISCUSSION – (Ken Hughes)

Mr. Hughes said this is something that he has been working on over the past couple of months. He has included the information in everyone’s packet. Mr. Hughes said that other towns do it and he would like to start a program where businesses, individuals or groups could take care of a small little corner of Derby – whether it be an island, a section of the Greenway or something of their choosing around a City building. We would take recommendations on what the group would like to take care of. He asked that everyone review the materials so that it can be discussed at the next meeting. Mr. Hughes noted that six businesses are already interested in participating. He noted that he would work with Ron Culmo to make sure that everything is okay with the Union before any project is undertaken.

APPROVE CONTRACT BETWEEN THE CITY OF DERBY AND BIANCO GIOLITTO WESTON ARCHITECTS, LLC – ARCHITECTURAL SERVICES FOR THE NEW DERBY MIDDLE SCHOOL – AUTHORIZE MAYOR ANTHONY STAFFIERI TO EXECUTE CONTRACT

Mr. Hughes said the School Building Committee approved the contract. Mr. Szewczyk said on page two of the architectural contract we’re safe contractually with a 75,000 ft.² gross school and we’re expecting a 71,000 ft.² net. Mr. Sill asked if Corporation Counsel has reviewed the contract. It was noted that the contract has been thoroughly reviewed by Corporation Counsel.

A MOTION was made by Mr. Sill with a second by Mr. Boulton to approve the contract between the City of Derby and Bianco Giolitto Weston Architects, LLC – Architectural Services for the New Derby Middle School and authorize Mayor Anthony Staffieri to execute the contract. *Motion carried.*

RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ENTITLED “AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CITY OF DERBY FOR THE DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS AND ESTIMATES FOR THE NAUGATUCK RIVER GREENWAY PHASE III UTILIZING FEDERAL FUNDS UNDER COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM”

State Project No.: 36-183

Federal Project No.: PEDS (106)

Description: Agreement Between the State of Connecticut and the City of Derby for the Development of Contract Plans, Specifications and Estimates for the Naugatuck River Greenway Phase III Utilizing Federal Funds Under the Enhancement Component of

the Surface Transportation Program, and a certification indicating the council adopts as its policy to support the nondiscrimination agreements and warranties required under the Connecticut General Statutes.

RESOLUTION

Resolved, that Anthony E. Staffieri, Mayor, be and hereby is, authorized to sign the agreement entitled "Agreement Between the State of Connecticut and the City of Derby for the Development of Contract Plans, Specifications, and Estimates for the Naugatuck River Greenway Phase III Utilizing Federal Funds Under the Enhancement Component of the Surface Transportation Program: and a certification indicating the council adopts as its policy to support the nondiscrimination agreements and warranties required under the Connecticut General Statutes.

A MOTION was made by with a second by Mr. Hughes with a second by Mr. Bomba to approve the resolution authorizing the Mayor to sign the agreement entitled "Agreement between the State of Connecticut and the City of Derby for the development of contract plans, specifications and estimates for the Naugatuck River Greenway Phase III utilizing federal funds under component of the Surface Transportation Program. **Motion carried.**

CERTIFICATION BY THE BOARD OF ALDERMEN TO ADOPT AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTES

CERTIFICATION

(By corporate or other business entity regarding support of nondiscrimination against persons on account of their race, color, religious creed, age, marital or civil union status, national origin, ancestry, sex, mental retardation, physical disability, or sexual orientation)

I Anthony E. Staffieri, Mayor of the City of Derby an entity lawfully organized and existing under the laws of the State of Connecticut do hereby certify that the following is a true and correct copy of a resolution adopted on the 27th day of September, 2007 by the governing body of the City of Derby, in accordance with all of its documents of governance and management and the laws of State of Connecticut, and further certify that such resolution has not been modified, rescinded or revoked, and is, at present, in full force and effect.

RESOLVED: That the Board of Aldermen of the City of Derby hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut

General Statutes §4a-60(a)(1) and §4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142.

IN WITNESS WHEREOF, the undersigned has executed this certificate this 27th day of September, 2007.

By: Anthony E. Staffieri

Title: Mayor, City of Derby

Effective June 25, 2007

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to adopt the certification by the Board of Aldermen to adopt as its policy to support the Nondiscrimination Agreements and Warranties required under the Connecticut General Statutes. **Motion carried.**

EXECUTIVE SESSION

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to go into Executive Session at 8:45 p.m. inviting Phillip A. Hawks, Phillip Robertson, Laura Wabno and Corporation Counsel Coppola to discuss the Fire Marshal Appointment and the Democratic Town Committee. **Motion carried.**

The board came out of Executive Session and reconvene the meeting at 9:25 p.m.

FIRE MARSHAL APPOINTMENT AND POSSIBLE ACTION

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to **TABLE** this discussion until a contract is received and reviewed. It will be discussed at next month's meeting. **Motion carried.**

DEMOCRATIC TOWN COMMITTEE CANDIDATES, DISCUSSION AND POSSIBLE ACTION

Mr. Hughes said we discussed this with Corporation Counsel and he will appear before the Court to defend that the actions of Laura Wabno were not made in error and we're going to ask that a decision is made as soon as possible. **Mr. Sill noted that he abstains from this decision.**

"LEGENDS BY LANTERN" SIGNAGE PLACEMENT

Mr. Hughes said he received a request from Rob Novak of the Derby Historical Society to put signs up for the "Legends by Lantern." He noted that we had the same request last year and there were no problems with the signage.

A MOTION was made by Mr. Sill with a second by Mr. Bomba to approve the request from the Derby Historical Society for the placement of signs for the "Legends by Lantern" event. **Motion carried.**

ADDITIONAL EXECUTIVE SESSION IF NECESSARY

A MOTION was made by Mr. Sill with a second by Mr. Bomba to adjourn the meeting at 9:27 p.m. **Motion carried.**

Respectfully submitted,
Patricia Finn
Recording Secretary

*These minutes are subject to BOA approval and their next scheduled meeting.