

## **DERBY BOARD OF ALDERMEN MEETING**

**DERBY CITY HALL – OCTOBER 25, 2007 - 7:00 P.M.**

### **MINUTES**

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

#### **Roll Call**

Present: Kenneth J. Hughes, Joseph M. Bomba, Anthony Szewczyk, James J. Benanto, Jr., Ron Sill, Beverly Moran, John Boanno, James Allaire

Absent: Scott M. Boulton

Also Present: The Honorable Mayor Anthony Staffieri  
Philip Robertson, Chief Administrative Officer  
Sheila O'Malley, Economic Development Director (arrived at 7:40 p.m.)  
David L. Kopjanski, Building/Zoning/Blight Official  
Philip A. Hawks, Fire Marshal  
Deputy Chief Gerald Narowski, Derby Police Department  
Keith A. McLiverty, City Treasurer  
Martin Hubbard, President, Board of Education  
Laura Wabno, Town & City Clerk  
Joseph T. Coppola, Corporation Counsel

#### **ADDITIONS/DELETIONS/CORRECTIONS TO THE AGENDA**

Mr. Hughes stated that there is a new item that was added to the agenda:

Permit Fee Waiver for Project Sign for Derby Senior Center Renovations.

#### **APPROVE MINUTES OF THE SEPTEMBER 27, 2007 REGULAR MEETING**

**A MOTION** was made by Mr. Sill with a second by Mr. Bomba to approve the minutes of the September 27, 2007 regular meeting as presented. **Motion carried.**

#### **CORRESPONDENCE**

There was no correspondence to present to the board.

#### **PUBLIC PORTION**

Renee Luneau, 102 Hawthorne Avenue, Derby, CT (Board of Education Member) – I've prepared something so I'll be really quick. I would like to speak of the SRO at the High School at this time. I'm concerned because one month ago at the last Board of Aldermen meeting the citizens of Derby were made to believe that someone would temporarily be there in a week or two. Well now here we are four weeks later and the only action towards achieving this was an officer who stopped by this week to introduce himself and say that eventually he will be there. Again I'm going to bring up the issue of five promotions made in the past four months. No one will address that issue as clearly one of the reasons why there aren't enough patrol officers, particularly one who would be able to fill the position of SRO. At the last Board of Aldermen meeting we were told that in December there will be a test for two promotions in their contract

– Youth Officer and SRO. When further questioned it turned out that the SRO position was not in D.P.D.'s current contract. I was disappointed to see this as I believe that it doesn't appear to be a priority for D.P.D. to have this spelled out in their contract. One would hope an addendum is done to cover this seeing that the contract was effective this summer. The Board of Education has been advocating for this position since the spring without any cooperation at that time. Mind you that this was before the promotions were made and the contract was signed. Speaking as a Derby Citizen rather than a Board of Education member I can only say that I will be pursuing this month after month until the children get what they deserve. I would expect that a Chief making over \$90,000 a year will come up with affective solutions and answers rather than (inaudible) and excuses. Thank you.

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – I would like to address the editorial that appeared in the Valley Gazette and written by Sheila O'Malley. She stated that the money to relocate the downtown businesses would come from the taxpayers; however it is the developer who is ultimately liable to pay for the real property and business relocation. This article appears to be politically motivated and an attempt to preserve her job in the City. Since Ms. O'Malley has not been present over the last few years I would like to provide her and the public with information, which she apparently did not get from other than this administration. If she hasn't already read the Relocation Plan here are some excerpts: the careful and sensitive management of a redevelopment process will ensure availability of resources in order to ensure that all persons and entities are relocated in accordance with this plan and state and federal law. Representatives of the staff will periodically visit or call non-residential concerns being displaced in order to consult with them regarding the relocation. These consultations will keep up to date the information gathered in earlier surveys or consultations and will enable the City and these concerns to exchange information on new non-residential listings, listings found to be unsuitable by the concerned and other opportunities or problems involved. The staff will continuously collect current information on the availability, costs and floor size of comparable relocation sites. It will do this through a systematic review of all advertised vacancies (inaudible) through agents, brokers and the news media for vacancy listings. The staff will maintain an up to date file of known and potential non-residential vacancies and sites for referral to relocation concerns. These listings will include available information concerning each potential location and the results of whatever economic studies have been conducted. Relocating concerns will be notified of available locations, which are comparable and suitable by providing them in person or by mail with copies of the relative listing sheets. The staff will also assist through consultation with relocation concern in other considerations or discussion of sites. Sure this administration went ahead and hired a relocation agent and ordered appraisals. However, we made it clear in public meetings that this agent's duties only included compiling the moving costs. He will send all remaining business owners the same listings with no Derby properties suitable for relocation. There was no further discussion with business owners as it wasn't Mr. Michelowski's job to do so. Any suitable locations were in Waterbury and Bridgeport. These lists were printed from the MLS without regards to size, zoning or location. This administration also went ahead and ordered appraisals of the properties. These appraisals are now more than a year old and are invalid and a waste of taxpayers' money. Let's go back to October 20, 2004 when Mr. Cerruzzi stated that we're going to (inaudible) rather than pay somebody for what they have we can find another spot to put them in, pay for the move, help them fix it up and offer them a deal here to come back into something better than they had. The then Corporate Counsel Buturla stated the former Beard Property that then became the D'Addario Property, the D.O.T. Property, now the City Property is relocation resource that the City would have. The Garofalo administration moved forward roughly two years ago to obtain Title to that parcel from the Connecticut Department of Transportation as a possible relocation

resource for businesses within the redevelopment zone. The City had included this property as an available resource in the Preferred Redeveloper Agreement. On June 8, 2007 Anthony Staffieri, then a private citizen, spoke at a Redevelopment meeting and stated "I would like to know whatever happened to the plan about the City property that was acquired from the State. The Beard Property along the Naugatuck River that was supposed to be the businesses property owners downtown were supposed to be moved to that location. I think things would make it a lot easier for the property owners that they get a building somewhat the same or better condition and make a deal a lot easier to happen." Upon being Mayor this administration moved forward to eliminate the D.O.T. parcel as a relocation resource when the developer said it was too expensive. Since no figures were provided we filed an FOI request to learn that the bases for the developer and the City's decision was based on the developer's visual inspection and a back of the envelope financial calculation. So prior to becoming Mayor Mr. Staffieri seemed generally concerned that the business owners be treated fairly. As Mayor Staffieri stated (inaudible) in reference to the downtown situation he stated that things changed. Well Mr. Mayor things don't always change but apparently people do. We have continuously asked to be part of the project, which the developer still has not proven that we can't be a part of since he has not gone to Planning & Zoning with any real plans. We have also asked for help to keep us in business and to make us whole. Why would we accept an insulting offer when that offer would not nearly replace what we are losing? To date the only offer that the developer has given us is \$185,000 for four parcels, which includes a sturdy two-story building, a warehouse, a lot with a foundation with utility connections, and a parking lot. The City's offer for five parcels was \$394,000, which is approximately \$120,000 less than what we are being taxed on. So no we are not being treated fairly. We are being asked to sacrifice our livelihood. As Atty. Coppola stated in July 2006 when we said we are a society of sacrifices of the few for the good of all. I mean look what's happening overseas – we sacrifice young men for all of us. Well Mr. Coppola we shouldn't have to sacrifice our financial futures for this developer. We are being blamed by this administration as being holdouts and greedy when we have not even countered any offer with a number. The developer will not deal with us fairly with the property owners and the businesses. Two years ago we the affected property owners were tricked by the developer's representative into coming to meeting to discuss relocation here in City Hall. Mr. Skolnick opened the meeting saying he was motivated by greed, which he then repeated. Relocation was never going to be discussed. The City does not have the money to buy out the remaining business owners. The City will not be reimbursed until the City takes control over the remaining properties and (inaudible) clear Title to the developer. The developer is claiming a \$45 million gap, which the City needs to find funding for, which most likely would have to come from borrowed sources. The State of Connecticut is not throwing money around in the form of bonds as we saw with the Governor's veto of bonding package. The City of Bridgeport is claiming most of the available funds from the Urban Funding Act for its Steel Point Project. So this project appears to be at a standstill until funding can be found. I also noticed that on the web site that the link to the Redevelopment Agency information still only shows the citizens of Derby the glorified plans that were presented in December 2005. The current concept plans call for the five sided parking garage with the greenery on top and the green amphitheater setting to be eliminated. A standard rectangular garage proposed with only sidewalks being considered as public spaces is what is currently being presented. When will this be updated? Also I do have some questions about the buildings owned by the developer. Has the developer applied for a demolition permit for the Porch & Patio building? Has the developer paid any of the \$100 per day fines that have been accruing since May for blight? And I also have asked in both the Aldermen meeting and Redevelopment meeting when will we have access to our right-of-way on First Street, which has been closed off? Thank you.

Dan Waleski, 21 Elm Street, Derby, CT – I would like to go on record as a firm believer that our Redevelopment Agency has not done justice to this downtown redevelopment project. As you know in the past I have objected to some of the individuals sitting on that commission. Not on a personal basis but on a basis of qualifications. And I think this example that we've heard tonight is an indication that that agency needs some work and I think it ought to get into more of the details and I also feel the public should be more aware of what the exact details are. That \$45 million deficit scares the hell out of us. Thank you Mr. Chairman.

Mayor Staffieri 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**

### **COMMITTEE REPORTS**

- *Operations & Procedures* - Mr. Bomba reported on the Dog Warden. He stated that the position falls under the Police Department and Chief Mascolo informed the committee back in May that the Dog Warden does an excellent job and deserves a raise. Chief Mascolo informed the committee that the Dog Warden has not had a raise in four years. Mr. Bomba informed the full board that the committee is recommending a raise for the Dog Warden effective today's date.

**A MOTION** was made by Mr. Bomba with a second by Mr. Sill to approve a raise of \$4,000 for the City's Dog Warden.

### **DISCUSSION ON MOTION**

Deputy Chief Narowski noted that there was one additional component to the raise, which is a Life Insurance Policy similar to the Policy that the Supernumeraries receive. He said the cost is approximately \$64.00 annually.

### **FRIENDLY AMENDMENT TO MOTION**

Messrs. Bomba and Sill added the Life Insurance Policy to the Dog Warden's raise.

### **ADDITIONAL DISCUSSION ON MOTION**

Mrs. Moran asked if this was brought up at the Tax Board's budget hearings. Deputy Chief Narowski said it was not. Mayor Staffieri said the cost would come out of the Police Department's budget. Deputy Chief Narowski explained that the money currently comes out of the canine control subsidy, which is in the Police Department's budget. Mrs. Moran said she does not like adding on to salaries after the tax rate is set; it should be brought up before it is set. Mr. Sill said we are very fortunate to have Joe as our Dog Warden – he goes above and beyond. Mrs. Moran said she is not saying that he isn't deserving; she is saying that we just can't pull money out of the air and it should have been brought up during the budget process.

**Mrs. Moran voted no. MOTION CARRIED.**

- *Community Relations Committee* – Mr. Szewczyk said they are working on making Burmistrz Kolbuszowej Poland a Sister City and they will present this at the next full Board of Aldermen meeting. He also said he has given Mr. Kopjanski the choice of either a Means Cost Catalogue or a Marshall/Swift Catalogue for construction cost estimating. Mr. Szewczyk said this catalogue would be very beneficial for the City's use and it would be kept in the Building Department.

Mayor Staffieri informed the board members that David Kopjanski, the City's Building & Zoning Official, visited Poland this summer on vacation. The Mayor said there are a lot of Polish residents currently in Derby that come from the same City in Poland. He noted that we have Sister Cities in England and Italy. Mayor Staffieri said Deputy Chief Narowski's family and Mr. Bomba's family are also from this City in Poland.

## **DEPARTMENT REPORTS**

- **BOARD OF EDUCATION REPORT – SEPTEMBER 2007 (Martin Hubbard, Chair – Board of Education)**

Mayor Staffieri said it is his understanding that Mr. Hubbard, Dr. Robinson and Chief Mascolo have worked out a plan for the SRO. Is this correct? Is the information that Ms. Luneau just stated right or wrong or is she just missing a component? Isn't an SRO or beat officer going to be at the school until a test is given to qualify an officer as an SRO? And isn't a MOU being drawn up as we speak? So it's not as though something isn't being done. Mr. Hubbard said Ms. Luneau right to be concerned about the timeframe. He said as of a week and a half ago there was supposed to be someone in the building temporarily and we still don't. He said the MOU is being devised and meetings between the Chief and Dr. Robinson are taking place. Mr. Hubbard said Justin Stanko gave a great presentation last Thursday.

Mr. Hubbard said as everyone knows the makeup of the Board of Education will be taking a dramatic change with the upcoming election. Also the Superintendent will be leaving in December. He said he would like to ask Mayor Staffieri to invite a Board of Aldermen member to sit in on the interim search for a new Superintendent. Mayor Staffieri thanked Mr. Hubbard for the courtesy and he said he is sure someone will sit in on the search.

Mr. Hughes asked if the work has been completed at Bradley School Playground. Mr. Hubbard said the dedication took place and it is back up and running. He said they will be discussing procedures and policies for the playground at the next Communications Subcommittee meeting. He noted that it doesn't really matter what department oversees the playgrounds – Bradley or Irving; monies are going to be needed to keep it functional. Mayor Staffieri said perhaps we can get some volunteers to come forward as Mr. Stadt and the others did. He noted that a lot of people volunteered their time and to watch the little kids playing made everyone happy. Mr. Sill asked about the insurance for the playground – have they been notified of the improvements. Mayor Staffieri said the insurance company came and inspected the site and were overjoyed with the repairs.

Mr. Hubbard asked whether or not the position of Joint Business Director has been filled. Mayor Staffieri said it has not; however they have been advertising the position. Mr. Hubbard asked the Mayor if the City is still looking for a joint position to handle both the City and the Board of Education side. Mayor Staffieri said he feels that is the best way to go with a City the size of Derby.

- **CULTURAL COMMISSION REPORT – SEPTEMBER 2007**

There was no one from the Cultural Commission present. Report placed on file.

- **PUBLIC WORKS DEPARTMENT REPORT – SEPTEMBER 2007**

Ron Culmo, the Public Works Director was absent from the meeting. Report placed on file.

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

There were no questions asked. Report placed on file.

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

Mr. Kopjanski said there are no new properties to add to the Blight List this month. He said there is a request for an appeal from the owners of the property on First Street. He said he is awaiting the assignment of a hearing officer. Mayor Staffieri asked Mr. Kopjanski about Commodore Hull Drive. Mr. Kopjanski said he is keeping his eye on there. Mr. Szewczyk said although he has involved himself with the blight issues he hasn't had time due to sickness and over-commitments to keep track of every blight complaint. He said he would like to give his backlog of blight reports to Mr. Kopjanski. Mr. Kopjanski said it is going to be wonderful to have a Facilities Inspector to help with blight and also with the oversight of City-owned buildings and City projects. He reminded everyone that the City owns 33 properties. Mr. Sill asked Mr. Kopjanski about Porch & Patio. Mr. Kopjanski stated that they have asked for an appeal hearing. Mr. Sill asked if the fines have started. Mr. Kopjanski said the fines have started at \$100.00 per day and that he is waiting for a Hearing Officer to be assigned to hear the appeal. Mr. Hughes asked if the Facilities Inspector's job has been posted. Mayor Staffieri said he has been getting a number of applications just from what has been written in the papers. Mr. Szewczyk stressed that the person should be computer literate.

- **FIRE MARSHAL REPORT – SEPTEMBER 2007 (Philip A. Haws, Fire Marshal)**

There were no questions asked. Report placed on file.

- **FIRE DEPARTMENT REPORT – SEPTEMBER 2007**

There was no one present from the Fire Department. Report placed on file.

- **POLICE DEPARTMENT REPORT – SEPTEMBER 2007 (Deputy Chief Gerald Narowski)**

Deputy Chief Narowski said he would like to address the board this evening regarding the monthly report. He pointed out that the department does do other things besides the SRO position including drug seizures, fatal motor vehicle accident, bank robbery, barricaded suspects, etc. He said the Police Department had a representative go to the Board of Education to brief them on the timelines for the SRO. He said they have started the School Beat Officer going to the school this week. They have also started the MOU. Deputy Chief Narowski said they are also in the process of hiring two administrative positions. He said they are in the final stages of doing background investigations. Mr. Szewczyk said he noticed that there was pot growing on the Onopiak Property. He said if it is happening there it might be happening in other places such as Witek Park. He asked if the City has the ability to hire a local dog to sniff the properties. Deputy Chief Narowski said he is not sure of the canine's ability to detect growing marijuana. He did note that this was linked to a specific property off of the property line.

### **DAILY ALTERNATE STREET “WINTER PARKING PROPOSAL” – PUBLIC HEARING AND POSSIBLE ACTION – (Ken Hughes)**

Mr. Hughes informed the board that Mr. Culmo would like to pull this request. He came to the conclusion that it would be too confusing to follow.

### **REFUND OF EXCESS TAXES PAID THROUGH 10/17/07 – (Cinda Buchter, Tax Collector)**

**A MOTION** was made by Mr. Bomba with a second by Mr. Sill to approve the refund of excess taxes paid through 10/17/07 as per the request from Cinda Buchter, Tax Collector. **Motion carried.**

### **“ADOPT A SPOT” PROGRAM DISCUSSION & POSSIBLE ACTION – (Ken Hughes)**

Mr. Hughes said he has been working on the details for the program over the last few months. Everyone should have a copy of the application for the “Adopt a Spot” program. He noted that a revision needs to be made to delete the last three items on the second page. Mr. Hughes said he has already received interest from approximately fifteen parties. Mayor Staffieri said that a lot of cities are doing this and noted that this is not a way to eliminate jobs. Mr. Benanto asked what would happen if more than one party wants a particular spot. Mr. Hughes said it would be done on a first come, first served basis.

**A MOTION** was made by Mr. Bomba with a second by Mr. Szewczyk to approve the “Adopt a Spot” Program as presented. **Motion carried.**

### **SENIOR TAX PROGRAM – DISCUSSION (Ken Hughes)**

Mr. Hughes said while he has been going door to door the Senior Citizens have been informing him that taxes are a big issue. He said he and Tax Collector Cinda Buchter have been working on a Senior Tax Program since April. He said they are looking at three different scenarios and once they whittle it down he will come back and present it to the full board.

### **FIRE MARSHAL CONTRACT – DISCUSSION & ACTION**

Mr. Hughes noted that the contract was presented at the last meeting. Since that time there have been a few changes made. Those changes are:

- Remove item of Compensatory time
- Recommend to tie raises in with the existing City Hall Union Contract
- Rate of pay will increase from \$58,702 to \$60,528

Mr. Hughes stated that those changes are reflected in the contract that everyone received this evening.

Mr. Szewczyk said the bottom line with any contract is how much money the person is going to take home. He said he has a little problem with tying salaried employees to Union scale. He said he doesn't see any reason why we would have to be tied to that. Assuming that a person is doing the job that his job description calls for he/she is always entitled to a Cost of Living Increase. He said there are a lot of very dedicated City employees that go beyond the line of duty and there's nothing in the Union contracts that give bonuses beyond the call of duty.

Mr. Hawks said he was satisfied with the contract and he finds it to be fair and equitable to both sides.

Mrs. Moran asked if the Tax Board was aware of this increase prior to the budget being set. Mr. McLiverty said the Tax Board was aware of the raise and they are taking it out of his current operating budget so there is no net impact. Mrs. Moran said is that the same case with the Dog Warden? Mr. McLiverty said that is also coming out of his current operating budget and there is not net impact.

Mr. Bomba noted that Mr. Hawks does a great job and is deserving of this contract. His monthly report is always very precise and to the point and he would like to thank him for the job that he does.

**A MOTION** was made by Mr. Hughes with a second by Mr. Szewczyk to approve the Fire Marshal Contract as presented. **Motion carried.**

### **APPROVAL OF "FRANK GATES LANE"**

Mr. Hughes said he has received a letter from Michael J. Joyce, P.E., of Milone & MacBroom, Inc., the City's engineers. The road is completed and Mr. Joyce recommended that the road be approved pending an 8-24 referral to Planning & Zoning.

**A MOTION** was made by Mr. Hughes with a second by Mr. Bomba to forward this item to Planning & Zoning for an 8-24 referral prior to approving the road. **Motion carried.**

### **PROPERTY TO BE QUIT CLAIMED TO CITY REGARDING SIDEWALK ON WATER STREET AND HOME DEPOT**

Atty. Coppola informed the board that everyone should have received a copy of the map depicting the sidewalk that goes around the entire Home Depot site. As part of Home Depot's approval they were to own the site, install a sidewalk and then turn it over to the City of Derby as a public sidewalk. In the left corner of the map there is a shaded area along with another shaded area on the other side map – the shaded area although it is part of the sidewalk is still owned by Home Depot and it needs to be Quit Claimed to the City. In order for us to take this it would need an 8-24 referral from Planning & Zoning.

**A MOTION** was made Mr. Bomba with a second by Mr. Szewczyk to forward this to Planning & Zoning for an 8-24 Referral.

### **DISCUSSION ON MOTION**

Mr. Sill asked if the entire sidewalk in front of Home Depot belongs to them. Atty. Coppola said it is owned by them; however the City has a permanent easement over it. So in terms of maintenance it's really the City's item. Atty. Coppola said there may be an Ordinance that requires them to shovel snow and he will check into it.

**MOTION CARRIED.**

### **DISCUSSION REGARDING SALE OF BIRMINGHAM WATER TO SOUTH CENTRAL REGIONAL WATER AUTHORITY – CHARTER SECTION 1000 REFERENDUM TO PURCHASE BIRMINGHAM WATER**

Mr. Robertson said approximately 6-7 weeks ago Mayor Staffieri had a meeting with two representatives from the South Central Regional Water Authority (SCRWA) David Silverstone, the President and Mary Pepe, who is a former school teacher from Derby, and now the Financial Official for the water company. They came to discuss the Authority now that they have announced their intentions to buy Birmingham Water. He said they wished to discuss what is known as "East Derby Waterworks." Mr. Silverstone said he had done some research and the City had paid approximately \$400,000 to build it and he amortized over the years and speculated that it is now worth about \$140,000. Mayor Staffieri at that meeting informed the representatives that there is a Charter item indicating that the City has the first right to purchase Birmingham Water before they did. The reps from SCRWA got back in touch with the Mayor and told him that that was just standard language in the Charter. At that point Atty. Coppola started researching the situation and also taught Mr. Robertson how to research items, which he did and he has the result of that information this evening. Mr. Robertson said there are two

items to review – one is the East Derby Waterworks and the second item is who has the right to buy and sell Birmingham Water. The board reviewed the items presented by Mr. Robertson.

Mr. Robertson said the SCRWA has made an offer to pay \$40 million to the stockholders of Birmingham Utilities. He said they would also pay all liabilities and back taxes owed for a total of \$70 million. He said the City has the right to purchase Birmingham Utilities. Mr. Robertson said he would encourage SCRWA to reimburse or purchase East Derby Waterworks with the same multiplier that they did with Birmingham Utilities.

Atty. Coppola commended Mr. Robertson for doing a great job researching this information. He noted that there is a lot of information; however there are really only two separate topics. The first topic is the SCRWA in the purchase of Birmingham Utilities discovered that some of the waterworks in the City of Derby in the Marshal Lane area is owned by the City of Derby. So SCRWA approached us to consider some negotiations in selling those waterworks to them. He said we can go forward and negotiate; however he said the advice that he would like to give the board is the way that negotiations really end up is evaluation of the waterworks – you just don't pick numbers. We would have to go out and incur some money and find out who really evaluates these types of things. You can have the engineer's approach, the income approach, etc... We need authorization to continue negotiations and to go out and get a value so that we can come back to the board with their and our intentions. He said right now Birmingham Utilities maintains those pipes and the pump station and it doesn't cost us anything but they are the ones reaping whatever benefits they get from the water use. Mr. Hughes asked if we actually own the piping. Atty. Coppola said we own the piping, the water tank, and the pump station and the land that it all sits on. Mayor Staffieri said that we pay some of the highest rates in the State of Connecticut and he said that he found it insulting when they came with their offer after raising the rates in Ansonia and Derby so that they could purchase another company in upstate Connecticut. He said he will not let anyone take advantage of the City. Mayor Staffieri said besides the \$140,000 that they offered they promised that they would keep our rates at the high for five years while all the other customers pay lower money than us. He said he felt so insulted that he wanted to throw them out of his office. Mr. Hughes asked if we had an estimated cost for the evaluation. Atty. Coppola said he would have to find someone in that industry. Mr. McLiverty said that he knows a company that performs fixed asset evaluations and he would be happy to supply the name of that firm.

**A MOTION** was made by Mr. Sill with a second by Mr. Bomba to authorize Atty. Coppola to seek a firm to perform the cost evaluation. **Motion carried.**

Mr. Szewczyk said what would happen if we decide not to sell? Atty. Coppola said there is a long history as to why it is in the Charter. He said the reason why it is possibly in our Charter is due to the old factories that used to be downtown that needed to get water. He said the reason why we would discuss this is to value whether we allow the transfer to go through and have the citizens of Derby and pay the rate that we're paying or do we consider purchasing the waterworks that serves the City of Derby only, which we would then have to run. Mr. Hughes asked why we wouldn't act on this. Atty. Coppola said he would have to figure out who could give us a report to purchase, maintain, etc... the company. We would have to find someone to maintain the reservoir. We need to find out if this is worth the economics of it.

**A MOTION** was made by Mr. Hughes with a second by Mr. Bomba to authorize Atty. Coppola to retain an expert on how to value purchasing and running a waterworks for the City of Derby. **Motion carried.**

**SCHOOL BUILDING COMMITTEE – APPROVE CONTRACT BETWEEN THE CITY OF DERBY AND NAFIS & YOUNG OF NORTHFORD CT FOR LAND SURVEY OF ASSESSOR'S MAP 9-6, BLOCK 2 AND AUTHORIZE THE MAYOR TO SIGN CONTRACT**

Mr. McLiverty informed the board that one of the first steps after hiring the architect was to engage a copy to do a site survey of the parcel of land. We did a competitive bid and received six bids and Nafis & Young was the low bidder by \$300.00. He said the process is moving along and we are also in possession of submissions for a Construction Manager at Risk. Mr. McLiverty said we also held a meeting this evening with all the department heads that had extremely good dialogue. He said it is the recommendation of the School Building Committee to hire Nafis & Young to prepare the Land Survey of Assessor's Map 9-6, Block 2.

**A MOTION** was made by Mr. Hughes with a second by Mr. Szewczyk to approve the contract between the City of Derby and Nafis & Young of Northford CT for the land survey of Assessor's Map 9-6, Block 2 and authorize the Mayor to sign the contract. **Motion carried.**

**ADOPT A SPOT PROGRAM**

Mr. Hughes said since the Adopt a Spot Program has already been approved this evening we have received the first application from the Olde Birmingham Business Association and they would like to take care of the portion of the Greenway Trail by Paul Lane's bench. He said they have completed filled out the Hold Harmless Agreement.

**A MOTION** was made by Mr. Sill with a second by Mr. Allaire to approve the Olde Birmingham Business Association's application for the Adopt a Spot Program for the area on the Greenway Trail by the bench dedicated to Paul Lane's memory. **Motion carried.**

Mayor Staffieri said he knows exactly where this spot is and the OBBA is just looking to maintain the area and brush cut down to view the river.

**WAIVE SIGN PERMIT FEE FOR SENIOR CENTER PROJECT SIGN**

Ms. Finn stated that this is a project sign that is going to be erected for the renovations at the Senior Center, which is being paid for by a grant from the State Department of Economic Development.

**A MOTION** was made by Mr. Benanto with a second by Mrs. Moran to approve the sign permit fee waiver for the Senior Center project sign. **Motion carried.**

**ADJOURNMENT**

**A MOTION** was made by Mr. Bomba with a second by Mr. Sill to adjourn the meeting at 8:40 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn  
Recording Secretary