

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL – FEBRUARY 22, 2007 - 7:00 P.M.

MINUTES

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

Roll Call

Present: Kenneth J. Hughes, Beverly Moran, James J. Benanto, Jr., Matthew J. DeBarbieri, Ronald M. Sill, Joseph M. Bomba, Scott M. Boulton, Anthony Szewczyk

Absent: Dennis Devonshuk

Also Present: The Honorable Mayor Anthony Staffieri
Philip Robertson, Chief Administrative Officer
Laura Wabno, Town & City Clerk
Keith A. McLiverty, City Treasurer (arrived at 9:00 p.m.)
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Ronald Culmo, Director, Derby Public Works
Sgt. Marcel LaJeunesse, Derby Police Department
Kelly Curtis, Fire Commissioner, Derby Fire Department
Thomas Lenart, Storms Ambulance Corp.
Leo P. Moscato, Jr., Chair, Derby Parking Authority
Martin Passander, President, Board of Education
Carolyn Duhaime, Board of Apportionment & Taxation
Jack Walsh, Chair, Parks & Recreation Commission
Joseph T. Coppola, Corporation Counsel

ADDITIONS/DELETIONS/CORRECTIONS AND ADOPTION OF AGENDA

Mr. Hughes said he would like to make the following changes:

- Delete 10a. Bid Waiver for the Gun Purchase for the Derby Police Department
- Add 13.1 – Resolution for Lease Agreement for Parking Authority
- Change #21 to read: Discussion and Possible Action on D.O.T. Property
- Item #16 should read Approval of Greenway Phase III Selection Committee
- Add 25.1 – Explanatory Text for School Referendum Questions – Discussion & Possible Action

A MOTION was made by Mr. DeBarbieri with a second by Mr. Sill to make the noted changes and adopt the agenda as amended. **Motion carried.**

PUBLIC PORTION

Brian Calvert, Calvert Safe & Lock, Ltd., 40 Caroline Street, Derby, CT - I had a request for a waiver – item #24 – my question is will I have a chance to address that verbally at that time or is this the time period. I don't want to wait until then and you say I missed my chance.

Mayor Staffieri – Why don't you say it now Mr. Calvert.

Mr. Calvert read the following letter into the record **(Letter attached to minutes and also typed into body of minutes)**

Dear Board Members,

When we built the building we now operate out of on Caroline Street we paid all of the permit fees and hook-up fees that were necessary at that time and we were expecting to remain at that location for many years. Due to circumstances beyond our control we now have to move and we propose to build another building on Elizabeth Street. We are here tonight to ask that you set aside any and all permit fees and payments that the City departments will request in regard to this site and also the return of any fees already paid in relation to this site. We also ask that you use your influence to have the WPC waive the \$3,075.00 fee that they are asking for. Thank you, Brian Calvert.

Mr. Calvert – That explains it.

Mayor Staffieri – Thank you very much Mr. Calvert.

Mr. Calvert – And so now is there any elaboration on that or does that explain it enough for you?

Mayor Staffieri – That explains it pretty well for us.

Mr. Szewczyk – You mentioned building fees and permit fees and whatnot for that new location you said would be approximately \$5,000.

Mr. Calvert – No I've been informed by Mr. Kopjanski that it could be around \$15,000. And then I don't think he took into consideration the Water Pollution people want \$3,000 to look at the plans. We felt we already paid all these charges on that building down there.

Mayor Staffieri – Thank you Mr. Calvert; thank you Mr. Szewczyk.

Mrs. Moran – Mr. Kopjanski is saying no to everything back there. Can we ask him?

Mayor Staffieri – Mr. Kopjanski do you have a comment?

David L. Kopjanski, Building Official – The \$15,000 is not a number that I recall. It's more like \$5,000. The building permit, based on the size of your building, the building permit is probably going to be about \$3,500. Because you're going to put a 4,800 ft.² building at \$8.00 per thousand of value I'm figuring about \$450,000 to build this building. The zoning permit – the

zoning application fee is \$828.00 and it has been paid already by Mr. Calvert. The Water Pollution Control fee I wasn't sure what it was – Mr. Calvert knows better than I do – and if he's been quoted a price from Water Pollution Control I trust that is correct.

Mayor Staffieri – Thank you Mr. Kopjanski. What we'll probably do is ask for verifications. Thank you.

Leo Moscato, Jr., 34 Lewis Street, Derby, CT – My name is Leo Moscato and I'm also a neighbor of Mr. Calvert and due to the inconvenience that I know Mr. Calvert has been going through and he's moving forward and he's actually put his property here in Derby and leaving his property here in Derby I support Mr. Calvert 150%. Not only is he an outstanding businessman but an outstanding neighbor and his whole family and he does employ a ton of people here in Derby – I think probably most of his staff is here and I just want to say thank you Mr. Calvert for being so patient and I support you.

Dan Waleski, 21 Elm Street, Derby, CT – I certainly would agree with the previous gentleman. Mr. Calvert is an extraordinary good businessman. Not only that I do know that Mr. Calvert has had opportunities to re-establish his business in other communities and one of the big reasons why he's going on Main Street is because he wants to stay in Derby. And I feel that's a real big consideration. We certainly want to keep businesses in town of his stature and quality of Mr. Calvert's. Thank you Mr. Chairman.

Kelly Curtis, 22 Grandview Blvd., Derby, CT – Tonight I want to speak on behalf of the Hotchkiss Hose. We're aware of different things being done in town with the trees being planted in honor of deceased people in town and we're quite interested in possibly doing the same thing at the Hotchkiss Hose for deceased members of the Hotchkiss. I don't know whether I should come through your board – I have permission from the company to bring it to the board – well we would like to do the same thing. We would like to open it up to our deceased members of the Hotchkiss Hose – kind of make that barren side yard of the Hotchkiss look a little bit more presentable. I just was kind of wondering – I don't even know who is on the committee for doing this with the trees but we would like to jump on it and get the same price and the same thing that is being done for the Green and for the East Derby Green.

Mayor Staffieri – Sure we'll put you in touch with that. Also for public knowledge I need to speak to Mr. Curtis and Mr. Walsh, which everybody here doesn't know but I've been speaking to representatives of the Bluefish Organization and they want to do a Derby Day. We would like to recognize our Derby volunteers and our athletic programs that we have – Pop Warner, baseball, softball and what they'll do is give us half the proceeds of the tickets and they'll donate that half of the proceeds to where we so choose. And where I suggested that it would go towards our athletic department – I'm sure Mr. Walsh has a lot of things that need to be catching up on. So we can use it as a fun day at the ballpark to get together and for a worthy cause. But this is yet to come.

Mr. Bomba – Just to let everybody know that this evening Alderman Benanto, Atty. Coppola, and myself scheduled a meeting with a certain individual from a certain board in the City and it was in regards to a suit brought onto the City regarding the Scrivins case and I would just like to let everybody know that the certain individual did not show up.

Mayor Staffieri – Thank you.

Alderman Hughes read the following correspondence into the record (**attached to minutes and typed into body of minutes**):

Christian Community Church

January 31, 2007

Dear Tony;

Thanks for taking my call yesterday. I'm writing as a follow up to our conversation. As I stated our church, Christian Community Church, is interested in "adopting" the greenway, as a way of helping our community be all it can be.

For us, "adopting" the greenway would mean helping with general clean up such as the removal of graffiti on the signs and depending upon the cost replacing signs that have been defaced to the point where restoration cannot be achieved. We would also be open, again depending upon the cost, to installing poach posts that could have waste containers and/or doggie bags for dog owners to use, maybe planters, etc. as well as other similar suggestions to keep the greenway looking nice and reflect well upon our community. This would become an ongoing ministry of the church and therefore a long-term partnership not an isolated effort.

Many in our church are residents of Derby. We walk the greenway, fist the cove and launch our boats to fish the lower Housatonic. It's a beautiful walkway. The area has tremendous potential and already reflects well upon our community. It saddens us to see the controversies, misuse and vandalism, which have arisen.

We very much appreciate the efforts of the city regarding the greenway and progress going on regarding the downtown area and would like to do what we can to help. I look forward to hearing from you soon after your conversations with Aldermanic President Hughes and Committee Chair Walsh. I'd be willing to attend a joint brainstorming session between us all if that would be desirable. Sincerely, Pastor Walt Mayhew

Henry J. Domurad, Jr. – Chair, Board of Apportionment & Taxation

February 22, 2007

Dear Ken, Aldermen & Tony,

First, congratulations on a good first year – I am sure it was more work than any of you imagined. It has been a pleasure to work with you all in making the City of Derby a better place for its citizens.

As for the purpose of this letter, I whole hearted endorse the consolidation of the city's finance director and school business manager positions. Not only will it save the city money in both salary and benefit accounts, I feel that the single position can more efficiently manage the city's finances. Additionally, in the past, the relationship between the Boards of Apportionment

and Taxation and Education has been strained – particularly during budget time and I think the joint finance position will go a long way in correcting this problem.

I realize that there can be much anxiety and apprehension in making this combined position, but I feel that we can make it work. The city is at a turning point and timing cannot be better to make this change, especially since joint grant writer and information technology positions are planned. We are ONE city; we owe it to the citizens to make it as best we can.

I know many details have to be worked out, especially reporting relationships, but I don't see a problem. This person will deal with numbers, it is up to others to set policy – I don't see where politics need be a consideration in this position.

Therefore, because combining the city's finance director and school business manager positions makes dollars and sense to the City of Derby I endorse any legislation that you can make to accomplish this. Sincerely, Henry Domurad, Jr., Chairperson Derby Board of Apportionment & Taxation

Carolyn Duhaime, 25 Elm Street, Derby, CT (Board of Apportionment & Taxation Member) – I totally 100% support Chairman Domurad's use as to the (inaudible) position and I do it not only as a member of the Tax Board but also just as a regular voter and resident of the City of Derby. Thank you.

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

APPROVE MINUTES OF JOINT MEETING BETWEEN THE BOARD OF ALDERMEN AND THE BOARD OF APPORTIONMENT & TAXATION HELD JANUARY 23, 2007 AND THE MINUTES OF THE REGULAR BOARD OF ALDERMEN MEETING HELD JANUARY 25, 2007

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to approve the minutes of the joint meeting between the Board of Aldermen and the Board of Apportionment & Taxation held January 23, 2007 and the minutes of the regular meeting of the Board of Aldermen held January 25, 2007 as presented.

DISCUSSION ON MOTION

Mrs. Moran pointed out a typo on page two of the minutes of the joint meeting. It should read "ask" not "ass".

The motion was revised to reflect the correction. **Mr. DeBarbieri abstained from voting as he was absent from one of the meetings. MOTION CARRIED.**

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

Mr. Hughes asked Mr. Kopjanski what are the consequences of waiving permit fees especially the monies collected from permits and expended? Mr. Kopjanski said Planning & Zoning permit fees the City does pay the planner on a per diem type basis – the time spent on reviewing the

plans, making recommendations on plans, re-reviewing resubmitted plans – we are paying our planner on an hourly basis for those services. That could be one consequence that could adversely affect the City. He stated the building permit fees collected goes directly into the general fund –it is not earmarked for any individual. He and the electrical inspector review the plans, conduct the inspections, etc... Since he and the electrical inspector are members of the City staff they do not get paid any extra – they receive their salaries. So in that respect there is no real negative impact against the City. Mr. Kopjanski said he is not exactly sure how the Water Pollution Control fees are calculated or what they are used for. He noted that they do have a consulting engineer that they pay on a per diem basis per project. Report placed on file.

FIRE MARSHAL REPORT – JANUARY 2007 (Philip A. Hawks, Fire Marshal)

Mr. Hawks gave an update on the status of 35 Fifth Street as requested by the board members at last month's meeting. He stated that the Board of Education section of the building is the same as the previous report. The Veterans Center contained newer violations – emergency lights, etc...

Mrs. Moran noted that some of the properties on his report go back to 2005, 2004. How long do we give property owners to rectify the violations? Mr. Hawks said it depends on how big the job is. As an example 92-94 Olivia Street – they are just about done with the project. The problem there was they had to close a shaft that went from the basement all the way up to the roof. During the project there was a change of ownership that delayed the work. Most of the items remaining on the properties are little things that need to be done.

Mr. Szewczyk said he had asked David Kopjanski the same question with regard to open building permits that seem to go on forever. Mr. Kopjanski said a building permit doesn't expire until either a C.O. (*Certificate of Occupancy*) has been issued to close out the building permit or no work happens under the permit for a period of six continuous months – then a building permit can be voided out. If any work occurs during that six month period then from that point in time they have another six months – that is the way the law is written. We have some properties in town where the work goes on and on. He said if an unsafe condition is found during that time period the City has the right to order them to correct the unsafe condition; however we don't have the right to lay out a timetable for someone to finish the job.

Mr. Bomba thanked Mr. Hawks for re-inspecting 35 Fifth Street.

Report placed on file.

POLICE DEPARTMENT REPORT – JANUARY 2007 (Sgt. Marcel LaJeunesse)

Sgt. LaJeunesse informed the board members that Chief Mascolo wanted them to know that with the hiring process applications will close on the 28th. No questions were asked. Report placed on file.

FIRE DEPARTMENT REPORT – JANUARY 2007 (Commissioner Kelly Curtis)

Commissioner Curtis said he had no official report to submit. He noted that there have been no fires in the City during the past month; however there have been plenty of accidents and false alarms that they have responded to. He informed the board members that Captain Charles

Sampson continues to work on the technology issues facing the department. Commissioner Curtis also stated the Chief's Office is in need of a photocopier. No questions were asked.

BID WAIVER – GARAGE DOOR REPLACEMENT (Commissioner Kelly Curtis)

Commissioner Curtis said they would like to request a bid waiver for the overhead doors at the Storms Engine Company. They have received a price for the three doors from Torrington Overhead Door Company for \$8,824.00. He said it is basically about the same that they paid last year for the doors at Hotchkiss Hose. He stated the reason they are requesting not to go out to bid for this item is because Torrington Overhead Door is basically handling just about every overhead door for City-owned buildings. They do the public works complex, the four fire houses. Ed Yagovane, the salesman from Torrington Overhead Door, gives 24 hour service. If it's 2:00 a.m. and we call Mr. Yagovane comes right to the scene and either makes the repair or secures the door until a technician arrives. Mr. Curtis said he was unable to secure another price with the short notice. He would ask the board to consider waiving the bid.

Atty. Coppola said a waiver would also be needed from the Board of Apportionment & Taxation. Mr. Curtis said he has already obtained a waiver from the Board of Apportionment & Taxation on Tuesday evening.

Mr. Szewczyk asked for a description of the doors. Mr. Curtis described the doors for the board members. Mr. Szewczyk noted the price was good.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to waive the bid for the garage door replacement at Storms Engine Company. **Motion carried.**

Mr. Curtis informed the board that he has seven of the eight bids ready to go for all the work at the fire houses. He said he would like to know if the board would waive the permit fees for the work. The work is being done with LoCIP money. He believes this is common practice for City-owned buildings.

A MOTION was made by Mr. Hughes with a second by Mr. DeBarbieri to waive the permit fees for the work being done at the fire houses. **Motion carried.**

Commissioner Curtis reminded the board members that the Storms Banquet is Saturday evening at the AM Club. He said it means a lot to the membership to have the board members in attendance. Also, the Hotchkiss Banquet is next week.

STORMS REPORT (TOM LENART)

Mr. Lenart said he would just like to present the report for 2007. With regard to responses they had the most that they have ever seen for EMS. He noted that this is his 20th year running the ambulance corps. When he took over they were doing less than 300 ambulance calls a year; this year they broke the 1,700 mark. Volunteers on every shift have stayed fairly stable. He said he would like the board members to carefully review the last item in his report concerning legislative changes. He noted that one issue that they frequently find, especially in elderly projects, elevators are extremely small or non-existent. Guardiano Terrace for example you cannot have the person lying flat on a stretcher in the elevator – they have to be sitting up. He would ask the board to consider requiring any building that has an elevator to make sure the elevator is large enough to accommodate a full size stretcher. Mr. Lenart said another issue

that he would like to bring to the boards attention is the lack of consultation with emergency medical services when it comes to large gatherings – fairs, picnics, etc... He would like to have some mechanism put in place to let EMS know when there is going to be a large event in case services are needed for a large number of people. Mr. Lenart thanked the board for their work last year on the EMS Plan. He said the Hurst tool that was replaced through Capital Planning has been used four times in the last month.

Mr. Szewczyk asked Mr. Lenart if the handicap code, which governs elevators is not adequate. Mr. Lenart said he doesn't believe it is. He said he has looked very closely at this situation. Mr. Kopjanski said that an elevator that is large enough to accommodate a stretcher is only required in hospitals. He said for assisted living centers or elderly housing complexes there is no requirement that the elevator has to be large enough to accommodate a stretcher. Mr. Kopjanski said the City can put a deed restriction on City-owned property requiring any elevators that are installed on City-owned property have to be of a certain size.

Mayor Staffieri said he would like to read the following letter into the record:

Dear Mayor Staffieri;

On Friday, February 2, 2007 All Star Transportation Seymour school bus #40 loaded with students headed to Seymour Middle School was involved in a head-on accident with a pickup truck on Mountain Road. We are very fortunate that no one was seriously injured. Sixteen students and the driver of the school bus had to be extricated and transported to Griffin Hospital in Derby. The driver of the pickup had to be transported to Yale New Haven Hospital. Due to the number of injured students our town emergency services had to call mutual aid from Storms Fire Department and Engine Company and Storms Ambulance to assist in tending to our injured and transporting them to Griffin Hospital. I want to let you know how much we appreciated the response and to thank your emergency service department for the quick response and the professionalism that was displayed by your responding rescue personnel. They certainly calmed the students they transported to Griffin Hospital in what could have been a chaotic situation. The students surely appreciated the support during the time of crisis. We would like to commend each and every responding member of your emergency services. Please extend our gratitude to your entire Storms Fire Department and Engine Company and Storms Ambulance. Thank you for your support. Sincerely, Richard Curren, Director of Security, Seymour Public Schools.

Mr. Lenart said the Storms Ambulance was the second ambulance to arrive on scene and our personnel took over command of the triage and treatment area to assist all the other ambulances coming to the scene.

Mayor Staffieri said he and the board members on behalf of the City of Derby thanked Mr. Lenart for the good job that the Storms does.

PUBLIC WORKS DEPARTMENT REPORT – JANUARY 2007 (Ronald Culmo, Director)

Mr. Culmo said he submitted his report and a report on the Flood Control.

Mrs. Moran noted the report stated cleaning the debris on Emmett Avenue. She asked about cleaning High Street. Mr. Culmo said they are going to be doing that next. Mrs. Moran also

questioned the fixing of the railing on Academy Hill by Sentinel Hill. Mr. Culmo said that is an insurance matter and they are waiting to hear back from the insurance company.

Mr. Szewczyk asked about the locks on the flood control. Mr. Culmo said when they were built the parts were not made of stainless steel and they have not been maintained properly thus they have gotten rusty and are not working properly and will be replaced. Mr. Szewczyk asked if we suddenly got a huge amount of rain would the locks fail. Mr. Culmo said everything is operable by hand. Mr. Hughes asked how long have they not been working? Mr. Culmo said 6 to 8 years. He said the Army Corps of Engineers has been writing the City letters regarding the problem and last year they were ready to stop all funding to the City of Derby in case anything ever happened here due to flooding; the City of Derby would not be eligible for any federal funds. Mr. Hughes asked Mr. Culmo if he knows why this was never addressed. Mr. Culmo said he believes it has something to do with the Capital Planning Committee not meeting for five years. Mayor Staffieri asked Mr. Culmo about the siphon pump. Mr. Culmo said one of the pumps for one of the main engines wasn't lined up properly and once they realized that it wasn't lined up properly the warranty expired and the City was held responsible. It is now being taken care of.

Mr. Bomba commended Mr. Culmo and his department for doing a great job during the storm on the 14th.

Mr. Culmo said he would like to read the following statement into the record:

I just have a couple of things to say about some of the complaints that I have received in the past several weeks about my choice of putting equipment on the roads during recent storms. I would like to read this so I do not forget some of the things that I want to say. I just want to put this on record to make the Aldermen and citizens aware of what I and my department has to put up with. We have been very fortunate this year with the mild weather, and until just recently a couple of minor snow events and one major snow and ice event.

A little over a year ago Mayor Staffieri appointed me as the Director of Public Works. I accepted the appointment. With that appointment I took an oath of office in which I swore to do my job and make the roads safe for the residents of Derby and whomever drives on the streets of this town. I have received several phone calls by people from Derby questioning me as to why I put equipment on the roads in certain situations.

Well when I receive a call from the Police Department about the hazardous conditions of the roads I decide what action that is necessary to take care of the situation to make the roads safe and passable for the people to travel on. If I did not send trucks on the roads in these situations then I would be liable and also the City of Derby will also be responsible for anything that might happen. I was questioned as to why the department was out on the streets pushing water and slush off the roads on Friday February 2. Well the slush made conditions hazardous and very slippery and it had to be plowed off. Especially when the forecasted temperatures were predicted to drop considerably a couple of hours after the storm was over with. We plowed the streets and then in a matter of an hour the temperature dropped 10 degrees and everything froze solid. We were lucky that we pushed the slush off the roads. We also salted and sanded the roads afterwards and they were in good shape before I sent the workers home.

Another one of the calls that I received was to ask me why a plow truck came down a dead end street and did not put his plow down or sand the street. The answer to that question is that the policy for our department is that we only sand main roads, hills and intersections. The road did not have to be plowed but it was necessary to sand the street by the stop sign. Apparently the resident was not aware of what our job was. We only sanded the area of the intersection near the stop sign so that cars could stop before it entered the main road. I was told that I was wasting the taxpayers' money. Well as far as I am concerned to pay out \$700 or maybe even \$1,000 to put a few trucks on the road in icy conditions, even though it is in the middle of the night when most cars are off the road is worth the price to pay compared to if an ambulance or a fire truck is needed for an emergency and could not respond safely. The person that needed emergency services could be one of your relatives affected or maybe even one of you right here in this room tonight.

Everyone thinks that plowing streets is a fun job. It is not a fun job. Many times the workers spend many hours plowing the streets over and over again. Most of the times there are very hazardous conditions. Going down some of the hills in this town is an experience that many of you would never want to try. I myself almost got seriously hurt give years ago coming down Sentinel Hill Road. I had to get the truck off the road before I came to the busy intersection on Route 34 and I ended up hitting a telephone pole head on instead of possibly killing someone at the bottom of the hill. I invite anybody that is concerned who might have questions as to what we do during a snow or ice event to come with us during a storm to see what it is like. Even after a storm is over there is much work to be done that many of you do not realize. It does not end when the snow does. The hardest part starts. We have many residents that have their driveways plowed out and they just deposit the snow in the middle of the road. We then have to go back and start many of the streets over again, which is very time consuming. Then after we finish the curbing and sanding of the streets for the second time we have to clean all the schools, all the City owned parking lots, all the sidewalks of City owned properties, the Riverwalk, the Green, the courthouse, and many more that people are not aware of.

We have been operating with a limited crew. I have not called extra people in to work like in the past years. We have done 95% of the work with our crew. We have saved the City of Derby many dollars this year by not calling extra workers in. We have gotten much more work accomplished in the past year since I have been here as the Director with my crew than in the times before I took over this job. Eight workers left three years ago because of retirement and only five were replaced. During that time period the town has put many more responsibilities on the Department with fewer people. We have done our job the best we can, but at times it took us longer because of not having the proper employees which are needed to bring the department back to where it should be. Hopefully the City Fathers make some improvements in the Department for the upcoming year to be able to provide the City with the proper services.

If the Mayor or any City Official feels that I am not doing the job that I was hired to do then they should replace me. One of the main reasons for this Department is for Public Safety and we are trying our best to do that. I do not tell anyone else how to do their job, whether you are a lawyer, a teacher, an electrician, or even a politician. I have been doing this job for over 36 years now and I do not need people that have no clue as to what my responsibilities or duties are telling me what it takes for me to do my job efficiently. Thank you very much for your time.

Mayor Staffieri commented that Mr. Culmo and the Public Works Department have been doing a great job. People can see that there are no more weeds and grass growing on the sidewalks and curbs. The Main Street area is clean. Since Mr. Culmo has taken over he has been doing a great job.

Mr. Sill said he appreciates a letter like the one Mr. Culmo read. It shows the passion that Mr. Culmo has for his job.

Mr. Hughes said that anytime he asks Mr. Culmo to take on a project within two, three days it is done.

PARKING AUTHORITY LEASE AGREEMENT

Atty. Coppola informed the board members that Leo Moscato, Jr., Chair of the Derby Municipal Parking Authority, presented him with a lease purchase agreement to purchase equipment. He said the parking authority is in need of purchasing some parking meters and a barrier gate with appropriate access controls. Atty. Coppola said he reviewed the lease and he is fine with the language. The lease payments total \$63,334.00. After three years the City can exercise our right to become the owners of the equipment.

Mr. Moscato said the Parking Authority board voted on to replace the meters and acquire the access control barrier for the parking garage. The equipment has been rolled into one lease payment, which has been broken down to three lease payments of \$21,000 each. He said this equipment should last thirty years. We have had the current meters for the past twenty years and they were purchased used.

Mayor Staffieri noted that the Parking Authority incurs their own debt and they are paying for this item out of their own money. The Mayor noted as a former business owner businesses want parking enforcement. There is a demand for parking so we need the enforcement.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to authorize the execution of the lease agreement. **Motion carried.**

COMMITTEE REPORTS

Mr. Szewczyk said on March 6th at 6:30 p.m. in the Media Center here at City Hall the parking situation in town will be discussed. He said they will be informing people what the situation is, what the problems are and the consequences of the situation. Mr. Szewczyk said it would be nice to have Mr. Boulton in attendance; he stated that Mr. Kopjanski has already committed to attending.

Community Relations – Mr. Hughes said at the last meeting the board recommended two properties to be placed on the blight list.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to add 151 Main Street, Lot 136 and 153 Main Street, Lot 135 to the list of Blighted Properties. **Motion carried.**

Operations & Procedures – Mr. Bomba said the committee met on February 5, 2007. He said he would like to recommend that the small meeting room at Hotchkiss Hose Co., also known as the City Hall Annex, be turned over to the fire department for use as a storage room. Mr. Bomba

said the fire department would allow us to meet in the larger room at Hotchkiss Hose if it is ever needed.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to turn over the City Hall Annex at Hotchkiss Hose Co. to the membership of the Hotchkiss Hose Co.

DISCUSSION ON MOTION

Mr. Hughes said the room would be turned over to Hotchkiss? Mr. Bomba said that is correct. Mr. Sill stated the room was previously used for meetings; however since the room is so small the meetings most of the time were held in the large meeting hall.

MOTION CARRIED.

APPROVAL OF PUBLIC WORKS and WPCA CONTRACT

Atty. Coppola said after many months of negotiations we have finally reached an agreement that was ratified by the employees.

Public Works Department – One change made was after 16 hours of continuous work employees would be allowed a 2 hour paid rest. It used to be a 1 hour paid rest. Wage increase for the next three fiscal years will be 3.5% per year. A contribution towards the health insurance premium has been negotiated. For year 2007 it will be 5%. For July 1, 2007 to June 30, 2008 it will be 6%. July 1, 2008 to June 30, 2009 will be 7%. Atty. Coppola said there is a cap on the last year meaning if an employee selects to have health insurance coverage whatever their premium is to cover the employee for that year they will contribute 5% of that premium – then 6% and 7%. In year three a cap was negotiated because of the rise in health insurance premiums. If it rises to a certain percentage the City will accept the first 5% without them having to contribute any more to that and then anything over and above that 5% they will contribute 7% towards that. Atty. Coppola said we do have language regarding health insurance that now this formula is a partnership between the employees and the City so that if a different type of plan comes around and the employees and the City want to renegotiate there is language in there. He said we also gave the employees one extra personal day so now they have two. The language regarding Workers Compensation Coverage was clarified. Mr. Sill asked if holidays stayed the same. Atty. Coppola said they did. Mr. Bomba said he feels this is a step in the right direction although the figures seem a little bit low when compared to the average person who is paying for health care. Atty. Coppola said it is low but it is a starting point. He noted that a family policy comes to approximately \$21.00 per week.

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to approve the Public Works and WPCA Contract as presented. **Motion carried.**

APPROVAL OF GREENWAY SELECTION COMMITTEE MEMBERS

Mayor Staffieri said this committee is for Phase III of the Naugatuck River Greenway Project. He said this committee is necessary in order to select a professional engineering firm for the Phase III part of the Naugatuck River Greenway Trail.

A MOTION was made by Mrs. Moran with a second by Mr. Bomba to approve the following individuals as members to the Greenway Selection Committee: Kenneth Hughes, Jack Walsh, David Ahearn, Carolyn Duhaime, Michael Joyce, Anthony Szewczyk, and Philip Robertson. **Mr. Hughes and Mr. Szewczyk abstained from voting. Motion carried.**

GREENWAY FOUNTAIN UPDATE (JACK WALSH)

Jack Walsh gave an update for the board members. He informed them that seven firms had responded to the RFQ in the paper. The selection committee will be setting up interviews for those firms. He said the tentative timeline for the Phase II of the Greenway is completion by Memorial Day. The bike racks, trash receptacles, and benches have already been ordered. There will also be historic signage installed along the trail. He said around 55 bricks have been sold so far for installation around the fountain, which will be a plaza at the start of the trail. The brick prices are either \$50.00 or \$100.00 and are engraved. Mr. Walsh noted that the City does have phenomenal history and a suggestion was made for a Derby Hall of Fame to be placed on the plaza. He would like to see the City appoint a committee for this project and perhaps tie it into the Derby Day Celebration, which is held the last Sunday in June.

Mr. Hughes asked if Mr. Walsh if the Greenway Committee would be comfortable overseeing this project. Mr. Walsh said they haven't really discussed it that fully. Mr. Hughes said he was suggesting it as a way of streamlining the process. Mr. Walsh said they could get in touch with Rob Novak at the Derby Historical Society. He also noted that Pastor Mayhew would be attending their next meeting. Mayor Staffieri asked if all the necessary steps have been taken to make sure that the benches, etc... are properly installed. Mr. Walsh noted that has to go out to bid; Michael Joyce, the City Engineer, will be preparing the bid specs. Mayor Staffieri said he just doesn't want it to be delayed. He also asked Mr. Walsh to discuss with the Greenway Committee the task of overseeing the Derby Hall of Fame.

RECREATION FACT FINDING REPORT (JACK WALSH)

Mayor Staffieri said he would like to recognize the committee on doing a great job on the report. He noted that a lot of time and research went into this report and we have to really come up with a plan on how to commence tackling some of the recommendations in the plan. Mr. Walsh and his committee really identified the areas that need attention. Mr. Walsh said one of the things he wanted to get across is that there really is no Parks & Recreation Department. Mr. O'Connell is the director of Parks & Rec in Derby; however he is not a full-time employee. All the employees of Parks & Rec are part-time employees. He stated that a big problem with Parks & Rec is there is no staff for maintenance. When Public Works was reorganized a couple of years ago they were really counting on that to help. He said if they had one more person dedicated to Parks & Rec for maintenance that would be a big help. Mr. Walsh said all members on the committee should be commended.

Mayor Staffieri said he would like to see the items in the report happen. He just doesn't want to see the report sit on a shelf. He would like suggestions on the next steps – do we send this report to an existing committee, form a new committee?

A MOTION was made by Mr. Sill with a second by Mr. Hughes to refer the Recreation Fact Finding Report to the Operations & Procedures Committee for review/action. **Motion carried.**

HOUSATONIC VALLEY ASSOCIATION SURVEY REPORT (RONALD SKURAT)

Mr. Skurat said the HVA is the oldest watershed group in the country, established in 1941. He said they have done substantial work in Derby and have completed the report on the Housatonic River. Mr. Skurat then passed out green folders for all the board members (attached to minutes) and reviewed the items contained in the folder. One item in the folder is a fifty page report on the Housatonic River – on page one of the report Derby is mentioned three to four times. He informed the board members that fifty volunteers checked the Housatonic River for items. The negative items are noted in the report and Mr. Skurat said if you have the manpower the items should be taken care of. He did note that there will be another clean up this year, perhaps on O'Sullivan's Island. Mr. Skurat indicated that the Thule Corporation is pressuring the HVA to have the work done in Seymour this year. He said that Thule Corporation closed their company in order to have their volunteers check the river. Another item in the folder are two white reports. One is for anyone applying to the City's land use boards regarding water; the other one is to the City's board members (Planning & Zoning, Inland/Wetlands, Zoning Board of Appeals).

Mayor Staffieri thanked Mr. Skurat, the HVA and Thule Corporation for their work on the Housatonic River. He said there were car doors, tires, iron, refrigerators, etc... in the river. Mr. Skurat noted that O'Sullivan Island would make a gorgeous park. The Mayor informed Mr. Skurat that the City has put in for a \$2.5 million grant with Sen. Lieberman's office and that they are working with Congresswoman DeLauro's Office to finish the clean up of the island. Mr. Skurat informed the board members that they have tested all the stream water coming into the Housatonic River and it is all clean water. If we clean up the water that we have already and know that all that is coming into the river is clean then we'll be in good shape.

Mr. Szewczyk asked about the cottages that were built decades ago along the Housatonic River and the sanitary systems that go along with those cottages. Specifically Mr. Szewczyk asked if the land "perks." Can you have septic fields along the river? Mr. Skurat said you can't and they have all been closed down theoretically. He said in the report it states that there were pipes found in Oxford and Derby and they don't know where they are coming from. He said legally they can't go on private property and trace the pipes. Even though they may have been grandfathered in they must be closed down now.

Mayor Staffieri said he spoke to the Commissioner of the DEP regarding the septic systems and they are coming to an end. It will be mandated that whoever has septic systems must tie into City sewers.

PERMIT FEE WAIVER FOR ST. MARY'S CHURCH (DISCUSSION/POSSIBLE ACTION)

Mr. Hughes said he received a letter from the Pastor at St. Mary's Church regarding the front step work they just had completed. There was a permit fee in the amount of \$1,500 to demolish the front steps and St. Mary's is requesting that we waive the fee. Mr. DeBarbieri asked if this has been done in the past. Mr. Sill said we have – it has been exclusively up to the board for each instance. Mr. Bomba said are we afraid of setting a precedent here? Mr. Sill said we would have to take each request on its own merit. Mayor Staffieri said most times permits are taken out for investment purposes – building a new house, renovating a house – people are going to get their money back – those shouldn't be taken into consideration. Churches are non-profits.

Mr. Szewczyk noted that churches in general give out more to the community than they take from the community. Mr. Sill said we waive the permits when they have their carnivals – a lot of police officers donate their time during the carnivals.

A MOTION was made by Mr. Sill with a second by Mr. Benanto to approve the permit fee waiver for St. Mary's Church.

DISCUSSION ON MOTION

Mr. DeBarbieri said if we do decide to do this then it should be extended to all churches who come for permit waivers – we may see more like this.

MOTION CARRIED.

DISCUSSION AND POSSIBLE ACTION ON THE D.O.T. PROPERTY

Mayor Staffieri read the following into the record:

1 Main Street, Derby, CT – A/K/A the D.O.T. property located south of BJ's

The Parcel was originally granted to the City by the State of Connecticut with the intention of relocating business from the Downtown Redevelopment Zone to this location. The City may be able to market the property (approximately 24 acres) for sale to generate income for the Downtown Redevelopment Project, return the parcel to the tax roll, and encourage development of the site.

The Board should consider the following matters:

1. To approve the transfer of approximately .33 of an acre to an adjoining land owner and in return the land owner will transfer to the City .33 of an acre (land swap) in order to give the City sufficient property to construct a roadway for access to the parcel.
2. To authorize corporation counsel to take the necessary steps to have the property placed out for bidding, including preparation of Notice for publication and appraisal for the Board to review.
3. To seek an 8-24 referral opinion from the Planning and Zoning Commission regarding the land swap and sale of the property.

Atty. Coppola showed on a map the land swap that is being discussed. The D.O.T. property is off the City's tax rolls. He noted that we are pretty much convinced that the Redevelopment Agency is not going to be using the property to relocate whatever businesses remain on Main Street. We are looking to sell the property and in order for that to occur the land swap must take place. Once the land swap takes place then there will be sufficient frontage to construct a road so when it is sold it would be a more marketable parcel. Mayor Staffieri said the land swap is necessary to gain the road access to the D.O.T. property. He said he would like to get this parcel back on the City's tax rolls. Mr. Hughes asked if anyone has been in contact with the landowner. Atty. Coppola said he has been and there has been an interest. Mayor Staffieri said the landowner of the parcel of land right behind BJ's that blocks the road access has said

that they would definitely like to do the swap. The land to be acquired is .55 of an acre and the land to be swapped is .57 of an acre.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Hughes to approve the transfer, authorize Corporation Counsel to take the appropriate steps and to authorize the 8-24 referral from Planning & Zoning.

DISCUSSION ON MOTION

Mr. Benanto asked what the property was appraised for. Mayor Staffieri said we are waiting for the final appraisal, which we should be receiving shortly. Mr. Benanto asked if the appraisal would be the opening bid. Mayor Staffieri said that is correct – we wouldn't accept anything less than that amount. Mr. Sill asked if one appraisal is sufficient. Atty. Coppola said it is.

MOTION CARRIED.

REFUND OF EXCESS TAXES PAID REQUESTED THROUGH 2/15/07

A MOTION was made by with a second by to approve the refund of excess taxes paid through 2/15/07 in the amount of \$10,935.51 as submitted by Tax Collector Cinda B. Buchter. **Motion carried.**

REAFFIRM FAIR HOUSING POLICY/ADOPT AFFIRMATIVE ACTION POLICY

A MOTION was made by Mr. Bomba with a second by Mr. Boulton to reaffirm the Fair Housing Policy and adopt the Affirmative Action Policy for the City of Derby. **Motion carried.**

REQUEST TO WAIVE PERMIT FEES (BRIAN CALVERT) – DISCUSSION & POSSIBLE ACTION

Mayor Staffieri said Mr. Calvert and his family have been very cooperative for making settlement. He feels they are at the final stages and it will go forward. The Mayor said he would like to get a true number for the waiver and he would be in favor of doing it. Mr. Hughes said he would just like to speak to Mike Joyce regarding the costs. Mrs. Moran said she also doesn't see anything wrong in granting the waiver; however we should know the amount. Mr. Szewczyk concurred. Mayor Staffieri suggested having this item tabled until we get a proper breakout of the permit fees.

Mr. Calvert said he would like to withdraw his request. He said he will pay whatever the fees are.

Mayor Staffieri said the City has no objection to waiving the fees – we just want to know the number. Mrs. Moran and Mr. Hughes agreed. Mr. Benanto said he would abstain from voting should we decide to waive or not; however the numbers are irrelevant. We shouldn't have to have Mr. Calvert wait. We're either going to do it or we're not going to do it at all.

Mr. Hughes said in the past we have always known the amount of the permit fee that is being waived. He said he just can't approve a blanket number. St. Mary's made the request in December and we are now approving it. Mr. Calvert came informed us last week of this request. It just takes time and there is a process that needs to be followed.

Mr. Calvert expressed his embarrassment over this item and once again asked that it be withdrawn.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to approve the fee waiver contingent on getting the appropriate number. **Mr. Benanto abstained. Motion carried.**

Mayor Staffieri said he would ask Mr. Kopjanski and Mr. Joyce for the appropriate numbers. The Mayor also asked Mr. Calvert not to take offense.

DISCUSSION – JOINT FINANCE DIRECTOR POSITION ORDINANCE

Mr. Hughes said a month ago a small committee convened consisting of himself, chairman of the Board of Education – Martin Hubbard; Vice Chair Kim Krieger; and Alderman Ron Sill to research the possibility of having a joint finance division, grant writer and IT director. After a preliminary meeting they did some research and found out there are three towns in Connecticut that use a joint finance division. After contacting those three towns the committee met again to review the situation. Mr. Hughes said he has also been in touch with the chairs of the Board of Education from the other three towns for their guidance. He said any of the research that he has done has been of a positive nature.

Keith A. McLiverty, City Treasurer, noted that the City currently has a finance director as does the Board of Education. He said with the recent resignation of the Finance Director for the Board of Education has given the opportunity to review consolidating the two positions in order to improve communications, streamline fiscal control and have a cost benefit to the City. He said education finance is going to be the primary focus if we were to go out and look for a new finance director. He said it is a little more involved on the education side than it is on the City side. He believes it would be a successful position. Mr. McLiverty said the discussion that he has had with all three finance directors say it is successful and that it works. It has improved communication and eliminated the lack of trust.

Mayor Staffieri said we need to have the committee review the criteria in order to form this new position. He said the City of Derby hasn't hired a Finance Director nor has the Board of Education so the timing is perfect to institute this change.

Atty. Coppola said there are basically two sections – the Charter section that basically outlines what the Finance Director does – he said the language in there basically allows that position to service the Board of Education. Then there is a section in the Ordinance that breaks it down a little bit more in detail. Atty. Coppola said underneath that section there is language that talks about the Finance Director's duties as set forth by the Charter or by Ordinance. He said this Section 32-6 is an addition to existing ordinances.

Mr. DeBarbieri said he feels this is an excellent idea to streamline government; Mr. Bomba concurred.

Mayor Staffieri said he thinks everyone sees it as a positive that is going to streamline the City. Also with the technology, under Capital Planning, we are going to look to upgrade our systems. Currently there are two computer systems; one for the City and one for Board of Education. This will make it one system, which will cut down on the redundancy.

EXPLANATORY TEXT FOR SCHOOL REFERENDUM QUESTIONS – DISCUSSION & POSSIBLE ACTION

Mr. Hughes said he first wanted to thank Mr. McLiverty, Bond Counsel, Phil Robertson and Peter Burns. He said over the past few days a lot of work went into this to get this done.

Mayor Staffieri noted that there has been a lot of working happening over the past few days regarding the wording of the questions. He stated that Bond Counsel demands that the questions be worded in a specific manner so as to remain partial.

Keith McLiverty explained the process to the board members. He said the resolution that this board passed stated that the board was going to issue explanatory text. Explanatory text is a document, which summarizes the project – the cost and the scope. He said in no way can it advocate for the project or speak in opposition to the project; the language has to be neutral. Mr. McLiverty said Tuesday evening he, Mr. Hughes, Mr. Bomba and Mr. Robertson met to compile all the data into one document. On Wednesday Peter Burns from DeCarlo & Doll, Inc. put the information together. He noted that all the aldermen should have received the document prior to this evening's meeting to review. He stated that it was also sent to Bond Counsel at that time. Mr. McLiverty informed the board members that the primary concern for Bond Counsel is to make sure that the City complies with State Election Laws and has no advocacy or opposition in the document. He noted that there has been some changes made to the document and reviewed those changes:

- Some word changes – things that were not for certain. Pictures were removed because they were architectural conceptual drawings, not actual blueprints.
- Floor Plans were removed as they were of a conceptual nature.
- On second question it didn't reference the Bradley School addition. We have now added *And Bradley School Addition* to the second question.
- Some language throughout the document was changed where if there was no certainty that it may reduce class size it was taken out. Mr. McLiverty said that although the PTO's and the other individuals who are going to promote it on their own can make those claims, the City as being neutral cannot make those claims.

Mr. McLiverty said he did receive an email from a board member regarding the Debt Service Cost. He said they spoke to the State Election Committee regarding this item and he said one of the things that they are very cautious about is if we are going to put numbers out the numbers have to be accurate or the assumptions have to be stated very clearly as to how the numbers were arrived at. He noted that although the portion of the Debt Service for the two projects is very lengthy if one carefully reads it you will be able to get the concept of what was used for assumptions. He said the question that the board member had was regarding the wordiness of the question and whether or not it could be modified. Mr. McLiverty said the concern they had is if someone were to take a calculator and not have the assumption in front of them and try to calculate the cost per household they would not achieve it; therefore the document would not be clear. They will leave the language in there so no one can contest the assumptions that were used or the per household costs that they were able to calculate. Mr. McLiverty said he, Peter Burns, Atty. Coppola, and Bond Counsel reviewed the changes and they are all in agreement with the language of the questions.

Mr. McLiverty said either in Section J or K of the resolutions that have already been passed by this board stated that this board would approve the explanatory text prior to the issuance from the Town Clerk. He said this is the document that will go to absentee ballots that will be placed in any and all public places and also picked up by a taxpayer. He said one of the key things that they did was at the end of page two is explain that Question 1 will take effect if approved by a majority of the voters voting regardless of Question 2. He said if Yes beats No in Question 1 the results of Question 2 are irrelevant.

Mrs. Moran asked if they were looking for a vote tonight. Mr. McLiverty said that is the reason why they rushed to get it done for this evening so that the Town Clerk can get it out in the next week and a half.

Mayor Staffieri again noted that a lot of time and work went into the questions.

A MOTION was made by Mr. Szewczyk with a second by Mr. Sill to approve the Explanatory Text for the School Referendum Questions.

DISCUSSION ON MOTION

Mr. DeBarbieri said he would abstain from voting. He said he has objections with the referendum in general and although he won't stand in its way, he can't endorse it. Mrs. Moran said she also is going to abstain as she feels there is not enough time. Mr. Hughes asked enough time for what? Mrs. Moran said to get the absentee ballots out. Mr. McLiverty informed Mrs. Moran that when the board passed the resolution she voted that this would be issued. Mrs. Moran said she realizes that; however there are enough votes for it to pass.

Mr. DeBarbieri abstained, Mrs. Moran abstained. MOTION CARRIED.

EXPLANATORY TEXT PREPARED FOR SCHOOL REFERENDUM – DISCUSSION & POSSIBLE ACTION

**City of Derby
New Middle School
Or**

New Middle School with Two Classroom Addition to Bradley School

Explanation of referendum questions to be voted on March 13, 2007 – 6:00 a.m. – 8:00 p.m.

Explanatory text prepared in accordance with Section 9-369b of the Connecticut General Statutes, as amended, and in accordance with Section 93 of the Charter of the City. The Town/City Clerk, the City's Corporation Counsel and the City's Board of Aldermen, at its meeting held on February 22, 2007, approved this brochure.

The Board of Aldermen and the Board of Apportionment & Taxation have approved resolutions offering two alternate school building projects, subject to approval by the legal voters of the City of Derby voting at a referendum to be held on March 13, 2007 between the hours of 6:00 a.m. and 8:00 p.m. The full texts of the resolutions are on file in the office of the Town/City Clerk and available for inspection during normal business hours.

Question 1: "SHALL THE CITY OF DERBY APPROPRIATE \$28,000,000 FOR DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GRADES 6 THROUGH 8 MIDDLE SCHOOL FACILITY TO BE LOCATED ON THE DERBY HIGH SCHOOL SITE, AND AUTHORIZE THE ISSUANCE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO DEFRAY SAID APPROPRIATION?"

Question 2: "SHALL THE CITY OF DERBY, IF THE NEW GRADES 6 THROUGH 8 MIDDLE SCHOOL FACILITY PROJECT IS NOT APPROVED, IN LIEU THEREOF APPROPRIATE \$23,190,000 FOR DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GRADES 7 THROUGH 8 MIDDLE SCHOOL FACILITY TO BE LOCATED ON THE DERBY HIGH SCHOOL SITE AND A TWO CLASSROOM ADDITION TO BRADLEY SCHOOL, AND AUTHORIZE THE ISSUANCE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO DEFRAY SAID APPROPRIATION?"

**New Derby Middle School
Or
New Derby Middle School with Two Classroom Addition to Bradley School**

Question 1: Debt Service Costs Grades 6th, 7th, and 8th: The annual payment on the project bonds would range between \$1,230,000 in year one to \$645,750 in year twenty (20), based on a \$12,300,000 20-year level principal payment bond issue. The estimated interest payment on the bonds would be \$615,000 for the 1st year, assuming a 5.0% interest rate. The total principal and interest payment for the 1st year would be \$1,230,000, which, based on the current grand list plus 2% growth would generate a tax increase of approximately 1.33 mills. Assuming a 2% grand list growth, for a home with a current assessment of \$200,000 the increase would be approximately \$266.50 for the 1st year of repayment of the bonds, or approximately \$22.21 per month for the debt portion of this project only. This amount would decrease annually over the 20-year term of the bond issue. The total principal amount is \$12,300,000 and the estimated interest cost for that principal is \$6,457,500, for a total estimated cost of \$18,757,500.

Question 2: Debt Service Costs Grades 7th and 8th and Addition to Bradley School: The annual payment on the project bonds would range between \$974,000 to \$511,350 per year based on a \$9,740,000 20-year level principal payment bond issue. The estimated interest payment on the bonds would be \$487,000 for the 1st year, assuming a 5.0% interest rate. The total principal and interest payment for the 1st year would be \$974,000, which, based on the current grand list plus 2% growth, would generate a tax increase of approximately 1.06 mills. Assuming a 2% grand list growth, for a home with a current assessment of \$200,000 the increase would be approximately \$211.04 for the 1st year of repayment of the bonds, or approximately \$17.59 per month for the debt portion of this project only. This amount would decrease annually over the 20-year term of the bond issue. The total principal amount is \$9,740,000 and the estimated interest cost for that principal is \$5,113,500, for a total cost estimated at \$14,853,500.

Referendum – Tuesday, March 13, 2007. Polls are open from 6:00 a.m. to 8:00 p.m.

City of Derby New Middle School

Grades 6, 7 and 8 freestanding school located on Derby High School site

Question 1: "SHALL THE CITY OF DERBY APPROPRIATE \$28,000,000 FOR DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GRADES 6 THROUGH 8 MIDDLE SCHOOL FACILITY TO BE

LOCATED ON THE DERBY HIGH SCHOOL SITE, AND AUTHORIZE THE ISSUANCE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO DEFRAY SAID APPROPRIATION?"

Purpose: That the City of Derby appropriate \$28,000,000 for costs in connection with: (1) the design, construction, furnishing and equipping of a new three-story, approximately 72,500 square foot, approximately 420 student capacity middle school facility serving the 6th, 7th and 8th grades to be located on the Derby High School site on Nutmeg Avenue in Derby, (2) related site and other improvements and (3) the financing of the project appropriation; and authorize the issue of bonds and notes to finance the appropriation.

This project includes:

- 1) Free Standing school
- 2) Media Center with computer labs
- 3) Cafeteria and Meal Prep Area
- 4) Full size Gymnasium
- 5) Enrollment capacity of 420 students
- 6) Science Labs and Prep areas
- 7) Constructed on existing City land creating a Municipal School Campus
- 8) Fully sprinklered building

Project Budget: Project costs in 2008 dollars will be \$28,000,000. Should the project be approved, Derby anticipates receiving approximately 60.96% State grant reimbursement rate, equaling approximately \$15,700,000. The City portion of the project would be approximately \$12,300,000.

Question 1 will take effect if approved by a majority of the voters voting thereon, regardless of whether Question 2 is approved or disapproved.

**City of Derby New Middle School
And Two Classroom Addition
To Bradley School**

Grades 7th and 8th freestanding school located on Derby High School site and a two classroom addition to Bradley School

Question 2: "SHALL THE CITY OF DERBY, IF THE NEW GRADES 6 THROUGH 8 MIDDLE SCHOOL FACILITY PROJECT IS NOT APPROVED, IN LIEU THEREOF APPROPRIATE \$23,190,000 FOR DESIGN, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GRADES 7 THROUGH 8 MIDDLE SCHOOL FACILITY TO BE LOCATED ON THE DERBY HIGH SCHOOL SITE AND A TWO CLASSROOM ADDITION TO BRADLEY SCHOOL, AND AUTHORIZE THE ISSUANCE OF BONDS, NOTES AND TEMPORARY NOTES IN THE SAME AMOUNT TO DEFRAY SAID APPROPRIATION?"

Purpose: That the City of Derby appropriate \$23,190,000 for costs in connection with: (1) the design, construction, furnishing and equipping of a new two-room classroom addition, approximately 50,000 square foot, approximately 280 student capacity middle school facility serving the 7th and 8th grades to be located on the Derby High School site on Nutmeg Avenue in Derby, (2) the design, construction, furnishing and equipping of a two-story, approximately 2,600

square foot, two classroom addition to Bradley School on David Humphreys Road in Derby, (3) related site and other improvement, and (4) the financing of the project appropriation; and authorize the issue of bonds and notes to finance the appropriation.

This project includes:

- 1) Two room addition to Bradley School
- 2) Free standing school
- 3) Media Center with computer labs
- 4) Cafeteria and Meal Prep Area
- 5) Full size Gymnasium
- 6) Enrollment capacity of 280 students
- 7) Science Labs and Prep areas
- 8) Constructed on existing City land creating a Municipal School Campus

Project Budget: Projects costs in 2008 dollars will be \$23,190,000. Should the project be approved, Derby anticipates receiving approximately 63.03% State grant reimbursement rate, equaling approximately \$13,450,000. The City portion of the project would be approximately \$9,740,000.

Question 2 will take effect only if: (1) approved by a majority of the voters voting thereon, and (2) Question 1 is defeated.

EXECUTIVE SESSION – IF NECESSARY

A MOTION was made by Mr. Boulton with a second by Mr. Benanto to go into Executive Session at 9:23 p.m., subject to adjournment, to discuss negotiations regarding development. Mayor Staffieri and Corporation Counsel Coppola were invited to participate. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary