

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL – APRIL 26, 2007 - 7:00 P.M.

MINUTES

PLEASE NOTE: THE MEETING WAS CALLED TO ORDER IN THE MEDIA CENTER OF CITY HALL. AFTER PUBLIC PORTION THERE WAS A RECESS AND THE MEETING RECONVENED IN THE ALDEMANIC CHAMBERS.

The Honorable Mayor Anthony Staffieri called the regular meeting to order at 7:23 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
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Deputy Chief Gerald Narowski, Derby Police Department
Martin Martino, Board of Apportionment & Taxation
Carolyn Duhaime, Board of Apportionment & Taxation
Julia Romano, Board of Apportionment & Taxation
Brad Tobin, Board of Education
Renee Luneau, Board of Education
Beth Collette, Board of Education
Joseph T. Coppola, Corporation Counsel

ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA

Mr. Hughes said he would like to add one and table one item on the agenda:

Add

Item #24 – Permission to erect a sign at Witek Park for the Fishing Derby on May 5, 2007

Table

Item #18 – Authorize Special Counsel to obtain bills paid by taxpayers to repair damaged City Hall Computers

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

PUBLIC PORTION

Natalie DiDente Dunleavy, North Star Support Group – I am here to speak on agenda item #15. My name is Natalie DiDente Dunleavy and I am here representing North Star. We are a community resource for families of children with behavioral, developmental, and mental health disabilities. (Inaudible) is an organization completely run by volunteers or parents of handicapped children. We would like to have a picnic at Coon Hollow Park and have the fee waived. The reason we would need Coon Hollow versus Osbornedale, which is free and right across the street, is Coon Hollow is fenced in. My own son is severely autistic, mentally retarded and epileptic and so are lot of other kids have several disabilities. A fenced-in facility is an absolute necessity for these kids just to have an afternoon out. That is why we are asking for the fee waiver. We are run completely by volunteers - we have zero budget. Everything we do is via grants or donations and what we are asking for is the fee to be waived so our kids can have a day out.

Kathy Norwood, 4 Lanzieri Court, Derby, CT – Could you clarify what #22 on the agenda is?

Mayor Staffieri – Discussion with possible action – Map 1-3, Lot 2. That's the Cecarelli – that's the Silver Hill Estates off of Belleview Drive that used to be called the Cecarelli Property.

Ms. Norwood – And why is it on the agenda?

Mayor Staffieri – Because this is what we've been discussing – this is where the project is going – the industrial park.

Ms. Norwood – Well if you recall I was the Chairman of the Open Space Commission of this City and I was also on the soccer field fields committee and that property was brought up when it was in the Cecarelli Estate I urged the past administration to buy that property because it is the center of the Hitchcock, Hine, Cecarelli development over there. At that time that could not be used for an in and out. So I wonder why it could be used for an in and out for an industrial park (inaudible.)

Mayor Staffieri – It's not going to be used for an in and out. It's not going to be going through Belleview Drive. Upstairs in the Board of Aldermen's room you would be able to see the developer that's looking to get in is coming in from right off of Route 34 on to Sodom Lane. He has already made a deal with Mr. Hine for the road to go through his property and then it has to go through the Cecarelli property – the Silver Hill Estates – and on to the Hitchcock property. It's not entering...

Ms. Norwood – Why are you getting involved and why do we need this strip? And I'm sorry I'm not up to date but I'm here as a citizen to find out what's going on and I have extensive information because when I was Open Space chairman the past administration made me look for every open space in the City of Derby – where they proceeded to build on every open space in the City of Derby. So could you please clarify that for me? What is on the agenda – what are you discussing.

Mr. Hughes – We will when we get to the item.

Heidi Winkler, North Star – I am also from North Star and we wanted to ask if we could move up on the agenda from #15.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to move item #15 – Fee Waiver Coon Hollow Park – Kathy Adamczyk, Disabled Children for Naugatuck Valley up to new item #6a. **Motion carried.**

Stephen Wright, Esq., Harlow Adams & Friedman, P.C., 300 Bic Drive, Milford, CT – I would like to speak on behalf of the landowner on item #22. I would like to ask if I should speak at the time that matter comes before the board.

Mayor Staffieri – If you would like to speak now you can speak now because at that time it's just going to be for the report.

Atty. Wright – I would like to speak now then. Again, for the record my name is Steve Wright – I'm an attorney with the law firm of Harlow Adams & Friedman in Milford, CT. I represent Silver Hill Equities, which is the named entity of the property, which is an entity that's owned by Mr. Raymond Sadlik a resident of the City of Derby. I want to just briefly deal with a few matters and tell you as follows I had an opportunity to review the appraisal by – that was submitted to the subcommittee and I want to caution you that upon reviewing that appraisal I don't think that it has adequate information upon which you can make a decision as to the Fair Market Value and let me explain to you why. Number one the references are mostly to Woodbridge regulations. It appears that the appraiser was focusing mostly on the portion of this land that's in the Town of Woodbridge as opposed to the portion of this land that's in Derby, which I think is a major flaw. Secondly and more importantly the regulations that will be considered – the zone that the appraiser assumed – and by the way also your subcommittee assumed the same regulation that I received from counsel was the same one the subcommittee received and I have every reason to believe that it was – that regulation was overridden by the Planning & Zoning Commission in February of this year. And the regulations are much broader – that is allowing for a lot more development in the area than the ones that you looked at and reached your opinion on or your recommendation as to the Fair Market Value. Equally flawed about the appraisal is that it uses what they call the "Comparable Sale Method", which is one way of measuring the value of or arriving at an opinion as to the value of land. The assumption is if you look at similar properties you can gain an understanding about the value of the property that you're looking at keeping in mind of course that it's not for sale. The comparable sales relate to properties that are very unlike this property and there is not enough information in that appraisal for you to make a determination that they are in fact comparable. First thing as we all know real estate is location, location, location. The comparables that you were presented with when you look at a map as to where they appear they are so far in distance that you can't even locate the subject property, that is Mr. Sadlik's property, anywhere in relation to that. And that's simply because the appraisals come two from Wallingford, one from North Haven, and one from Waterbury. I suggest that the appraiser drove by many industrial parks on his way to those and these that are far closer in proximity to this piece of property than those were. But more importantly I want you to know that the information that you have doesn't tell you enough in order to be able to reach a conclusion as to whether the assumptions of the appraiser are correct and let me explain. You don't know enough about the zones that these so-called comparable properties are in. Therefore when the appraiser goes through his analysis and either rates up or rates down the comparables when comparing to this property you don't

know enough about it to know whether that rating up or rating down – and keep in mind one of the properties that he looked (inaudible) was valued at over \$200,000 per acre and keep in mind that what we are talking about today is not a strip of road going through my client's property you are taking or deciding to take three-quarters of an acre of property be that as it may. So I would caution you not to make a decision based on the opinion of that appraiser because it is fatally flawed. It would not hold up in a court of law. That opinion – if that was the information that he based his opinion on that appraiser would not be able to give opinion as to Fair Market Value and you should not accept it as such. Secondly the other (inaudible) about what's going on here – this so-called taking – is I want you to understand that what's going between really Mr. Guedes and Mr. Hine and the impact that this is going to have on my client's property. And I have a little drawing here that comes from maps that are on the web site of the City of Derby. This is my client's property in the middle – what went on here is that Mr. Guedes has an option to purchase what is called the Hitchcock Industrial Park. This property by the way has access over here in Ansonia and access over here in Woodbridge and you have heard nothing about the attempt to try to gain that access. You are just asked to assume that it cannot be obtained. I suggest to you that the answer is that it may not be able to be obtained kindly – that is in kindly in terms of the developer's needs. This road has been negotiated with Mr. Hine and Mr. Guedes all the way to the border of Mr. Sadlik's property. By doing so what he has done is he has agreed to pay a sum of money for this right-of-way so called and he has also agreed that he being Mr. Guedes the optionee owner of this property, to build a use storage facility for Mr. Hine at his own expense. That's the value of this road for this. But notice the also value for this road – it creates sixteen developable industrial lots that otherwise wouldn't exist. So that developer is very happy.

Mayor Staffieri – Excuse me – you're saying that developer – there is no such thing as a development going on over there. So please stick to the facts.

Atty. Wright – Well this is a fact.

Mayor Staffieri – That's not a fact.

Atty. Wright – Excuse me I thought I had an opportunity to speak to you (inaudible) interrupt.

Mr. Bomba – Three minutes are up.

Mayor Staffieri – The time period is up already.

Atty. Wright – Just give me a small moment – this is my client's property we are taking here.

Mayor Staffieri – But you're talking about other peoples property, which is totally false. Stick to the truth and you have the time.

Atty. Wright – It is an undebateable fact Mr. Mayor that you are creating sixteen developable lots by putting this lot in. What you are doing here by taking Mr. Sadlik's property is you are not building a road – you are in fact connecting two developments. There is no public purpose – no public taking should be going on here. The other false assumption is that you are adding value to Mr. Sadlik's property. Under the current regulations Mr. Sadlik has the right to do this – benefited by the way the amendment to the zone that he is in that in my view was done to

accommodate the development that Mr. Guedes is proposing. He has the right to build three lots and I put the road in there only to see – so that it can visually demonstrate the adverse effect that this road is having on my client's property.

Mr. Hughes – Where's the access from that (inaudible.) Right there...

Atty. Wright – Right here on the proposed road.

Mayor Staffieri – Belleview Drive.

Mr. Hughes – Access coming off of Belleview.

Atty. Wright – That's right – it's a proposed road – it's already there. It's nothing that needs to be created. Finally you will see that by putting this road in you are making this portion of land above the road undevelopable okay and only creating two lots, which if you go through the setback lines will basically be about this size for this lot and this size for that lot. We have a suggestion for you – why does the road have to go here? Why can't it go through the undevelopable portion of Mr. Sadlik's property? You are taking the prime portion of his property; that's the position. And you are being asked by that appraisal to do it for the sum of \$24,000 to take three-quarters of an acre of land in your city for \$24,000. I would suggest to you that parking spaces in cities in this State are worth more than that. But certainly there is no industrial land in the City of Derby worth three-quarters of an acre – three-quarters of an acre worth \$24,000. Also and this is the final point – I do appreciate by the way the time that you are giving me here today – finally Mr. Sadlik's property – we believe that the road can go right through there; affect no development on Mr. Sadlik's property, not take the better part of the property, and thereby accommodate the two developers who are just missing a strip of land and being asked that you spend taxpayers money (inaudible) these two developers that doesn't otherwise exist. And that I think is what we are having a problem with. But we also want you to be aware that Mr. Guedes has promised this City \$2.3 million annually in taxes when you allow him to do this proposed development. How could it be that a piece of property that generates \$2.3 million annually in taxes and is worth whatever that is under any very easy mathematical analysis how could the property directly next door to it be work \$24,000 or perhaps \$30,000 an acre when you figure out the math. And why doesn't your appraisal – you know what's conspicuous by its absence in the appraisal is the comparable properties we have to go all the way to Wallingford and Waterbury when we have industrial property right next to us being created by this road, which are not even mentioned in the appraisal nor is the value of them mentioned in the appraisal. So I appreciate very much the time to do this. I understand what you're doing. I am a volunteer elected official of my own town. What you do is important so I have a high, great respect for what you do and I know you are trying to do the right thing. My suggestion to you is this need to go back to the negotiating table – it has not had an opportunity to do that. And when it goes back there this development will take place. The City will not have to use an abusive manner – its power of eminent domain – to accommodate two developers and taxpayers' money will not be needed in order to make this happen. I appreciate your time very much.

Carl Yacobacci, 10 Lombardi Drive, Derby, CT – I would like to speak on this issue tonight on the (inaudible) taking of property. I got a feeling about eminent domain – everybody knows it. One of the things that you really have an issue with with the eminent domain and I've been to

a lot of hearings and a lot of seminars on eminent domain and it doesn't really bring the right atmosphere that I feel into the City of Derby when developers know that we can come in to the City of Derby and now if we don't negotiate to buy a piece of property we don't have to negotiate. All we have to do is but on a little façade that we did a negotiation and then we'll go to the town and we'll take the property. This brings on a few different things. One is unfair competition if there is a particular developer coming in to town he knows that he can make millions and millions of dollars more money by just going to the local government versus using a fair and open Free Market System of negotiations. There is always an air of impropriety when you start with the eminent domain issue and taking one person's piece of property for substantially less than what a neighboring person has gotten. The other it's very hard to reverse the trend. If we start taking property by eminent domain then we're just going to open flood gates for people to come in and we're going to de-value the properties in Derby. Because people will know that well if we don't want to pay this price – even if it's fair – we'll just go and see if we can have it taken by eminent domain by proposing some kind of a development that's in a concept stage that the property is not even purchased. So it opens a lot of bad doors. And it doesn't protect the citizens of Derby; it protects large developers. Last year Atty. Coppola stated in regards to the downtown area they were looking out for the 13,000 people versus the 4 to 6 people in downtown Derby. Now we have the 13,000 people against 1 citizen of Derby. When we're going to have the HALO project – that may be taken by eminent domain because you have to relocate – I don't know what it is – 180, 170 people, 200 people – now it's 200 against 13,000. Are we only going to stop with an eminent domain when it comes to 6,501 and it doesn't benefit the majority of the people? It doesn't end it just keeps on going. One other question I have is why does it seem this mentality of it's unfair or why let a local person – why let a local businessman – someone who has contributed to the community make anything off of their property but we'll give millions and millions and millions of dollars to a outside developer – someone has no interest or hasn't been around in Derby – knows what Derby is about. I mean downtown we've already given up to \$45 million for a special taxing district. The developer who promised that he was going to put all the money in is now up at the State of Connecticut lobbying for another \$45 million – that would be up to \$90 million of taxpayers' money to put in downtown Derby. I think a lot of that money should go into Derby. If the developer can't afford to put the development in it he has to make it affordable. So that is such an unfair competition for somebody coming in knowing they can grab land. I'm asking the board here now when the time comes on this one issue – it may seem small to you but it's not. The ramifications could be very large to the City of Derby. We're setting up for a big fall in the future. Eminent domain again doesn't lend anything to open and fair competition between builders and negotiators. We voted you in to protect the people of Derby – that's what it was. There was a big voice heard a year and a half ago because we weren't being protected. And now it seems like the people that we voted in – or some of them – I should rephrase that – are still not protecting the people. They're protecting large outside developers millions of dollars and making the local people who have been here for fifteen, twenty years – their businesses, their families and their taxes – we're getting shoved out the backdoor like second class citizens. Thank you.

Martin Martino, 46 Emmett Avenue, Derby, CT – Sorry to change the subject. One of the items on the agenda today is the Finance Director – the Joint Finance Director. I would like to state that I was on the original Charter commission that created the idea of Finance Director and allowed it to be a part of the Charter within the City. I support that idea – I think that when we went through this it was a fact that everyone in this City that there would be a savings – it would

make reconciliation much easier and that this board should approve a Joint Finance Director that would cover both the City side and the Board of Education side for the benefit of all the citizens and the Tax Board, which I sit on and everyone else. I think it would make it easier and I believe that my constituents agree with this and again when I was on the Charter Revision Committee that put this into place what happened is you would save City money on not having two Finance Directors and it would also affect your Treasurer and everything else throughout the City and it's a good proposition and I believe that this board should support it. Thank you.

Donald W. Smith, Jr., P.E., 56 Greenwood Circle, Seymour, CT – I would like to speak regarding agenda item #16 I submitted a communication on that. I'm not sure of your policy if you would like me to speak now or when it comes up on the agenda.

Mayor Staffieri – If you have any questions when we bring it up on the agenda you can ask then.

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – I would like to address the subcommittee report item on item #22 on the agenda. I urge the board to reconsider taking Mr. Sadlik's property by eminent domain as we all know which is where this will lead when you make the insulting offer of \$24,000 to Mr. Sadlik for the best portion of his land, which will leave him with a split parcel that is unbuildable. I would also like to point out that this discussion is premature since the developer does not own the property where the access road is proposed and has not sought approval from the Wetlands Committee nor has he sought building approval. All we have seen are visionary drawings and we all know from the downtown project that pictures are only concepts; they are not real plans. I would also like to add that if this developer does not do the proposed development is the City then prepared to spend the money to take Mr. Hine's property by eminent domain for the so-called city street? I realize Mr. Guedes is under a timetable with moving manufacturing concerns that he is displacing from Canal Street in Shelton, but I believe the City should not be taking private property from one individual to give it to a private developer under the disguise that this is a City street. Thank you.

Dan Waleski, 21 Elm Street, Derby, CT – I'll be very brief – my point is simply that the developer has come in and laid out plans for the City and said here you are City – buy it. I'm not all together sure that's the way we want it to work. I think we have to take into consideration the surrounding area – the property rights of these people. And I think you ought to be thinking about the fact that we're going to put in something of this size we certainly want to improve the quality of life – not lower the property values. Secondly there's a question of eminent domain, which is a deep concern not only here in the Valley but in the State. Looking closely at the plan I think you would have to say there are alternatives to get in and out of that property and I don't think the board has had the opportunity to look at some of those alternatives. I think if they did I think it would be very revealing. And I also would say that if this developer is as good as some people seem to think he is I think he would have taken into consideration the problems that are arising in that egress and excess the property values he would be looking at other aspects to try to make it as fitting and as accommodating as possible. I don't think the developer did that in this case and so I would like to ask the board that they give this application a total review of all aspects and I do hope that the board will give due consideration not only to that neighborhood part of town but to the town as a whole. Thank you Mr. Chairman.

Renee Luneau, 102 Hawthorne Avenue, Derby, CT (Board of Education Member) – I'm just here tonight to – I wanted to make comment on the Joint Finance Director. I'm here to more or less educate myself a little bit more on the subject and the only thing that is a concern to me, and wish there were a few more people from the community here tonight, because I think it needs to be researched a bit more. The thing about the other communities in the State they have a little bit more on their side as far as the Joint Finance Director as far as the relationships that are established in their communities with their boards that I don't think we have yet. My concern is you know I think a lot of communities need to know that if this is such a great joint venture and its such a savings I think we need to be careful about although we're saving that salary there's only three communities in the State that have it. So I think we really need to look into it a lot more where even though we may be saving salaries you know bottom line is it may not be worth it in the long run if we're losing (inaudible.)

Karen Kemmesies, 25 John Street, Derby, CT – I spoke last week and basically I'm going to say the same thing that I said last week – but there were some members that weren't here. Everybody that spoke previously on this proposal stated things that I wanted to say so I won't repeat all their points of interest. I will just say that I endorse everything that was said in terms of not having property owner against property owner – not doing things prematurely. Years ago we had a Planning Commission and we had a Conservation Commission. Both of those commissions were in place so that they could thoroughly look at a proposal before anything reached the point that you are reaching now. And we don't have that – we have Planning & Zoning now and the zoning has basically taken over all of the process and the planning phase is very minimal at best. Conservation that was just thrown out by the previous administration. I was once told that there's nothing left in this City to conserve and certainly I don't want to see this administration moving forward with that same thought in mind that there's nothing left to conserve. This is a delicate parcel of land and what is being proposed is quite grandiose for what I think that that land could support. I think that you're premature with moving forward with even discussing any type of road going in there because you don't have enough information in terms of what that land can support geographically – there are tons of wetlands over there – and more importantly I am greatly distressed to think that the reason that you are choosing to go forward is because we're going to make money. Making money should not be the only sole decision for why this is good for the City of Derby. When the Birmingham Business Association came to be when they first started with the downtown development the purpose of that was to have a voice for the residents to speak on redevelopment and that voice was constantly saying we've got to save the integrity of the City. We have got to save the appearance, the personality of the City. And so we didn't at that point in time say well I'm going to choose this developer because he's going to make me \$80 million versus this the developer who's going to get \$40 million. We said we want to have a vision of our City for what is going to be best for everybody involved. I don't think at this time we can say that this is the best thing for the City and I would ask you once again to table this action until you can make all those decisions. Not only on a money factor but how it impacts the City as a whole all across the board. Thank you.

Carl Yacobacci, 10 Lombardi Drive, Derby, CT – Mr. Mayor change of subject for one minute. I'm talking about the Greenway Trail and I got a call from Jack Walsh the other day and it was many months ago in regards to the dog ban and things that are going on. Dogs are being allowed back on the Greenway Trail as of June 1st. He asked me if my company would still

consider donating the dog boxes and the bags – 2,500 bags that I proposed at one of the meetings before and I told him yes. I may have problems on eminent domain but I'm still a citizen of this town – I take pride in this town and I don't want to see anything bad. So I just want to let you know that we are next week ordering those with Jack and the goal is to have them in for Memorial Day weekend.

Mayor Staffieri and Mr. Hughes thanked Mr. Yacobacci.

Kathy Norwood, 4 Lanzieri Court, Derby, CT – How many appraisals did you get for the project? Well I urge you strongly to (inaudible) properties for any reason. The Hitchcock property as I walked it as I was a member of the City's Planning & Zoning Commission and I was the Chairman that got disbanded by the previous administration (inaudible). Please take a look at that – please look at the property and please don't just take somebody's property for somebody else's gain. There are other – there's Chestnut Drive you can get to that there's Ansonia, there's Woodbridge and there's 34. I don't see any reason why you need to take this guy's property. 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

AT THIS POINT THE MEETING RECESSED AND MOVED TO THE ALDERMANIC CHAMBERS WHERE THE MEETING RECONVENED.

APPROVE MINUTES OF THE MARCH 22, 2007 REGULAR MEETING

A MOTION was made by Mr. Sill with a second by Mr. Hughes to approve the minutes of the March 22, 2007 regular meeting as presented. **Mr. DeBarbieri abstained from voting as he was absent from that meeting. Motion carried.**

APPROVE MINUTES OF THE MARCH 29, 2007 SPECIAL MEETING

A MOTION was made by Mr. Sill with a second by Mr. Hughes to approve the minutes of the March 29, 2007 special meeting as presented. **Mr. Boulton abstained from voting as he was absent from that meeting. Motion carried.**

FEE WAIVER COON HOLLOW PARK – KATHY ADAMCHICK, DISABLED CHILDREN FOR NAUGATUCK VALLEY

Mr. Hughes said he feels it is a good thing to waive the fee for this group.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Szewczyk to approve the fee waiver of Coon Hollow Park for the Disabled Children for Naugatuck Valley for their outing on a date to be determined. **Motion carried.**

SUB-COMMITTEE REPORTS

Community Relations – Mr. Hughes reported that the committee would like to add two properties to the Blight List.

A MOTION was made by Mr. Hughes with a second by Mr. DeBarbieri to add the following two properties to the Blight List: 18-22 New Haven Avenue and 269 Roosevelt Drive. **Motion carried.**

Mr. Hughes also said he would like to ask for approval of a Vendor Site Permit for Tommy's Ice Cream. He informed the board that all the paperwork presented was found to be correct and in order.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve the Vendor Permit for Tommy's Ice Cream. **Motion carried.**

Mr. Hughes also informed the board that the committee reviewed the permit fees charged for vendors. He noted that the City is a little bit behind the times with the fees. Currently we charge \$75.00 per year and \$3.00 per day. He said most towns in the immediate area that they checked charge \$200.00 per year and have no day permits. Mr. Hughes said he would be meeting with Corporation Counsel to review this item and will present their recommendations to the full Board of Aldermen.

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

Mr. Szewczyk asked Mr. Kopjanski the status of 100 Mt. Pleasant Street and their retaining wall. Mr. Kopjanski said after speaking with the property owner, who stated that he was not in the position to repair the wall, he has turned the matter over to Corporation Counsel.

Mr. Benanto asked Mr. Kopjanski about the status of the trailer on Hawthorne Avenue. Mr. Kopjanski said he has repeatedly spoken to the owner of the property who has assured him that no one is occupying the trailer. He said that he has visited the site during the day time hours and has not observed any activity. Mr. Kopjanski said at this point in time he is almost ready to ask the Mayor to authorize the Police Department to perform a stakeout of the site to see if in fact anybody is living in the trailer. This has been an on-going issue for three to four years. Mr. Benanto said he lived in that area a year or so ago and he is 90% certain that there is someone living in the trailer. Mr. Kopjanski said it doesn't have to be the Police Department it could be a private investigator. Mayor Staffieri asked Mr. Kopjanski to remind him of his on Monday when they meet and he will contact Chief Mascolo.

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

Fire Marshal Hawks was present at the meeting. No questions were asked. Report placed on file.

POLICE DEPARTMENT REPORT – MARCH 2007 (Deputy Chief Gerald Narowski)

Deputy Chief Narowski informed the board members that the bike patrol has been deployed for the summer. There were no questions asked. Report placed on file.

FIRE DEPARTMENT REPORT – MARCH 2007

There was no one from the Fire Department present at the meeting.

PUBLIC WORKS DEPARTMENT REPORT – MARCH 2007

Mayor Staffieri informed the board members that Public Works Director Ron Culmo's father has passed away.

The Board held a Moment of Silence in memory of Harry "Ricky" Culmo.

REFUND OF EXCESS TAXES PAID REQUESTED THROUGH 4/17/07

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to approve the refund of excess taxes paid through 4/17/07 in the amount of \$4,583.17 as submitted by Tax Collector Cinda B. Buchter.

DISCUSSION ON MOTION

Mr. Szewczyk questioned why Dunkin Donuts was getting back so much. It was explained to him that it was an overpayment.

MOTION CARRIED.

DERBY PUBLIC LIBRARY – REPLACE JAMES COHEN WITH MARIE BAILEY

Mayor Staffieri explained that Jamie Cohen's term expired and although the Mayor wished to reappoint him Atty. Cohen said he did not have the time to commit to the board. Atty. Cohen submitted the name of Marie Bailey to take his place on the board.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to appoint Marie Bailey to the Derby Public Library Board of Directors to replace the expired term of James Cohen. **Motion carried.**

RECREATION CAMP – FEE WAIVER (BUILDING, ZONING, INLAND/WETLANDS AND ENGINEERING) – DONALD SMITH, JR., CONSULTING ENGINEER

Mr. Smith informed the board that he is present this evening representing the Recreation Camp. He said the Recreation Camp has some State Bond funds and building funds, which they would like to spend making improvements to the camp. They would like to expand on the boat house and they are also looking at creating some off-site parking both on the DEP property and the Housing Authority property across the street from the camp in order to alleviate some of the traffic concerns. There are going to be a number of permits that will be needed totaling approximately \$8,000 in permit fees and they are looking for some consideration from the City on those permit fees. Mr. Smith noted that the Rec Camp is a non-profit 501C3 organization. Mayor Staffieri stated all the money that goes to the Rec Camp is from grants, donations and gifts and totally serves the children of the area. Mayor Staffieri said he feels the children of the community are being well served by the Rec Camp. He noted that they don't only teach swimming and boating – they are also teaching academic courses – he said he feels that it is a great cause and that we should help in any way that we can. Mr. Hughes said he feels the services the Rec Camp offers far outweighs the \$8,000.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Bomba to waive the permit fees for the Rec Camp improvements.

FRIENDLY AMENDMENT TO MOTION

Mr. Hughes suggested adding "waive the permit fees up to \$8,000 for the Rec Camp improvements."

Mr. DeBarbieri and Mr. Bomba approved the friendly amendment to the motion.

DISCUSSION ON MOTION

Mrs. Moran said the \$8,000 is an estimated amount. What happens if it comes in higher? Mayor Staffieri said Mr. Smith could always come back to the board for another approval.

MOTION CARRIED.

Mrs. Moran said to Mr. Smith as a Grandmother whose grandchildren use the Rec Camp please do something with the parking.

PERMISSION TO USE THE DERBY GREEN FOR WEDDING CEREMONY JULY 28, 2007 – KIMBERLY GIBSON/THEODORE MAREK

Mr. Hughes noted that Atty. Coppola has already placed a call to Ms. Gibson and Mr. Marek to sign a Hold Harmless Agreement.

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to grant permission to Kimberly Gibson and Theodore Marek to use the Derby Green for a Wedding Ceremony on July 28, 2007. **Motion carried.**

JOINT FINANCE DIRECTOR – PUBLIC HEARING AND POSSIBLE ACTION

Mayor Staffieri opened the Public Hearing for the Joint Finance Director Position:

Dan Waleski, 21 Elm Street, Derby, CT – I think this is a step in the right direction. I think you should compliment yourselves for taking the initiative and looking deeply into this question. As you know from an old timers point of view there has been some contention along these lines for quite some time and I think you're solving it very well. So I would like to see you go along with it. Thank you very much Mr. Mayor.

Mayor Staffieri asked three times if anyone else would like to speak during the public hearing.

Hearing no one else from the public wishing to speak ...

PUBLIC HEARING CLOSED

Mr. Hughes said a Joint Finance Director Research Committee was formed, which included himself, Alderman Ron Sill, President of the Board of Education Marty Hubbard, and Vice Chair of the Board of Education Kim Krieger. He said they sat through three different sets of meetings where they interviewed the three different towns in the State that have a Joint Finance Director. Mr. Hughes said a standardized set of questions were drawn up and their answers were recorded and later transcribed and posted on line for all to view. He said from the people that they spoke to who have the position it has been a positive response. They did state that the biggest obstacle was building up the trust of the position; however they did say that once they were in the position they wouldn't think of going back. Mr. Hughes stated that the committee

has not come to a formal recommendation. He said based on his own opinion and the research that he has listened to and seen and after having talked to the individuals he feels it is a good idea. Mr. Sill also noted that everyone they talked to stated the communication within the city improved 100%. Everybody worked together because after all it is the same money being used – the taxpayers money. He noted that the one position represented itself well for both the town and the Board of Education. Mr. Hughes said if this is going to be done it will be an evolving process within the City. Both sides, City and the Board of Education, will have to work together. Mayor Staffieri said he believes it was the Chair of the Board of Education from Madison who stated that at the beginning of the process he was very skeptical; however at the end it has resulted in the Board of Education getting more money than they even asked for. Because of the improved relationships and communications it runs more efficiently in those towns. He said he did not hear one negative comment. Mr. DeBarbieri also noted that this isn't something that is set in stone. We can try it for a year or so and can always go back if it doesn't seem to work. He said he wholeheartedly recommends trying it. Mr. Hughes also noted that every town they talked to who is doing the Joint Finance Director they were at a point where they were looking for a City Finance Director and also a Board of Education Finance Director – the same position where we find ourselves in now. Mr. Sill said he has heard the argument that only three towns have this. He said why can't Derby do something first for once instead of waiting for everyone else? It's working in three towns we should give it a shot. Mr. Bomba said that it hasn't been a perfect marriage between the City and the Board of Education and he feels that this could be a step in the right direction. We're all going to have to work together – it's as simple as that. Mr. Szewczyk said all lot is going to depend on the person that is hired to do this job.

PUBLIC PORTION RE-OPENED

Kathy Norwood, 4 Lanzieri Court, Derby, CT – If this is going to move to save us money and stop having dual items it would be a good thing. Also when I was on a commission and I came to the City in the past and asked do we usually make purchases at certain places everybody made purchases at different places. It didn't matter how we spent our money – It's just you got a budget and go spend it some place.

Mr. Hughes – That's a good point.

Ms. Norwood – I thought that was strange that there wasn't one place for all our printing, all our paper, all our whatever. I mean it was ridiculous.

Mr. Hughes – One of the towns actually mentioned that as a big plus – they have purchasing power now because they buy from (inaudible.)

Mayor Staffieri – You buy from all one supplier and that one supplier gives you bulk rates. There's a lot of benefits by doing that.

Dan Waleski, 21 Elm Street, Derby, CT – Point of information you have a member here from the Board of Education – Beth Colette – maybe she could make a few comments. Certainly we would be glad to hear what she might have to say.

Mayor Staffieri – Gladly love to hear from Ms. Colette.

Beth Colette, 157 Minerva Street, Derby, CT (Board of Education Member) – Where do I begin – I appreciate what the Board of Aldermen has done for the Board of Education and the working relationship that's being developed between the three City boards. Unfortunately I'm not in favor of the Joint Finance Director for several reasons. The first being right now I don't think we're ready for it. I think that there's so much things going on and to take one person and have them in charge of a \$45 million south side of Main Street project (inaudible) try and help settle all of that and then (inaudible) Board of Education side we have a Middle School project going on...

Mayor Staffieri – First of all let me correct you on something. The Finance Director would have nothing to do with development; that's an economic development director – that's separate.

Ms. Colette – So those are separate. See these are things that we don't know and I can't (inaudible.) We're not well informed on the Board of Education exactly what you are planning to do – what kind of concept. I read the minutes of the three meetings and it seems like everybody has the support system in place. You mentioned that we don't have the same software. The Board of Education has Phoenix and the City doesn't. How long is it going to take for the City to get the Phoenix? Are you going to spend half a million (inaudible.)

Mayor Staffieri – I see our City Treasurer here; let's put him on the spot.

Keith A. McLiverty, City Treasurer – First of all (NUMEROUS VOICES – COULD NOT BE HEARD). The way that I would picture this is you have an engine and a car and the engine is the City's financial structure and the Board of Education is like a wheel on the car – a department on the car. Yes we can look at Phoenix – we can look at municipal financial software. But you don't have the wheel drive the car. The backbones of this City are the taxes, tax collection, assessor, assessor software. So the RFQ that's going is to obtain software that can be used by the City as a whole, including the Board of Education. Let's put realistic numbers to Phoenix – Phoenix isn't \$250 or \$500 – we talked to Phoenix – we're talking about somewhere between \$100,000 and \$150,000 to implement Phoenix city-wide. But they're going to have to put a proposal in. Let capitalism drive the price. It's a knowledgeable committee that's putting together an RFQ and there's more than just two software's out there. There's Phoenix, Munic, Walsh – they're all going to bid it and then we're going to pick the software that's best for the City as a whole – it could be Phoenix, it could be Walsh. But the realistic number is \$100,000 to \$150,000. So that's the answer to Phoenix and software.

Brad Tobin, 114 Hawthorne Avenue, Derby, CT (Board of Education Member) – Regarding these software packages – percent who run Phoenix – percent in the State who run Walsh – I'm just curious.

Mr. McLiverty – Well your interim business manager made the statement at that meeting that only two towns had Walsh and its actually twenty-five towns and municipalities that have Walsh and Phoenix has quite a few Boards of Education because their software is really more compatible to filing the EDO (inaudible) which is the end of the year financial report. So there are other software's (inaudible) get the functions and expenditures in accordance with the (inaudible) it's not just Phoenix.

Ms. Colette – Are we ready for this one person to do all this? How long well it take?

Mr. McLiverty – You have to go through the Chair.

Ms. Colette – How long does it take to get the City...?

Mayor Staffieri – Like Chairman Hughes said we're going to grow into this. It's not going to happen overnight. It's not going to happen by switching a line. Hopefully we're going to proceed in a manner that – here it is we're getting over our busiest part where we both need our finance director from the City's side and the Board of Education's side – budget season. Once the budget is made up then it's basically routine what the Finance Director has to do. Run their department – they're a department head. They run like Janet – they have people under them to do certain functions.

Ms. Colette – But the committee like Mr. Hughes said the committee isn't even ready to bring it to the full board for recommendation. So if the committee that was formed aren't bringing it to the full board how can we say that we're ready to do this?

Mr. Hughes – Last meeting what we discussed you know hiring a joint finance director who is going to work on the City's side for let's say six months to get to know the people, get to know the system, get to know the policies and then we'll start feeding in work from the City side – ease into it from that side.

Mayor Staffieri – And also working with the interim finance director from the Board of Education learning the Board of Education side.

Mr. Hughes – I think one of the issues Mr. Mayor that the committee started getting involved in was all the details. We're looking at the concept of a Joint Finance Director and I have faith that we're going to make it work.

Mr. Waleski – As an old timer again over the years – the last forty years at least – periodically we were having problems and big discussions over the finance director's position – if that's what the Board of Education wants to call them – but there's been differences of opinion in regard to the way the Board of Education was handling their finances. So I think your approach here is a way to solve that. One unified system with proper accountability as well as high standards we could probably solve that. Secondly from a citizen's point of view it would be awfully good to look at the City's annual report and have all the finances, all the expenses, everything all put together in one place under one heading in one volume I think that would be extremely helpful and would tell us a lot. Analyzing that annual report would tell us a lot about how the City is run. And I think that would come out of the Finance Director's purview and I think it would be extremely helpful not only to the City but to the Board of Education and any other department that's expending large quantities – so I think we've got a plus here. But as indicated by Mr. McLiverty it's not going to be an easy task. We're going to have to do it slowly, carefully but in the end I think we're going to be ahead of the game. Certainly we're going to get the accountability that the citizens expect and want in the City. Something we haven't had in a long time.

Renee Luneau, 102 Hawthorne Avenue, Derby, CT – I printed everything out from on line and reviewed everything myself and I mean as far as the comment about only the three towns in the entire State who have it that doesn't mean there weren't other cities who contemplated it.

I'm sure there's other – plenty of other towns who tried to have savings. And I'm not (inaudible) the Town of Derby for spending a lot of money. My thing is that obviously with having a joint finance director we – we're most familiar with Ron Melnik and we know how many hours per week that he put in to our budget alone. So it is a huge task for somebody to take on and that's the biggest concern that we have. And if you're talking about a salary for a joint finance director plus adding on to four staff it may ultimately be the same money as having two finance directors. So that's our biggest concern – it's something that the time factor for one person to do both jobs and the stress factor and everything else where as it may just be the same amount of money and time and stress involved to just have two people doing the same job as two finance directors.

Ms. Colette - I would just like to add that the concept is a great concept and eventually when everything is more in place I just think that there's so much going on and there's so many things going on when the Phoenix is in place, when you have the Finance Director and we have more things in place absolutely to address this and have a Joint Finance Director would be wonderful thing. When I think two out of three or at least three all are self-insured so that's less paperwork there – the payrolls – I mean everything is already figured out instead of going we're going to do this and then figure it out. I get a little a nervous about that.

Mrs. Moran – My thing is I read the report backwards and forwards from all three town interviews. Everything is positive on it. And I've been around here a long time and our Board of Education has gone through a lot of Financial Directors the past six, seven, eight years – a lot. Which somehow it says to me something's wrong. So I think it's time we found somebody who – I told Kenny – doesn't have a cousin, an uncle, a brother that lives in this town that knows how to run the finances of a Board of Education and come in and knows how to run the City finances. Because I don't think it's going to be hard to turn the City's finances over – I think we've got a prize in Joan Williamson and she can help anybody. And I think it's time that we try it. We can always fall back and say okay we gave it a try. We've got to try this – we do.

Bob Miani, Belleview Drive, Derby, CT – Just listening about this Finance Director it seems to me that you have two different computer systems is your biggest problem in the City. No matter what you do get one computer system and handle both. And once you do that get your Finance Director. To have two different computer systems and two different Finance Directors you're never going to get to the bottom of anything. So if you're going to spend money get one system – you've got to start somewhere. You really have to finalize on a system first.

Mr. Hughes – We actually have a Technology Committee now that's looking at consolidating both systems.

Mr. Miani – Get someone who is familiar with that system – whatever system you choose – someone has to be familiar with that.

Mr. Hughes – That was also one of the reasons why we suggested work with the Board of Education for six months – learn that system – then start feeding them the City side. By that time we'll have our system set up and then we can go from there. The problem that we have now is we both need a finance director – so instead of hiring two we can look to hire one.

Mayor Staffieri – Right now we have two interim finance directors. The Board of Education has one and we have one. And now it's a perfect opportunity. Like we said instead of hiring someone for \$70,000 - \$80,000 that the Board of Education is paying for and the City is paying for another one – let's combine the positions, place a decent salary for the position and attract a top notch individual.

Julia Romano, Board of Apportionment & Taxation Member – I want to say there is a huge gap between the Board of Education and the City. Getting the budget done is a difficult enough process and I would just like to applaud the board and the subcommittee for at least taking the steps to learn to bridge the gap. I think it's a step in the right direction. I don't know enough about the actual proposal at this point or whether or not I'm for it but I think it's a step in the right direction.

PUBLIC PORTION CLOSED

A MOTION was made by Mr. DeBarbieri with a second by Mr. Bomba to create the position of the Joint Finance Director. **Motion carried.**

RESOLUTION: LAKE HOUSATONIC AUTHORITY – CITY OF DERBY DESIGNEE

Mayor Staffieri read the following resolution into the record:

The Board of Aldermen of the City of Derby hereby designates the Lake Housatonic Authority as the designee in charge of enforcement with respect to the approval or denial of marine events of the City of Derby and to inform the Department of Environmental Protection of such designation.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to adopt the Resolution designating the Lake Housatonic Authority as the designee in charge of enforcement with respect to the approval or denial of marine events of the City of Derby and to inform the Department of Environmental Protection of such designation. **Motion carried.**

CALCO – TEMPORARY AND PERMANENT MAINTENANCE EASEMENT – OLD CITY HALL (35 Fifth St.)

Atty. Coppola stated that CALCO purchased Vic's Service Station, which is located next to the former City Hall on 35 Fifth Street. CALCO's attorney, Thomas Welch, has contacted the City and provided a written temporary easement, which will allow them to reconstruct and maintain a wall and a fence. Atty. Coppola said that CALCO is going to demolish the existing structure and they will need to access the property at 35 Fifth Street in order to accomplish the demolition. Mr. Kopjanski said the new building is going to be constructed 1.18 feet off of the property line and that is the reason for the temporary construction easement. They will also be looking for a permanent maintenance easement.

A MOTION was made by Mr. DeBarbieri with a second by Mr. Boulton to approve the temporary and permanent maintenance easement for CALCO. **Mr. Benanto abstained from voting. Motion carried.**

DISCUSSION WITH POSSIBLE ACTION – MAP 1-3, LOT 2

Mr. Hughes stated that he, Matt DeBarbieri and Joe Bomba met this past Monday evening. He presented a map showing the dimensions of the property in question. He said the area runs next to the gas line and it is approximately 60 feet wide and 400-500 feet long. Mr. DeBarbieri stated that the committee charge was to review the dimensions and the value of the property. Mr. Hughes said there is also a description of the property in the packet listed as "Schedule A." He said the entire property is 18.2 acres and the City is offering to buy .7 acres. The area is in an I-C Zone. There are two existing easements on the property – one for Tennessee Gas and the other for the City of Derby sewer line. Mr. Hughes noted that there are also several permanent injunctions on the property. Atty. Coppola said the injunctions have to do with some type of activity that can be taken place on the property. He said that type of activity wouldn't be encouraged by a road. Mr. Hughes said the offer from the City would be contingent upon the release of the mortgages. Mr. Kopjanski stated that the property is a non-conforming lot in the I-C Zone. The uses that are permitted on that lot are the uses that are specifically allowed in the I-C Zone. He said it is currently accessed by a right-of-way off of Belleview Drive, a residential area. He said there is nothing illegal about that access; however it cannot be expanded or extended since it is in an R-3 zone and there is a prohibition of accessing industrial property through a residential zone. Mr. Kopjanski said since this property's access has existed prior to zoning it can be used for the lot which now exists with one proviso that the Planning & Zoning Commission would approve the development that would take place there. It would be in their purview to judge if that type of development would have a negative impact upon the residential road motor vehicles would have to use to access into that lot. An expansion of that use is something that I believe would not be permitted without a variance from the Zoning Board of Appeals or with the creation of a different access way into the property. The property I believe has over 200 feet of road frontage on Baldwin Road in Woodbridge. There's about an acre of this parcel that lies in the Town of Woodbridge and that's the portion of the property right along Baldwin Road. Mr. Kopjanski stated that he did not know if curb cut permission was sought by anyone or if there's an inclination on the part of Woodbridge to grant permission for a curb cut for property that is primarily in Derby off of a residential road, which would be Baldwin Road. He said another feature of the property is approximately 50% of the eastern portion of the lot is as wetland classified solids. Atty. Coppola asked if there was any history of a request for some type of improvements or development on the parcel. Mr. Kopjanski said back in 2005 the owner had made an application to the Inland/Wetlands Agency for the approval of a condominium development; an age-restricted development with 30-35 units. The application was heard at the Inland/Wetlands Agency meeting held on September 2005. He said there was a request made by the owner's real estate agent to withdraw the application until further information could be provided to the agency. He said to the best of his knowledge there was no follow-up. Atty. Coppola asked how did they propose access to the site at that meeting. Mr. Kopjanski said it would have been through the access way that they have on Belleview Drive. Atty. Coppola asked Mr. Kopjanski if he had ever had any meetings with the owners of the property regarding what they intended to develop? Mr. Kopjanski said he did. Atty. Coppola then asked Mr. Kopjanski who he met with. Mr. Kopjanski said it was with Mr. Sadlik and he believes Mr. Sadlik's attorney, Mr. Fallon, his engineer, and the City's engineer. Atty. Coppola asked Mr. Kopjanski if he or the City Engineer offered any suggestions regarding access to the property. Mr. Kopjanski said no because the discussion largely centered on the use of the property. He stated in the I-C Zone multi-family is not a permitted use. He said in the intent portion of that zone it talks about specialized housing; however in the permitted uses and special exception uses section that actually gives you a right to do things or to apply for certain

things there's no mention made of housing. So the first order of business would have been to seek and obtain a zone text change in the I-C Zone to allow whatever type of housing development that they would like to do there. Atty. Coppola asked Mr. Kopjanski if he is familiar with the proposed road. Mr. Kopjanski said that he is not. Atty. Coppola asked Mr. Kopjanski if the proposed road gave that parcel approximately 455 feet of frontage would that be a damage or a benefit to that parcel. Mr. Kopjanski said that would be hard to say not knowing where it's going on the property and what other constraining factors are on that property. That's a hard question to answer. He said normally the more road frontage that you have the higher your value because you have more access and you have more potential for possibly a subdivision there. He said he did not know how that road would impact his property in terms of limiting him to development of the portion of the lot which is dry (inaudible.) Mr. Szewczyk asked Mr. Kopjanski how much of an easement is required for the gas line that goes through the property. Mr. Kopjanski said he believes its thirty feet. Mayor Staffieri asked if a road could be built on top or along side of the gas line. Mr. Kopjanski said it could be built along side it. Mayor Staffieri said then in reality the thirty feet of non-usable land would be used for a road and it's not damaging their property. Mr. Kopjanski said he isn't even sure if you can build a road on top of the Tennessee Gas Pipe Line. Mayor Staffieri said not on top – along side. So the thirty feet buffer that you cannot build anything to it you can at least build a road on it – so you're putting a use to it that would end up benefiting someone. Mr. Hughes asked Mr. Kopjanski how many existing lots there would be now coming in off Belleview. Mr. Kopjanski said there's one lot there – the lot in question, which is an 18 acre parcel – 17 acres of which are in Derby. He said he does not know what the potential is to subdivide it. He said certainly they would not be able to divide it without a variance with a right-of-way. He said a right-of-way is no longer a legal means to access a non-residential property. Mr. Kopjanski said if it's a deeded piece of property – a Fee Simple with that lot – it would have to be 60 feet in width for the total length – that's the minimum. Atty. Coppola asked Mr. Kopjanski if he is saying that it doesn't have access through Belleview. Mr. Kopjanski said it does – it has a right-of-way through Belleview. He said that one 18 acre lot can exist legally with that one right-of-way. He said when you start talking about dividing the lot and using that same right-of-way you're now expanding the non-conformity and that would require a variance. Atty. Coppola said then to split that lot into three lots? Mr. Kopjanski said they would have to go through the sub-division process and they would have to meet all the requirements in that zone to subdivide.

Mr. Hughes said the committee came up with the recommendation to offer up to the Fair Market Value but no more with the appraisal at \$24,000. The prior purchase price of the property was \$297,000 on October 28, 2004 and the assessor has a value at \$356,400 for the total 18.2 acres. Mr. Hughes asked Mayor Staffieri to go into Executive Session.

A MOTION was made by Mr. Hughes with a second by Mr. DeBarbieri to go into Executive Session at 9:07 p.m. to discuss negotiations inviting Mayor Staffieri and Corporation Counsel Coppola. **Motion carried.**

THE BOARD CAME OUT OF EXECUTIVE SESSION AT 9:27 P.M. AND THE MEETING RESUMED.

Mr. Hughes said it is the recommendation of the subcommittee to make an offer of \$24,000. Atty. Coppola said the offer is contingent upon the release of mortgages that currently exist on property for the portion that we are looking to purchase.

A MOTION was made by Mr. Boulton with a second by Mr. Bomba to offer \$24,000 to Silver Hill Equities contingent upon the release of mortgages that currently exist on the property for the portion that we are looking to purchase. **Mr. Sill voted NO to the motion. Motion carried.**

PERMISSION TO ERECT A SIGN AT WITEK PARK FOR THE FISHING DERBY ON MAY 5, 2007

Mr. Hughes said Kevin Gerckens has made a request to hang an 8' banner between two trees up at Witek Park the Wednesday before the Fishing Derby.

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to approve permission to erect an 8' sign up at Witek Park the on May 2, 2007 for the Fishing Derby to be held on May 5, 2007. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mrs. Moran to adjourn the meeting at 9:29 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary