

DERBY BOARD OF ALDERMEN MEETING

DERBY CITY HALL – MARCH 27, 2008 - 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, Joseph M. Bomba, Ronald Sill, Anthony Szewczyk, James Allaire, James Benanto, Jr.

Absent: Scott M. Boulton, David M. Lenart

Also Present: The Honorable Mayor Anthony Staffieri
Philip Robertson, Chief Administrative Officer
Sheila O'Malley, Executive Director, Economic Development
Keith A. McLiverty, City Treasurer
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Ron Culmo, Director, Derby Public Works
Chief Eugene L. Mascolo, Derby Police Department
Kelly Curtis, Fire Commissioner, Derby Fire Department
Charles Sampson, Chief, Derby Fire Department
Carolyn Duhaime, Chair, Board of Apportionment & Taxation
Sheila Parizo, President, Board of Education
Paul Varsanick, Jr., Board of Apportionment & Taxation
Laura Wabno, Town & City Clerk
Joseph T. Coppola, Corporation Counsel

STATE OF THE CITY ADDRESS – THE HONORABLE MAYOR ANTHONY STAFFIERI

How time flies. It seems only yesterday the election was being held. My pledge, to not only myself but to the voters has been: each day when I leave work I will have moved forward on one project or another, making the City better tomorrow than today. It was a campaign promise, but it has now become the driving passion within me. I thank you for joining me in my passion. Let us continue to move forward in making our City the best it can be. Two years ago I did a 100 day report to you and to the City. I would like to continue that practice. When taking office we had an obligation to adhere to all contracts signed by the previous administration. We did so with the redevelopment project for our downtown. I can assure you for more than two years we made every effort to abide by that contract and for that development to become reality. I reported to you that the project was not moving in the direction of the best interest of the City. My Administration had to make a decision for the future of the project. We have bravely terminated that contract and we await court action. Our first step is to present our position before a mediator in an attempt to resolve any claims under the agreement. I hope the process moves quickly so we can begin seeking a new development plan and developer for the benefit of all the citizens of Derby. In an effort to reduce the utility expense of the City, my administration sought to purchase electricity at a cheaper rate. We now buy our electricity from Kansas City Power &

Light at a savings to the taxpayers. In addition, we have recently completed a full change of lighting and accessory equipment to save energy and save money on behalf of our tax payers. 40% of those changes were paid by a grant from the UI Company and the remaining 60% is being paid, interest free, from the savings created by the new lighting. We are presently investigating the use of solar power and other new innovative methods of energy savings. I have opposed the recently announced water rates by the Regional Water Authority as a result of the merger with Birmingham Water Company. I will continue that opposition along with the continuation of researching the City purchasing what was called Birmingham Water. I would hope I will have answers to my many questions concerning this matter within a few weeks. Our Charter has serious need for revision and thus I have appointed a Charter Revision Commission with expectations they will report soon. We have installed our first camera on the Greenway; more will be coming shortly. We now have two part-time blight officers assisting our building inspector in finding and ridding our community of blight. We have assisted the Valley Arts Council in finding a location on Elizabeth Street to become an art gallery. We wrote a grant application for \$125,000 to create a program, which will provide early intervention of troubled children in order to deter them from becoming part of the juvenile justice system. That grant has gone to Team who will create the program. We now have a Youth Services Bureau funded partially by the State of Connecticut. We have actively sought funding for two projects. One is for the demolition of City-owned buildings in the HALO area and the other is seeking money for the federal match for the entrance road to the D.O.T. property industrial park. One of the projects will be funded tomorrow by the Governor and the State Bonding Commission. We have actively sought federal funding by the Department of Justice to fund a Mobile Substation in the HALO area along with monies for the training of bike patrols by our police department - that grant will be for \$150,000. We have sought funding for remediation of contamination caused by an auto body shop at 46-50 Commerce Drive. The funding is for \$195,500, which will allow the construction of warehouse space, which will provide four businesses space who will create 30 new full-time jobs and 5 to 10 part-time jobs. We have recently sought a zone change in the Roosevelt Drive area, which will allow a much more diverse development than what was available before. We have been granted \$300,000 for the final design of the access road into our D.O.T. industrial park. We have also received a preliminary commitment from the Economic Development Administration for \$900,000 for their share of the construction of the road. We have been planning and now will proceed doing enhancements to the Derby Shelton Bridge with a \$4,000 grant from the Derby-Shelton Rotary Club. We have been granted \$3,000 from the UI Company to fund the creation of a website for our Department of Economic Development - the website is presently under construction. We have actively sought money for our proposed boat launch on O'Sullivan's Island and we now await word from the Connecticut Department of Transportation - they are considering our application along with one other for funding. We are moving ahead with the Greenway Phase III. That phase will begin the construction of our Greenway toward the town of Orange. Our bleacher system at Ryan Field is currently being brought up to fire code. Years ago we had a Veteran's Christmas Fund, which had been dormant for too many years. I re-instituted the fund and raised enough money to send our citizens serving our country in the military Christmas gifts of \$200 each. We sent out checks to nine of our outstanding citizens defending our way of life. A day doesn't go by when I don't ask if construction of the Cancer Center and Lowe's are going along smoothly. We have taken a very active role in working with Starbucks in ending their building permit and state traffic commission obstacles and have been successful. Construction is now scheduled to

begin April 7th and the opening is now planned for June. As you may know the Inter Municipality Agreement between Derby and Orange has been signed. The project in Orange is proceeding. By July 31, 2008 the City will receive \$191,000. That is the WPCA money and Chairman Leo DiSorbo is working with their staff in creating a list of priority repairs. Our Derby Senior Center now has a new roof and a new heating & cooling system. Presently, the Senior Center is getting repainted and re-carpeted - all from a Small Cities Grant from the State. As you know, the Senior Center had a flood caused by a broken pipe. The cleaning up from that flood and the repairs amount to some \$125,000 covered by our insurance. The Senior Center Board has voted to pay the insurance policy deductible of \$10,000. We owe them our appreciation. The need for continued progress never ends. When I took the oath of office I promised not only the people of our City, but myself, each day I will make a total effort in making our government more responsive to the people than the day before. Each day I promise to do my best in making Derby the very best it can be. I appreciate your joining me in that effort and ask for your continued input and support. Thank you.

ADDITIONS/DELETIONS/CORRECTIONS TO THE AGENDA

Mr. Hughes said there are a few additions to the agenda this evening:

- New Item #6a. – Public Hearing for the abandonment of a portion of Nutmeg Avenue
- New Item #14 – Approval of Bianco Giolitto Weston Architects Invoice #5
- New Item #15 – Authorization to proceed with the software upgrade from Walsh Associates
- Executive Session will now be Item #16
- Adjournment will now be Item #17

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

PUBLIC PORTION

Mayor Staffieri asked if anyone would like to address the board.

Chris Salley, Owner, Ideal Mower, 10 Derby-Milford Road, Derby, CT – I just want to know since when it came to Planning & Zoning that our signs had to be removed since the business has been in business since 1959 the signs have been up on the (inaudible) on the top of Derby-Milford Road on Route 34 along with Greco/Haines' signs. Now we have to have them removed. How come they've been removed and could we put them back.

Mayor Staffieri – Normally we don't interact but this is the first time that I've heard of it but I will look into it to see and if you could please give me your phone number where we can reach you. And now who told you they had to be removed?

Mr. Salley – The City sent somebody down to take the sign down and bring it down to my business.

Mayor Staffieri – Okay.

Mr. Salley – He told them to take it off – take it down and bring it down to me because they're not allowed up there.

Mayor Staffieri – Okay I'll look into it for you. Anyone else from the public?

Carl Yacobacci, 10 Lombardi Drive, Derby, CT – Just following up from last month just to find out if there's any progress being made on a date for the remediation with Cerruzzi, if you've chosen a mediator yet, and if trial down in Bridgeport involving Cerruzzi and Wellinger if that's substantially holding up the process to get the remediation going.

Mayor Staffieri – Mr. Yacobacci it's still – we can't release that information about the arbitrator but you know the trial going on in Bridgeport even though it has nothing to do with us its not holding us up.

Mr. Yacobacci – And there's no word on approximately when that remediation is going to happen.

Mayor Staffieri – Soon.

Mr. Yacobacci – When it first happened it was like its going to happen in March – hearing all this stuff.

Mayor Staffieri – Soon. Anyone else from the public who would like to speak?

Arlene Yacobacci, 10 Lombardi Drive, Derby – You had mentioned about the cameras on the Greenway. Who has access to those cameras? Is it like just something on a web cam or is it – I'm just curious because sometimes people have like their routines and you kind of wonder if someone is watching a web cam...

Mayor Staffieri – They're not up for public viewing so nobody can go into it and see a routine that someone might have and want to mug someone or whatever. It's only for security purposes.

Mrs. Yacobacci – That's what I was wondering about because people sometimes have standard routines.

Mayor Staffieri – It just gets recorded and then if a problem happens it gets reviewed.

Mrs. Yacobacci – My other question was – actually I was wondering what the timeline is once the developer – the former developer – once it goes through the remediation process what is the timeline? Does the mediator have several months to rule on it or...

Mayor Staffieri – It will be quick.

Mrs. Yacobacci – Okay. Then the last thing what's the status of the blighted former Porch & Patio Building. The one that the former developer is in dispute with.

Mayor Staffieri – We're waiting for a decision from the Hearing Officer because it was contested. But we plan to go after them.

Mrs. Yacobacci – That should be soon?

Atty. Coppola – There's no timeframe.

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

PUBLIC HEARING FOR THE ABANDONMENT OF A PORTION OF NUTMEG AVENUE

Atty. Coppola said everyone should recall that back in January Keith McLiverty, on behalf of the Middle School Building Committee came to this board with a request to abandon a portion of Nutmeg Avenue. Since that time we have received the 8-24 Referral from Planning & Zoning, we have received our map and we published a Notice for Public Hearing for today. Atty. Coppola displayed the map of the soon to be High School/Middle School campus. He said what is highlighted in yellow starts at the intersection of Nutmeg and Chatfield and will end somewhere past the High School where there will be a turnaround for the actual Nutmeg Avenue. He said tonight's Public Hearing is about the abandonment of that yellow portion. Atty. Coppola said he does not have the exact dimensions with him; however it is basically Nutmeg Avenue from Chatfield to the area where it ends down by the Little League field. He said he has a copy of the Public Hearing notice should anyone wish to review it and said that it was published two times in accordance with Section 77 of the City's Charter. He also stated that he has a copy of the 8-24 Referral. Atty. Coppola said the board will now have to open the Public Hearing, close the Public Hearing, have a discussion and then a vote.

Mr. Szewczyk, also a member of the Middle School Building Committee, informed those present that at the turnaround there will be a gate installed that can be opened for emergency purposes. Atty. Coppola said there will be a gate constructed with limited access for emergency vehicles.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to open the Public Hearing for the abandonment of a portion of Nutmeg Avenue. **Motion carried.**

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – I just have a question about the parking situation because I know when there's Little League games going on parking is really tough – people are parking up and down along the side of the road.

Mr. Szewczyk – Again correct me if I'm wrong Keith but we have new parking layouts that conform with the usage between the High School and the Middle School and its based on the maximum use of one or the other, which I believe would be whichever one it is. Bottom line, right Keith, we have more than enough parking to take advantage of the maximum activity at one school and then have some leftover spaces.

Mr. McLiverty – I believe Mrs. Yacobacci's concern is a little different than that. Her concern is that the Little League field, which is on the bottom side of that cul-de-sac, is in use for parking for the patrons or the parents who are utilizing that field and we are aware of that concern and we're working with Parks & Recreation on how they would have access to the parking lot, which is actually in the left field of the top field. We're working with Parks & Rec to figure out how we're going to allow traffic to flow through there.

Mrs. Yacobacci – Right...

Mr. McLiverty – That is not our primary concern – our concern is the school...

Mrs. Yacobacci – Because in the summer and fall you have the Pop Warner using that also. So there's a lot of traffic going up and down that hill.

Mr. McLiverty – Our primary concern is it's a school with youth that are in session five days a week and we want to protect their security by eliminating traffic flow through the campus. So we're going to work with Parks & Rec to resolve how we're going to work with the weekend activities. Right now we do not want a road cutting through the campus.

Mayor Staffieri – What happens is the gate is only for cars to not go back and forth. The lower parking lot will still be there. So people will be able to park there and walk up to the fields – the Little League Field or the Pop Warner Field.

Mrs. Yacobacci – Because there's a lot of people just doing drop-offs and everything and that's happening during the week.

Mr. McLiverty – Drop offs they can come in off of Hawthorne go up to the circle and loop around.

Atty. Coppola – Let me just say though the planned location for the Middle School and the Parking Plan have already been adopted by Planning & Zoning. They have the parking layout – I don't know if Mr. Kopjanski's office does, but that's already been taken care of.

Mrs. Yacobacci – Are they planning on widening any part of...

Atty. Coppola – It's all in that plan.

Mrs. Yacobacci - I just think it's going to be a traffic nightmare with other activities not just school related.

Mayor Staffieri – I would imagine at the beginning until people find their way and the best way to access it will be a little confusing at first but then people will adjust. Because the parking spaces aren't being eliminated; it's just on which way are you going to get there. If you're going to drop off you're going to have to go in from Hawthorne Avenue and go up and drop off and go around. If you're going to stay you're better off coming in from the old Nutmeg Avenue and park at the lower parking lot.

Mrs. Yacobacci – Well the other thing is when there's school activities on top of say Pop Warner.

Mr. Benanto – I agree – I see what she's saying – I see the priority where you have to close it off for the safety of the school but I mean she's right. I coach Pop Warner up there and it's an absolute zoo up there now with traffic coming in and out of there. It's a mess.

Mrs. Yacobacci – He's right.

Mr. Bomba – We're not closing access to either side of the road so the gate is going to be in the middle of the road. You either enter from down below or up top and the gate is up there to stop cars from going through. The parking is not changing, the fields aren't changing – there's going to be a gate across the road with turnarounds at either end of that gate.

Mayor Staffieri – It's basically like I said it's going to be an education.

Atty. Coppola – There's two major purposes for the abandonment. One is to put the Middle School building in compliance with our zoning regulations in terms of frontage and so on. And second, the abandonment really returns the ownership of that property to the City, which then gives us a right to control its access. That's really the two points of the abandonment – this becomes our control. It's not an open street anymore that traffic could flow through. It's really just our control. It has nothing to do with parking there.

Mr. Hughes – Wasn't there talk in the past about possibly making that a one-way because of problems they were having with traffic?

Atty. Coppola – Nothing was ever asked of me but you're probably right. But the concept of abandonment is only really just to give control to the City as far as access and so on.

Mayor Staffieri asked three times if there were any other questions from the public. Hearing none...

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to close the Public Hearing for the abandonment of a portion of Nutmeg Avenue. **Motion carried.**

The Board of Aldermen then discussed the proposed abandonment of a portion of Nutmeg Avenue. Mr. Szewczyk said he has a question regarding the storm sewer system noting that Nutmeg Avenue never had a storm sewer system. Mayor Staffieri stated that is a question that should be raised at the next Middle School Building Committee meeting.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to approve the abandonment of a portion of Nutmeg Avenue pursuant to Section 77 of the City of Derby Charter. **Motion carried.**

APPROVE MINUTES OF THE FEBRUARY 28, 2008 REGULAR MEETING

A MOTION was made by Mr. Sill with a second by Mr. Benanto to approve the minutes of the February 28, 2008 regular meeting as presented. **Motion carried.**

APPROVE MINUTES OF THE SPECIAL JOINT MEETING BETWEEN THE BOARD OF ALDERMEN AND THE BOARD OF APPORTIONMENT & TAXATION HELD MARCH 5, 2008

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to approve the minutes of the Special Joint Meeting between the Board of Aldermen and the Board of Apportionment & Taxation held March 5, 2008 as presented. **Motion carried.**

COMMITTEE REPORTS

Community Relations – Mr. Szewczyk said the Community Relations Committee would be meeting on April 1, 2008 at 6:30 p.m. at City Hall and encouraged the public to attend.

Operations/Procedures – Mr. Benanto reported that the committee did not meet last month.

DEPARTMENT REPORTS

- **BOARD OF EDUCATION REPORT – FEBRUARY 2008 (Sheila Parizo, President Board of Education)**

Mrs. Parizo thanked the Board of Aldermen and the Board of Apportionment & Taxation members for meeting with Eliza Holcomb from C.A.B.E. (Connecticut Association of Boards of Education) on March 5th to discuss the search for a new Superintendent. She noted that they have finished gathering information for the search and the Board of Education will meet with Ms. Holcomb on April 10, 2008 to process the information she gathered from the various groups she met with. Mrs. Parizo said they hope to commence interviews at the end of April and their goal is to have a new Superintendent by July 1, 2008. The Search Committee currently consists of the Board of Education; however invitations have been extended to the Board of Aldermen and the Board of Apportionment & Taxation to become part of the committee. She stated that the committee will also consist of a teacher, an administrator representative and a parent at large.

Mayor Staffieri asked Mrs. Parizo if she is aware of the number of applications that have been received. Mrs. Parizo said she has no idea at this point in time noting that Ms. Holcomb is currently attending the National Convention in Florida; however Ms. Holcomb indicated to her there has been quite a few.

Mrs. Parizo said there were other issues on the Board of Education's agenda this month noting with sports being one of the biggest issues – their wish would be to have more money in the curriculum for sports. She also stated that the Board of Education did approve the Middle School project and she asked the Mayor once again to please consider appointing a member of the Board of Education to the Middle School Building Committee replacing Leo DiSorbo who is no longer a member of the Board of Education. Mayor Staffieri asked Mrs. Parizo to stay until the end of the meeting so that he could talk to her about this. Report placed on file.

- **CULTURAL COMMISSION REPORT – FEBRUARY 2008**

Mr. Szewczyk pointed out that the new Valley Arts Gallery has opened at 37 Elizabeth Street. There was no one present from the Cultural Commission. Report placed on file.

- **PUBLIC WORKS DEPARTMENT REPORT – FEBRUARY 2008 (Ron Culmo, Director)**

Mr. Culmo said everyone should have a copy of his report and asked if there were any questions. Mr. Hughes asked how they were doing with the snow budget this year. Mr. Culmo said they had to go back to Board of

Apportionment & Taxation two times for salt and sand and one time for overtime wages. He said everything else should hold through stating that most of the storms happened over weekends, nights and holidays – there were hardly any storms during the daytime hours. Mr. Bomba asked about street lights indicating that he has received a bunch of calls about lights being out. Mr. Culmo said two weeks ago he had two individuals come in on separate nights for four hours each and tour every street in Derby inspecting lights. They have sent a list with approximately 150 lights into UI's Light Division who is supposed to repair them. They will go back out and double check to make sure the lights have been taken care of. Report placed on file.

o **BUILDING DEPARTMENT REPORT – FEBRUARY 2008 (David L. Kopjanski, Building Official/Zoning Enforcement Officer)**

Mr. Kopjanski said everyone should have his report and asked if anyone had any questions. He said he met during the week with representatives from Lowe's and they are going to be coming in very shortly for their building permit – they have one outstanding item that they must take care of, which is easements regarding the Utility Companies. Mr. Kopjanski stated he feels confident this will be rectified and a permit will be issued. He said the Griffin Hospital Cancer Center is about six months ahead of schedule. Wal-Mart is planning a fairly major renovation to their store on Route 34. It is going to include their garden center and pharmacy. He said they are going to eliminate their optical care portion of the store. They are also re-doing their in-store bathrooms. Mayor Staffieri noted that we should expect a substantial increase in our building permit revenue when Lowe's comes in for their permit. Mr. Kopjanski said that is correct – he has already calculated the amount. He also noted that he hasn't received the plans yet for the new Dollar Tree Store; however those plans are imminent and they should be coming in within the next two weeks because they want to build that structure concurrently with Lowe's. Report placed on file.

o **FACILITIES INSPECTORS' REPORT – FEBRUARY 2008**

Mr. Kopjanski informed the board members that the Facilities' Inspectors are doing a fantastic job. Mr. Hughes asked Mr. Kopjanski if properties on the report, which state they are going to require the blight designation, should this wait until you come to sub-committee. Mr. Kopjanski said he will go to the sub-committee and it will be done formally as the ordinance is set up and he will make a recommendation that the sub-committee request that the Board of Aldermen place those properties on the List of Blighted properties. Mr. Sill said he is happy to see 23 closed files. Mr. Kopjanski again stated that the job the Inspectors are doing is remarkable. He said what they are doing, and noted that he was never able to do this due to time constraints and work load, is not only educate people as to what the problems are but also give them advice on how to correct the problem. They are extending every effort available to make it as easy as possible for people to get out of this jamb. Mr. Kopjanski said when the Inspectors' come in with a recommendation that a property be placed on the List of Blighted Properties they have exhausted every effort to get the property owner to cooperate. Mayor Staffieri stated that the Inspectors are putting in a lot more than ten hours a week and they are only getting paid the ten hours per week; they are doing a fantastic job. Mr. Kopjanski said he would like to mention one item, which will also come up in the Budget hearings, is when the positions

were created there was no travel money involved. He has proposed a line item for this in the 2008-2009 budget. Report placed on file.

o **FIRE MARSHAL REPORT – FEBRUARY 2008 (Philip A. Haws, Fire Marshal)**

Mr. Haws said everyone should have a copy of his report and asked if there were any questions. Mayor Staffieri commented on the number of completed reports. There were no questions asked. Report placed on file.

o **FIRE DEPARTMENT REPORT – FEBRUARY 2008 (Kelly Curtis, Fire Commissioner)**

Commissioner Curtis informed the board members that Tom Lenart from FD4 is taking a leave of absence due to medical reasons and he asked that everyone keep him in their thoughts. He then updated the board members on the renovations to the fire houses. He explained that the Heating & Air Conditioning has been completed at Hotchkiss Hose and they are awaiting the final inspection. All the windows have been installed with the exception of one, which was broken accidentally by the contractor who will replace it. The doors should all be installed by the middle of next month and then the siding will start on Company #1. Commissioner Curtis said he will probably be coming back before this board after he meets with the Capital Planning Commission regarding the façade at Paugasset's. He only has one contractor interested in the job who supplied a quote of \$17,000 a year ago and then they went out to bid and received one quote for \$30,000. He will attempt to get an updated quote from the lower contractor and then discuss coming back before the board for a bid waiver. He informed the Aldermen that the work is really a specialty item that not many companies or contractors do.

❖ **Discussion & Possible Action – Replacement of Engine #14**

Commissioner Curtis explained that they have been before Capital Planning and the Board of Apportionment & Taxation and now they would like to ask the Board of Aldermen for permission to go out to bid. He said they don't want to sign anything until July 1, 2008, which was a requirement of the Capital Planning Commission. He said they would at least want to start the process of going out to bid. Commissioner Curtis said the way that the bid is written this truck could also be bid by any manufacturer. Mr. Hughes said just so the board understands we can give the permission for the truck to go out to bid but the Capital Plan hasn't been adopted by the Capital Planning Commission, the Board of Apportionment & Taxation or the Board of Aldermen.

Commissioner Curtis asked what happened to the Capital Planning that they put in last August during the 5-year budget. He said they put in \$80,000 for the replacement of Engine 14. He asked if this money is still on the table or is this year's Capital Plan gone. Mr. McLiverty explained that the issue was that the '07-'08 Capital Allocation was basically absorbed by the result of downtown and the fact that we had to spend the \$1.7 million so everything shifted right. So as we're actually compiling the '08-'09 and the next four years after that Capital Plan, we're going to have to incorporate the items that were deferred. Commissioner Curtis said that is okay – it was just curiosity on his part.

A MOTION was made by Mr. Sill with a second by Mr. Benanto to grant permission to Commissioner Kelly Curtis to go out to bid for the replacement of Engine 14. **Motion carried.**

❖ **Discussion & Possible Action – Replacement of Chief's Vehicle**

Commissioner Curtis said they have gone before the Capital Planning Commission and the Board of Apportionment & Taxation regarding this item, noting that he also spoke about this item at last month's Board of Aldermen meeting. He indicated they have last year's \$10,000 that is allocated to the Fire Department under Ordinance plus this year's \$10,000, which totals \$20,000 towards the replacement of the Chief's Vehicle. He said the new Chief's vehicle would run just under \$50,000, which would include lights, radios and all the emergency equipment. He informed the board members that they have received a State Bid from Warren Ford – so basically the State has already gone to bid and has received the lowest price. Commissioner Curtis said they would like to move forward on the Chief's Vehicle noting that the vehicle must be ordered by the end of next week or they will have to wait until September. He stated that this is something that they originally began working on last year and they would like to move forward on this. Mrs. Moran said the State contract is at \$33,281.80. Commissioner Curtis said that is correct. Mrs. Moran noted the amount is much lower than the one they first got – the other invoice. Commissioner Curtis said Chief Sampson could speak to that. Chief Sampson said all the numbers that were brought before the boards were from the State Bid. Mr. McLiverty said he believes the number that Commissioner Curtis presented included lights, etc... Mrs. Moran commented that it is a very good price.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to approve the replacement of the Chief's Vehicle in the amount of \$44,366.80. **Motion carried.**

❖ **Discussion & Wavier of Bids Regarding the next SCBA through the 2006 Fire Act Grant**

Commissioner Curtis said before he turns this over to Chief Sampson he would like the board to understand that the two Chiefs – Allan Coppolo started it and Charlie Sampson finished it – have gotten over \$400,000 in grant money for the City of Derby for equipment. They have both worked very hard on this and he noted that the Chiefs aren't required to this work.

Chief Sampson explained the 2006 Fire Act Grant to the board members. He said they applied for a grant to replace (28) of the Self Contained Breathing Apparatus (SCBA). At that time the cost was \$3,500 for each SCBA with the total grant being \$97,000 with the City's share being \$4,898.60, which would have to come out of unallocated funding. He said they were approved for the grant in July 2007, unfortunately with that approval the federal government came back and said that the grant would be approved but the standards for the SCBA have changed and the grant must be amended to reflect these changes otherwise they would not release the grant. Chief Sampson said the cost for the SCBA now range from \$4,474 to \$5,911. He said currently the City uses the SCBA from Scott and they have 85 of these units in use today. To replace the air packs with another manufacturer is a big no-no in the emergency services business. He said they keep all their equipment the same for multiple reasons:

1. Training with a different pack is a total nightmare
2. In-house people can repair the Scott SCBA to a certain extent with the parts they currently have available in-house
3. Packs are used when they do mutual-aid to other towns, which also have the same Scott SCBA
4. Intermixing packs on trucks is a big no-no. It will cost the Fire Department another \$272,000 to completely replace the entire fleet, which nobody has.

Chief Sampson said the federal government told them that they're allowed to go out and solicit three bids and they will match up to the lowest bid. He said the total cost of the SMA, which was the lowest including an air cylinder, was \$4,935.00, which is approximately \$250.00 less than the Scott Air Pack. So the new figure for the federal government would be \$138,317.00, which is what they would fund less the City's share. So the total grant would be \$133,418.60 and we would have to make up the \$250.00 difference on the 28 packs, which comes out to be \$12,153. Chief Sampson said the Fire Department plans on making up that difference out of its current budget (they have budgeted monies for SCBA.) He said they will still need the \$4,898.00 out of unallocated funds to match the federal share. The letter before the board this evening is the amended letter that gets them to agree to the \$133,418.60. He said because he has the three quotes from the manufactures he needs a waiver of a bid process and he also needs a motion that says the City wishes to not purchase the MSA, which is lowest bid, and wants to stay with Scott for the reasons that he outlined earlier.

Mr. Szewczyk made a point of order noting that Mr. Bomba stated that this needs to be a unanimous vote and Mr. Szewczyk questioned whether or not Dave Lenart could cast a vote being that he is a member of the Fire Department. Atty. Coppola said he would not have to excuse himself since he is a volunteer and not a paid member of the department. Mr. Szewczyk asked Chief Sampson when he needs the waiver. Chief Sampson said this still has to go before the federal government, which will probably take another four weeks for them to approve it. He says he has until June to encumber and spend the money. The Aldermen noted that it must also be a unanimous vote of the Board of Apportionment & Taxation. Mr. Hughes and Mayor Staffieri said Mr. Lenart and Mr. Boulton can send their vote in within five days of this meeting. Mrs. Moran asked Ms. Duhaime if the money is available. Ms. Duhaime said she will defer answering the question until she has something in front of her – she can't answer that question off the top of her head; however she said there is still money in the Working Balance and the Special Working Balance.

A MOTION was made by Mr. Szewczyk with a second by Mr. Hughes to authorize Chief Sampson to move forward with the SCBA Grant pending affirmative votes from Aldermen Boulton and Lenart. **Motion carried.**

Due to a prior commitment Alderman Szewczyk left the meeting at 8:02 p.m.

Mayor Staffieri said he forgot to mention this at the beginning of the meeting – he would like to thank Alderman Hughes for the fine job he did replacing him while he was out on a medical leave of absence.

❖ **Discussion of the SAFER Grant 2007**

Chief Sampson informed the board that in 2007 the Fire Department applied for the SAFER Grant, which is the Staffing for Adequate Fire & Emergency Response Grant. He said he was notified this week by the federal government that the department has been awarded this grant in the amount of \$36,000. This grant is going to allow the City of Derby to make movie stars. Chief Sampson explained that last year he met with Comcast after reviewing the decline in volunteer firefighters throughout the City, noting that we don't have a lot of "fresh blood" coming in to the department but there is a lot of "fresh blood" in the City. He identified the demographics of persons 25 to 45 who have moved into the City and have started their families and have little to no knowledge of what the volunteer services (fire and E.M.S.) do for the City. Sitting down with Comcast they were able to identify the channels that this demographic watches in order to create a commercial that will air on Comcast on several different channels for four to six weeks in the spring and the fall to try to entice individuals to join or inquire about the volunteer fire and E.M.S. services in the City of Derby. Since this is a four year grant the first year's cost is to put together a flyer and a CD Rom to be mailed to every household in the City of Derby and also a commercial. The subsequent three years will also contain the commercial and the flyer with updated material. Chief Sampson said they will also update the applications to join the fire or E.M.S. so they can track who saw the commercial or the flyer. The City will receive this money at no cost – there are no matching funds.

Commissioner Curtis thanked the Mayor and the Board of Aldermen for their continued support.

○ **POLICE DEPARTMENT REPORT – FEBRUARY 2008 (Chief Gene L. Mascolo)**

Chief Mascolo said everyone should have a copy of his report. He said the department had a big month for training. The department's command staff attended the Executive Leadership Training at the State Police Academy in Meriden. Deputy Chief Narowski graduated from NELEED's (New England Law Enforcement Executive Development) Seminar conducted by the F.B.I., which will qualify him for a membership in LEEDA (Law Enforcement Executive Development Association), which will help him tie into a lot resources in education. Chief Mascolo said the City's Youth Officer attended a seminar in domestic violence training and Lt. Stanko will attend evidence management training. The department's two traffic officers will attend the Local Traffic Authority certification course at UCONN. Chief Mascolo said they continue to maintain and improve their facility, noting that it is 18 years old this year. The roof repair project is progressing with the help of the City's engineer and he is hopeful the project will go out to bid soon. The Chief informed the board they received some help from Dave Nardone from the school system on how to maintain the tile floors at the building and they now look like hospital floors and the department would like to thank him for his help in this matter. Chief Mascolo said the Patrol Division did a great job this month explaining they had a number of potentially dangerous situations, mostly domestic in nature. The Detective Bureau made a great arrest, which resolved a spree of commercial burglaries and car thefts in the City. He said pursuant to complaints around Griffin Hospital they will be re-energizing the City's residential parking program around the hospital stating they will educate the residents in the area by issuing warning tickets for the first month or so. The Chief asked if there were any questions.

Mr. Allaire said on page 1, item 2 of the department's report it states the Police Department is experiencing problems during the Board of Apportionment & Taxation meetings; is this something that the Aldermen can address? The Chief said the problem is when the board achieves a quorum by a slim margin and should an item come up that deals with the Police Department since Det. Kurtyka is a member of the Tax Board and the Police Department he recuses himself from voting. By doing this it then fails to establish a quorum and the item cannot be acted on. Mrs. Duhaime stated this is being addressed noting that the Board members are being reminded how important their position is and they are being asked to make a concerted effort to attend the meetings. Chief Mascolo said its tough with one of his department members complicates that issue. He said from what he understands when the person abstains versus recusing he contributes to the majority and the vote can continue. He guesses it's an individual choice, which way he goes with that. Mrs. Duhaime said actually it is an individual choice but also she feels its something that the person has to feel which is cleaner because by abstaining you're still voting in a way. She said perhaps Corporation Counsel can give some guidance on this. Chief Mascolo noted that it is an important issue and its important to think about so everybody understands which way that (inaudible) should go so everybody understands the decisions that are made there. Mayor Staffieri said different departments have to be able to function – members have to take their responsibilities seriously. Mrs. Duhaime asked if she could get a clarification from Corporation Counsel on the difference between recusal versus abstention. Atty. Coppola said Det. Kurtyka would have to recuse himself on issues pertaining to the Derby Police Department since anything that affects his income has to be recused. Mrs. Moran said there has always been a problem with attendance at the Board of Apportionment & Taxation meetings even when she was a board member.

o **PARKING AUTHORITY REPORT**

Mr. Hughes said it was brought to our attention that per the City Charter the Parking Authority has to show their meter collection revenues for the month and the income report is either once every quarter or twice a year. He said he has distributed a copy of the revenue report for February. Report placed on file.

REFUND OF EXCESS TAXES REQUESTED THROUGH 3/20/08 – (Cinda Buchter, Tax Collector)

A MOTION was made by Mr. Bomba with a second by Mr. Sill to approve the Refund of Excess Taxes paid through 3/20/08 in the amount of \$171.55 as per the request from Cinda Buchter, Tax Collector. **Motion carried.**

FEE WAIVERS – COON HOLLOW PARK

- *Derby Emergency Medical Services – September 7, 2008*
- *Derby Middle School – June 13, 2008*

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to waive the fees for the rental of Coon Hollow Park for Derby Emergency Medical Services on September 7, 2008 and Derby Middle School on June 13, 2008. **Motion carried.**

PLANNING & ZONING 8-24 REFERRAL – DERBY PLAN OF CONSERVATION & DEVELOPMENT

Mr. Hughes said this item was sent to the board by the City's Engineer, Michael Joyce, and the Planning & Zoning Commission. He said he will email a copy of the actual Plan

of Conservation & Development to the Aldermen noting that it is a 60 page document. He said he will ask that everyone review it and we will possibly take action on it next month. Mr. Hughes said that Atty. Coppola will also review it and come back with his recommendation at next month's meeting.

LEGAL SERVICES AGREEMENT – SHIPMAN & GOODMAN (Keith McLiverty)

Mr. McLiverty said everyone should have a copy of the agreement between Shipman & Goodman and the City. He explained that the Middle School Building Committee would like to utilize Ms. Janelle from Shipman & Goodman to pursue grant funding for the power generation plant that the committee is looking to implement at Derby High School. Ms. Janelle is the attorney who worked with the town of Middletown to secure \$800,000 in energy grant money, which allowed them to install a micro turbine in their new school. He said we are looking to mirror that process by putting a micro turbine in the High School, which would then take the electricity that is generated from the Middle School and pump it over to the High School, which is an all electric building. By doing this we will be looking at a 40% reduction in electrical utilization at the High School, which will then become a savings for the taxpayers. Atty. Janelle has worked very well with the U.I. Company in securing grants and we wish to pursue utilizing her in this process. Mr. McLiverty said there is one amendment that he has discussed with Atty. Coppola this afternoon and that is having a not to exceed \$40,000 clause placed on the agreement. The agreement would be paid from the Bond Money – no money would come from the General Fund. Mayor Staffieri said he feels this is a great use of the money.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to authorize the Legal Services Agreement, not to exceed \$40,000, between Shipman & Goodman and the City of Derby. **Motion carried.**

APPROVE BILL – MIDDLE SCHOOL BUILDING COMMITTEE – BIANCO, GIOLITTO WESTON ARCHITECTS

Mr. McLiverty informed the board that everyone should have a copy of Invoice #5 in the amount of \$311,010.00. He informed the board members there was a meeting with the State on Monday, which was continued today, where our architects are reviewing the plans with the State. The process is moving along smoothly and the Middle School Building Committee anticipates approval of the plans within the next 30-60 days with the goal to have bids ready for May and site work to commence July 1, 2008. Mr. McLiverty said that Bianco Giolitto Weston Architects has really lived up to the expectations of the Building Committee and he would recommend payment. recommended for payment by the Middle School Building Committee.

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to approve payment of the Bianco Giolitto Weston Architects Invoice #5 in the amount of \$311,010.00. **Motion carried.**

AUTHORIZATION TO PROCEED WITH THE SOFTWARE UPGRADE FROM WALSH ASSOCIATES

Mr. McLiverty distributed two documents to the board - one is a two-page narrative and the second is a price sheet. He is asking the board for authorization this evening to proceed with the implementation of the software upgrade. He explained the City currently utilizes software called "Walsh Software" and it is software which is used to generate our ledger, financial packages as well as our tax collection. W.P.C.A. is not on this software. He said this software is on the old AS400 server, which IBM does not

support any longer. The current software is about 15 years old and there has been updating and backup issues; however more importantly it is out of date with the times. We don't have remote access so departments can't (inaudible) their electronic requisitions. Reports are usually a week or two out of date but with the new software they will be able to go right on-line and see current activities in the accounts. Mr. McLiverty said with the new software payments will be processed more quickly, we will be able to validate bills; we will be able to deposit money faster, which will allow for greater interest. The Tax Office, which now operates as two separate entities – Tax Collection and W.P.C.A. – will now be able to work together and taxpayers will receive one bill for their Taxes and Sewer Taxes and they will be able to pay it together. There will be no need for separate payments. Mr. McLiverty said it will also reduce the printing costs of bills since we will now be able to use regular paper and not the carbon paper, which had to be bought from the software company. He said most importantly we now have an old Green Screen – it will now be a Windows based façade, which will allow us to manipulate the data and generate different reports. Presently if we wish to have a certain report and it is not one of their standard reports we would have to pay the software company to write the program to produce that report. With Windows the reports can be run through Access or Excel. Mr. McLiverty said the new program will allow us to have a fixed asset module in accordance with GASBY 43, which is the federal standard for the City to monitor our fixed assets and it assigns values to each of the assets of the City. We now maintain that information on an Excel – this would tie it into the financial software. Mr. McLiverty informed the board that the Tax Collector has typed up her summary and she is recommending we proceed with the upgrade. We have looked at other software packages and Walsh is a complete software package in that it has tax collection, assessor and general ledger. The other software in the market does not do it all. The market price for new software is anywhere from \$200,000 to \$400,000 and then you would have to buy the hardware. He said we have performed a hardware analysis and our hardware will be able to handle what we want to do with the upgrade. He informed the board that the upgrade has a not to exceed price of \$130,000 and includes the W.P.C.A. It also allows access for the Board of Education to come over to this software if that situation ever gets resolved.

Mr. McLiverty explained that training is a huge component of new financial packages and the training will be very minimal with the Walsh software because we currently work on Walsh. The other big component is conversion, which is not only time consuming but tedious. By using the Walsh software there would be no conversion since it is coming off of the same database. Mr. McLiverty said the City demanded from Walsh a new IBM I Series Server at no charge, which is really a \$25,000 item. Mr. McLiverty said the Technology Committee totally reviewed this potential upgrade and voted to proceed with sending it to the Board of Apportionment & Taxation and they also voted unanimously to proceed – it is now before this board for approval. He said the goal is to have the July 1, 2008 Tax Collector and W.P.C.A. bills to be under the new upgrade package. The financial part – payroll, accounts payable will have a January 1, 2009 goal – due to W-2's and 1099's, explaining we would want to start with a new Tax Fiscal Year versus a Municipal Fiscal Year. Mr. McLiverty said the upgrade would be paid for through the Capital Plan noting that it is lease, which will be paid for over a two-year period. He said he believes this is a good deal for the City – both from a conversion and training standpoint –it's also a price that's fair and equitable.

Mayor Staffieri asked if this would take care of all the upgrades that are needed. Mr. McLiverty said it will take care of the upgrades that we need, it will get us off of the

AS400, and the new technology will allow the remote access to give the departments the ability to work off of the same software.

Mr. Hughes asked if currently there are any issues with the education side talking with the City side. Mr. McLiverty said there is and this new upgrade will have the capability to address those issues. Currently the Board of Education operates under the Phoenix software package. He said we can spend money and resources creating an electronic bridge to their data or they can come onto our software and still operate out of the Board of Education office retaining access to all of their accounts. Mr. Hughes asked if there is anything that we would have to take into consideration now if we plan on having that capability in the future. Mr. McLiverty said the only thing that would have to happen is we would have to buy additional licenses. Mr. Hughes asked if it would make sense to do this all at once. Mr. McLiverty said the financial side isn't going to happen until January 1, 2009 so there is still time to make that decision. Mr. Sill noted that this is a big step forward for the City. Mr. Bomba said he likes the idea of having the taxpayer only have to write one check.

Mr. McLiverty said everyone has heard rumors about Walsh being horrible and going out of business. They aren't horrible and they aren't going out of business. Walsh has their software in 35 different municipalities. Atty. Coppola asked if there are any other companies that can provide the same software and hardware. Mr. McLiverty said Walsh is a proprietary software – no one else can sell it. Atty. Coppola asked if there is other software that can do what Walsh can do. Mr. McLiverty said there is other software that can do it – however not as one comprehensive package. He said the Board of Education just updated the Phoenix System and they didn't go out to bid either because Phoenix is a proprietary software. Mr. McLiverty said he is asking the board to proceed and reminded them this will also come back before the board when the Capital Plan is to be adopted.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to proceed with the authorization of the software upgrade from Walsh Associates. **Motion carried.**

EXECUTIVE SESSION (IF NECESSARY)

There were no items to be discussed in Executive Session.

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mr. Benanto to adjourn the meeting at 8:32 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary

THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN AT THEIR NEXT REGULARLY SCHEDULED MEETING.