

## DERBY BOARD OF ALDERMEN SPECIAL MEETING

DERBY CITY HALL – JUNE 26, 2008 - 7:00 P.M.

### MINUTES

The Honorable Mayor Anthony Staffieri called the regular meeting to order at 7:02 p.m. All rose and pledged allegiance to the flag.

#### Roll Call

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

Absent: David M. Lenart

Also Present: The Honorable Mayor Anthony Staffieri  
Philip Robertson, Chief Administrative Officer  
Keith A. McLiverty, City Treasurer  
Sheila O'Malley, Executive Director, Economic Development  
David L. Kopjanski, Building Official/Zoning Enforcement Officer  
Philip A. Hawks, Fire Marshal  
Deputy Chief Gerald Narowski, Derby Police Department  
Lt. Salvatore Froscono, Derby Police Department  
Joseph T. Coppola, Corporation Counsel

#### ADDITIONS/DELETIONS/CORRECTION TO AGENDA

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

- New Item h.a. – Police Department Roof Replacement – Discussion & Possible Action
- New Item #18 – Raises for City Hall Non-Union Employees – Discussion & Possible Action
- New Item #19 – Greenway Use Request – July 27, 2008 – H.O.P.E. – Discussion & Possible Action
- New Executive Session Item – c. – Personnel Matter – City Hall Position
- New Item #21 – United Methodist – Discussion & Possible Action
- New Item #22 – City Hall Position – Discussion & Possible Action
- New Item #23 – Adjournment

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

#### PUBLIC PORTION

Dana Talbot, 76 A Academy Hill Road, Derby, CT & Kelly Morgan 76 B Academy Hill Road, Derby, CT – We would like to discuss our property that is along the Ansonia (inaudible) reservoir area. We have gone through the steps of making sure we do this the correct way and this is one of the last steps (inaudible) to come to this meeting. We own a certain portion of our property up to about 25 feet to the water and we've been maintaining that property. But 25 feet getting to the water is grown very much out of

control with vines and poison sumac and (inaudible) of bushes like creatures like snakes and things. It's just become very undesirable and we've come to the town to see what can be done as far as maintaining it or if we can do it ourselves. The town was nice enough where we wrote the letter to the Mayor's Office and they responded. They came out and started doing the work and unfortunately the truck kind of got stuck and he said he would be back to finish – never finished it. We were very grateful to the town for doing what they have done but we're kind of left where it's kind of – we're not sure what to do now and what we're allowed to do. And if the town will come and help us finish it – Beverly was nice enough today to come out and look at it. We already met with the Inland/Wetlands Division and they said this was the next step. We just want to make sure we go through the right steps because we technically don't own the property but if you come and see the property it's really gotten out of control. We're not looking to cut down trees or anything – we're just trying to make it a more desirable safe place for our kids to play out and not have to worry about them getting poison ivy and things like that.

Mayor Staffieri – What we'll do is during the Public Works report we'll discuss it then.

Ms. Talbot – Okay sounds good – they were out there today just so you know.

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

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – I just want to make a comment first of all about adding to the agenda about the raises for City Hall Non-Union employees. I think it's unfair to put it on the agenda since the public didn't have prior notice to make comment in the public portion. Next I would like to make comment on a letter written by Ken Hughes that was read at last month's Board of Apportionment & Taxation meeting. I think it is irresponsible of Ken Hughes to tell that this administration had the foresight to take down the buildings on the South Side of Main Street as these buildings were State ordered to be demolished due to safety concerns. Also related to the budget process there was no amount put into the budget to buy out the remaining downtown business owners and to pay for moving costs. Corporate Counsel Joseph Coppola had said that the City had the money last year to accomplish this; however there are currently no funds available to accomplish this – and that was just a couple of months ago you said that. In the news lately there are the lawsuits that have been filed by the City and the developer for which the taxpayers may be facing a multimillion dollar liability to the developer. Neither the City nor the developer have honored its obligations so it could go either way. Since we keep reading about the lawsuits that have been going back and forth with the City and a possible delay in developing the South Side of Main Street and noting this week was the three year anniversary of the U.S. Supreme Court's Kelo decision I think it is only fitting to read the following excerpts from an article posted yesterday on [realclearmarkets.com](http://realclearmarkets.com) by its editor Steven Malanga entitled "Politicians Remain Masters of Domain." *The Kelo decision was enormously unpopular, with polls showing that between 80 percent and 90 percent of Americans disagree with the idea, even when property owners received market value for their land. Still, that hasn't stopped the politicians and urban planners, who moved in quickly. In the first year after Kelo, according to a study by the Castle Coalition, which tracks eminent domain seizures, state and local governments condemned or threatened to condemn more than 5,400 properties, compared to slightly more than 10,000 such actions in the previous five years. In the eminent domain business, a threat to condemn is usually just as good as an actual taking, since a homeowner can't sell a*

house under those conditions and a business would find it difficult to do things like get credit. Indeed, the very redevelopment project that sparked the Kelo lawsuit, an effort by the town of New London, CT to turn its Fort Trumbull waterfront into a haven for high-priced homes and 21<sup>st</sup> century jobs, has sputtered. The ground where Susette Kelo's home stood is now barren, because the townhouses that the city-sponsored developer was supposed to build there have never gone up. Interest in the area isn't very great and the developer hasn't been able to get financing. In fact, what began more than a decade ago as an extravagant public-private scheme to redevelop this whole area around tourism, research and development and luxury residential uses has produced little except ongoing construction on a \$17million Coast Guard station. Public officials and planners continue to pursue such projects in the face of repeated failures in part because redevelopment schemes and public-private partnerships help put enormous additional power in the hands of politicians and the private entrepreneurs who partner with them. In California, for instance, 390 redevelopment agencies operate with the power to condemn property, tax and float debt. Collectively these redevelopment agencies, many run by municipalities and controlled by local politicians, own some \$13 billion in property, generate nearly \$9 billion a year in revenues (mostly from dedicated taxes) and have racked up some \$81 billion in debt most of it paying tax-free interest thanks to the federal tax code. Redevelopment authorities and public-private partnerships are especially common in places like California where government has created such a hostile environment for business that officials justify their work as necessary to jumpstart a sluggish economy. But as Doug Kaplan, a California developer, has observed in a piece he wrote for the Castle Coalition, local government would serve their communities better by simply cutting red tap for new development, reducing fees, and focusing on basic government services like public safety, while leaving the rest to the market. Asked by a local redevelopment officer to join a public-private partnership to open a restaurant in a depressed downtown, Kaplan told him if you really want to revitalize downtown, then light the sidewalks, fix the roads, take care of the police, support the schools. That's not a message most redevelopment types or politicians want to hear however. Today, three years after Kelo, the game of public sponsored economic development...

Mayor Staffieri – Excuse me, excuse me – but you know there's only three minutes for all public portion. Please finish as soon as possible.

Ms. Yacobacci – I have one paragraph left and I think this is where we're headed.

Mayor Staffieri – Okay.

Ms. Yacobacci - Today, three years after Kelo, the game of public sponsored economic development subsidized by taxes, tax-free bonds, tax-breaks for favored businesses, and the threat of eminent domain is alive and well supporting everything from mega projects like the massive 22 acre Atlantic Yards in Brooklyn, NY to the efforts by the fine California town of Hercules to take land away from Wal-Mart because the town fathers objected to the big box retailer invading their domain. Kelo has allowed local officials throughout the country to remain masters of eminent domain and private markets continue to suffer as a result. Thank you.

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

Dan Krezel, Paugasset Road, Derby, CT – I walk at Witek Park every day for the last six years and the construction on the lower reservoir has gotten really bad. Bridges that the Boy Scouts had put in long before I even started to walk there have been destroyed. The paths walking all around the park have now been covered up with fallen trees so now it's difficult to walk in the paths; in fact some of the paths are completely covered. I don't want to ask the City to come in and do any more work up there because I know that the City is strapped for money. The only thing that I would ask is that you be aware of a lot of the destruction that's there on the existing paths that people can no longer walk. So before anything else is done in the City I just wanted you to be aware that those paths are now covered with debris. A lot of benches and bridges have been destroyed up there. So just as long as the council here or whatever you want to call yourselves is aware that a lot of destruction is up there and the only thing – the one question that I would like to ask is is the park gate going to be closed for the summer?

Mayor Staffieri – Yes.

Mr. Krezel – Okay I just wanted you to be aware that a lot of destruction has gone on.

Mayor Staffieri – As soon as the soccer season is over that's the normal procedure that the gate will be closed.

Mr. Krezel – Thank you.

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

Hearing no one else from the public wishing to address the board...

### **PUBLIC PORTION CLOSED**

### **APPROVE MINUTES OF THE MAY 22, 2008 REGULAR MEETING**

**A MOTION** was made by Mr. Bomba with a second by Mr. Szewczyk to approve the minutes of the May 22, 2008 regular meeting as presented. **Motion carried.**

### **COMMITTEE REPORTS**

- **Community Relations – No meeting was held.**
- **Operations/Procedures – No meeting was held.**

### **DEPARTMENT REPORTS**

- **BOARD OF EDUCATION REPORT – MAY 2008**

There was no one present. Report placed on file.

- **CULTURAL COMMISSION REPORT – MAY 2008**

Mayor Staffieri complimented the Cultural Commission on the great job with Derby Day. He also thanked the Police, Fire and Public Works Departments and everyone else involved with the Derby Day activities. There was no one present from the Cultural Commission. Report placed on file.

o **PUBLIC WORKS DEPARTMENT REPORT – MAY 2008 (Ron Culmo, Director)**

Mr. Culmo informed the board members that there have been problems with at the basketball courts by the tennis courts. He said people from out of town have been coming on the weekends leaving a mess behind. He said they have trash receptacles on site, which no one is using and he has threatened in the past to take down the basketball hoops if the problem persists, which they did only to re-install them. There is also new signage at the site stating that the area must be kept clean or the hoops will be taken down. Mr. Culmo said so far there hasn't been much of a problem and he hopes it continues.

Mr. Culmo said in the past month on Greenway Trail there has only been two instances of dog feces on the trail. The problem on the Trail now is damage to the poles. There were 22 sections of poles damaged in the past month. He said he needs to know who is going to be responsible for the payment for repairs to repairs on the trail. He noted that he asked for a line item with the new budget; however he did not receive it.

Mayor Staffieri suggested that Mr. Culmo approach the Board of Apportionment & Taxation for them to create an account. Mr. Culmo said he did that during the budget hearings and did not receive any funds.

Mr. Culmo brought up problems with some sidewalks up on Fifth Street, which have been corrected by the property owners. He said he feels something has to be drawn up about damages to sidewalks where if the property owner doesn't take care of the problem and there is a risk of injury to someone walking on the sidewalk then the City will correct the problem and the property owner will be held responsible for the cost of repairs. Mr. Culmo said he knows of two areas right now, Derby Avenue and Elizabeth Street that needs to be taken care of before someone gets hurt.

Mr. Culmo said that he was up on Academy Hill today looking at the area that Ms. Talbot described earlier in the evening. He said his department had the sidearm mower go to the site a couple of weeks ago and it got stuck in the mud. He said they are going to try to go up to the site in the next week or so to see what else can be done with the machine. Mr. Culmo said he is short staffed and doesn't have anyone he can spare to go to the site to do any hand work.

Mr. Hughes said that he thinks a possible solution would be to grant the homeowners permission to clear what they need to clear. He said he would have them sign the insurance waivers, just as we have done on other City owned properties. Mayor Staffieri said he is in favor of that solution. Mr. Hughes noted that since the area is close to the water he would suggest that the homeowners approach the Inland/Wetlands Commission to let them know what they plan on doing. Mr. Bomba said he feels that the City should go in there first and get a hold on what is going on. He said if everyone recalls when they were out campaigning there were residents up on King's Court, the opposite side of the reservoir, with the same complaints. Mr. Hughes said his only fear with that is where does it stop? Mayor Staffieri said if we give permission to the homeowners then they can take care of it themselves. Mrs. Moran said she feels since we have started they should go in and finish – then have the homeowners take care of it just like the people who have been there for 50 years. Mr. Hughes asked as

a board are we going to be willing to grant this request to any homeowner that comes before us abutting City-owned property. Mr. Szewczyk and Mr. Bomba both indicated that they were for it. Mr. Bomba noted that it our responsibility as a City to do it. Mr. Hughes asked how we would handle the manpower issue. Mrs. Moran said we would have to hire it out or the homeowner would have to understand that it would get done when we have the time. Mrs. Talbot said she and her neighbor would be more than happy to maintain the property forever if the City would just come back and finish what was started. They would be happy to sign a document stating that they will maintain the property and would not expect the City to come back out. Mayor Staffieri said he has no problem with Public Works going in and doing whatever they can do. He just doesn't want to set a precedent especially in light of the City's manpower and budget issues. Mr. Bomba said this should have been budgeted all along – its City owned property – it's our responsibility. Mr. Szewczyk said there are a lot of things that we should have budgeted for; however we don't have the money. Mr. Hughes said when they were campaigning there was an area off Franklin area that needed people wanted addressed – where do we draw the line? Mr. Bomba said that situation is no where near the problem that these people are dealing with. He said he personally feels that any City-owned property should be maintained by the City. Mr. Sill suggested using individuals looking for community service hours or perhaps a Boy Scout Troop is looking for a project. Mr. Hughes mentioned if the summer help through TEAM could be a possibility. Mr. Culmo said his department does not want to get involved in that program.

Mayor Staffieri asked for everyone to review this situation and it will be brought up again at next month's meeting for action. Ms. Talbot and Ms. Morgan thanked the board for their help. Mr. Sill asked Mr. Culmo how the street sign installation was progressing. Mr. Culmo said they will be working on it again soon – he is waiting on temporary help.

Mayor Staffieri read the following letter received from the Parking Authority into the minutes:

Mr. Ron Culmo  
Director of Public Works

RE: Parking Space Striping

It is a pleasure to recognize Jack Cotter and Sean Wheeler for the fine work that they have done regarding parking space striping in the center of our town. There is a lot said when intercity departments work together as one. Derby Municipal Parking Authority thanks you for a job well done.

Kind Regards, Derby Municipal Parking Authority

Report placed on file.

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

Mr. Sill asked Mr. Kopjanski about the trailer that is parked on old New Haven Avenue. Mr. Kopjanski explained that his is actually a Police issue as far as he is

concerned. Mayor Staffieri asked if this has been reported to the Police Department. Mr. Kopjanski said he believes it has been. Mr. Sill then brought up the burned out bus that is behind the former Emily's Steakhouse. Mr. Kopjanski said he truly thought at last month's meeting that the owners of the property would take heart and take the initiative and remove the bus. He said it is apparent that the present owner of the property is not willing to spend the money on this property. He said the City is going to have to take the Ordinance through the full course and the City will have to expend the money to remove the vehicles and the trailers and then we will have to put a Lien on the property. Mayor Staffieri asked Mr. Kopjanski if he is working with Corporation Counsel to get this done. Mr. Kopjanski said the Police Department is going to have to invoke the Abandoned Vehicle Ordinance and they will have to call in a tow truck to remove the vehicles and the City is going to have to pay; then Corporation Counsel will go after the property owners to recoup the funds. Mr. Sill said that he had a conversation with the two Facilities Inspectors and noted that they are really into their job. Report placed on file.

○ **FACILITIES INSPECTORS' REPORT – MAY 2008**

Mr. Hughes asked about overgrown lawns. Mr. Kopjanski said it is overgrown once it is 12 inches high. He said he knows the property that Mr. Hughes is talking about and he has been in touch with the attorney who is handling the estate for that property and the attorney has informed him that there is no money in the estate. Mr. Kopjanski said we will have to run the timeline that is laid out in the Blight Ordinance. Report placed on file.

○ **FIRE MARSHAL REPORT – MAY 2008**

Mayor Staffieri informed everyone that Mr. Hawks is excused this evening since he is teaching a class. Report placed on file.

○ **FIRE DEPARTMENT REPORT – MAY 2008 (Kelly Curtis, Fire Commissioner)**

Mr. Curtis informed the board members that he really has nothing to report except that he has been in contact with Nick's Roofing who has informed him that it will be two weeks for the doors. He said the siding cannot be completed until the doors are done. Report placed on file.

○ **POLICE DEPARTMENT – MAY 2008 (Deputy Chief Gerald Narowski)**

Deputy Chief Narowski highlighted a few areas of Chief Mascolo's monthly report. The items listed for [www.propertyroom.com](http://www.propertyroom.com) are attached to the monthly report. He informed the board members that SRO Bartone was involved in an altercation and injured at Derby High School the day before the last day of school. SRO Bartone is out on Workers' Comp for a month. Deputy Chief Narowski said they will have a bicycle officer in addition to a walking beat officer above and beyond their normal staffing levels two days a week on the Greenway, the Derby Green and a couple of other areas. He mentioned one more item that did not appear in Chief Mascolo's monthly report – tomorrow, June 27, 2008 Det. George Kurtyka has submitted a letter stating that he wishes to retire. Deputy Chief Narowski informed the board members that they have already begun the process to fill Det. Kurtyka's position.

**A MOTION** was made by Mr. Hughes with a second by Mr. Bomba to approve the [www.propertyroom.com](http://www.propertyroom.com) list of items for disposal. **Motion carried.**

Report placed on file.

**ROOF REPLACEMENT AT DERBY POLICE STATION (Lt. Salvatore Frosceno)**

Lt. Frosceno informed the board members that the project went out to bid through the Capital Planning Commission, who along with the Finance Committee has approved the bid of Commercial Roof & Contracting, Inc.

Mayor Staffieri asked how much is the bid for? Lt. Frosceno said the engineer estimated the job at \$450,000 and the total package is \$220,000. He said they would be looking for an approval not to exceed \$220,000.

**A MOTION** was made by Mr. Bomba with a second by Mr. Hughes to award the Roof Replacement Contract to Commercial Roof & Contracting, Inc. for an amount not to exceed \$220,000. **Motion carried.**

o **PARKING AUTHORITY REPORT**

Mayor Staffieri noted that everyone should have a copy of the monthly parking report.

**A MOTION** was made by Mr. Sill with a second by Mr. Benanto to accept the monthly parking report as submitted. **Motion carried.**

✓ **Bid waiver request – Parking Garage Study – Szecker Engineering, Inc. - \$15,495.00**

Mr. Hughes explained that the reason for the bid waiver is that only two bids were received for the work, not three by Charter. He said the bid waiver needs to be a unanimous vote of both the Board of Aldermen and the Board of Apportionment & Taxation.

**A MOTION** was made by Mr. Bomba with a second by Mr. Boulton to approve the bid waiver request for the Parking Garage Study and award to Szecker Engineering, Inc. for an amount not to exceed \$15,495.00. Mr. Szewczyk abstained. **Motion carried.**

✓ **Re-appointment to Parking Authority – John Dorosh**

Mayor Staffieri stated that John Dorosh has been doing a great job with the Parking Authority and he strongly recommends his re-appointment.

**A MOTION** was made by Mr. Hughes with a second by Mrs. Moran to approve the Re-appointment to John Dorosh to the Derby Municipal Parking Authority. **Motion carried.**

**REFUND OF EXCESS TAXES REQUESTED THROUGH 6/18/08 – (Cinda Buchter, Tax Collector)**

**A MOTION** was made by Mr. Bomba with a second by Mr. Boulton to approve the Refund of Excess Taxes paid through 6/18/08 in the amount of \$1,745.66 as per the request from Cinda Buchter, Tax Collector. **Motion carried.**

**NEIGHBORHOOD ASSISTANCE ACT PROGRAM REQUESTS FROM BOARD OF ALDERMEN  
PUBLIC HEARING 5/22/08 – DISCUSSION WITH POSSIBLE ACTION**

Ms. O'Malley informed the board that this is a State of Connecticut Department of Revenue Services program, which was discussed before at the Public Hearing held 5/22/08. She said this program provides tax credits to businesses who wish to contribute to municipal agencies or non-profits that have items that they would like to purchase but don't have them in their budget and can't afford them. Ms. O'Malley said the program requires a public hearing, a vote by this board and then approval of the State Department of Revenue Services. If both this board and the Department of Revenue Services approve the requests the City will post them on line for businesses to review.

**A MOTION** was made by Mr. Hughes with a second by Mr. Sill to approve the funding requests for the 2008 Neighborhood Assistance Act Program as accepted at the Public Hearing held May 22, 2008. **Motion carried.**

The following applications were received:

- **TEAM – \$5,000 – Valley Meals on Wheels Program**
- **Ansonia Community Action - \$25,000 – After School Program**
- **City of Derby – Economic Development Office - \$100,000 – for the Remediation & Renovation of the Historic Curtis House**
- **City of Derby Public Works Department - \$15,000 for a Bobcat for use on the Greenway Trail and \$25,000 for a generator at the Public Works Complex**
- **City of Derby Emergency Management - \$25,000 for an Interoperable Radio Communications System and \$5,000 for Cots and Blankets**
- **City of Derby Municipal Parking Authority - \$2,000 for paint to repaint the Parking Garage**

**REQUEST TO CLOSE FOURTH STREET (ALLEYWAY) FOR STERLING OPERA HOUSE  
RENOVATIONS – (Sheila O'Malley)**

Ms. O'Malley informed the board members that Kronenberger & Sons Restoration is the successful bidder on the renovations of the three exterior walls for the Sterling Opera House. She explained that they obtained their building permit today and they are prepared to install their scaffolding within the next two to three weeks, which will require this board to close off the old Fourth Street. She noted the project will take from 4-6 months.

Mr. Hughes asked if the adjoining property owners have been notified. Ms. O'Malley explained that they have been in contact with the adjoining property owners and the contractor will work out timing arrangements with all parties.

Mr. Sill asked if the Police and Fire Departments have been notified. Ms. O'Malley said she has not notified them but she will.

Mrs. Moran said when you look at the Sterling Opera House on the right hand side it appears that the windows are open again way up top. Ms. O'Malley said she would investigate this. Mrs. Moran said it was brought to her attention on Derby Day.

**A MOTION** was made by Mr. Hughes with a second by Mr. Benanto to approval the closing of the alleyway (old Fourth Street) during the renovation period at the Sterling Opera House.

#### **DISCUSSION ON MOTION**

Mr. Szewczyk asked if the bricks are going to be repointed and if the new cupola is going to be installed. Ms. O'Malley said if there is money left over from the project to install the main cupola they will. Mayor Staffieri said they Kronenberger will repoint bricks, install new soffits, new doors, new windows, etc... Ms. O'Malley stated that we will be able to completely shore up the exterior of the building, which will prevent further damage to the interior.

**MOTION CARRIED.**

#### **APPROVAL OF 3% BUDGETED RAISE FOR PARKS AND REC EMPLOYEES**

Mr. Sill asked if this money has already been included in the new budget. Mr. Hughes said it has.

**A MOTION** was made by Mr. Sill with a second by Mr. Bomba to approve the 3% budgeted raise for Parks & Rec Employees. **Motion carried.**

#### **BLIGHT RESOLUTION – DISCUSSION/ACTION**

Ms. O'Malley said this resolution was already approved by this board at the last meeting; however the State pointed out that this not Special Act Money it is Urban Act Money so with the change of that one word the resolution needed to be changed.

Department of Economic and Community Development  
State of Connecticut  
(An Equal Opportunity Employer)

#### **CERTIFIED RESOLUTION OF THE LEGISLATIVE BODY**

Certified a true copy of a resolution duly adopted by the City of Derby at a meeting of its Board of Aldermen on June 26, 2008 and which has not been rescinded or modified in any way whatsoever.

**WHEREAS**, pursuant to Capital Improvements, Special Act 05-1, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and

**WHEREAS**, it is desirable and in the public interest that the City of Derby Office of Economic & Community Development make an application to the State for \$250,000 in order to undertake the demolition of four City-owned buildings on 36 Lafayette Street, 44 Lafayette Street, 96-98 Olivia Street and 42 Fifth Street and to execute an Assistance Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE** City of Derby Board of Aldermen:

That it is cognizant of the conditions and prerequisites for the State Assistance imposed by Capital Improvements, Special Act 05-1

That the filing of an application for State financial assistance by the City of Derby Office of Economic and Community Development in an amount not to exceed \$250,000 is hereby approved and that Sheila O'Malley, Director of Economic and Community Development is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the City of Derby

**A MOTION** was made by Mr. Hughes with a second by Mr. Sill to approve the amended Certified Resolution for the \$250,000 blight funds. **Motion carried.**

**INLAND/WETLAND COMMISSION – APPOINTMENTS – FRED COLUMBO & DAVID BARBOZA, II (ALTERNATE) 3-YEAR TERMS. ONE REMAINING VACANCY (ALTERNATE)**

Mayor Staffieri noted that the Inland/Wetland Commission is very time consuming and these folks do a great job and he would recommend the appointments.

**A MOTION** was made by Mr. Benanto with a second by Mr. Sill to approve the appointments of Fred Colombo as a regular member and David Barboza, II as an alternate member for a three year term. **Motion carried.**

**COMMISSION ON THE STUDY OF THE NEEDS FOR THE ELDERLY – APPOINTMENTS (2), 2-YEAR TERMS: Stacia Balko, Edward Bricket, Marion Cafasso, Virginia Costigan, Bonnie Chevarella, Shirley Erickson, Donald Klisher**

Mayor Staffieri noted that the whole commission needs to be reappointed since their term expires every two years. He said he has contacted each member who indicated that they would still like to serve.

**A MOTION** was made by Mr. Sill with a second by Mrs. Moran to approve the two year term appointments of Stacia Balko, Edward Bricket, Marion Cafasso, Virginia Costigan, Bonnie Chevarella, Shirley Erickson, and Donald Klisher to the Commission on the Study of the Needs for the Elderly. **Motion carried.**

**DERBY PUBLIC LIBRARY BOARD OF DIRECTORS – APPOINTMENTS – MARY E. ROGERS; JO-ANN (MATTUTINI) CECARELLI; MARIA BAILEY. 6 YEAR TERMS; ONE REMAINING VACANCY TO BE FILLED BY TARA HYDER**

**A MOTION** was made by Mrs. Moran with a second by Mr. Allaire to approve the appointments of Mary E. Rogers, Jo-Ann Mattutini Cecarelli and Maria Bailey to 6 year terms to the Derby Public Library Board of Directors and to approve the appointment of Tara Hyder to fill the one remaining vacancy for a 6 year term. **Motion carried.**

**APPOINTMENT TO NAUGATUCK VALLEY HEALTH DISTRICT – GERALDINE A. FALLON**

Mayor Staffieri noted that this is a new person to the Naugatuck Valley Health District and he read her resume for the aldermen.

**A MOTION** was made by Mr. Sill with a second by Mrs. Moran to approve the appointment of Geraldine A. Fallon to the Naugatuck Valley Health District. **Motion carried.**

**RAISES FOR CITY HALL NON-UNION EMPLOYEES – DISCUSSION AND POSSIBLE ACTION**

Mayor Staffieri read the following letter into the record:

Dear Chairman Hughes and Honorable Members of the Board of Aldermen:

I would ask for you to approve pay raises for the following people who report to me. I am asking you approve a raise equal to the Collective Bargain pay raise for all Union employees of the City, which is 3.5%. This is not giving them any extra than any other employees that work here at City Hall and throughout the City.

Sheila O'Malley – She has a contract, which requires my evaluation and recommendation for salary adjustment upon the approval of the Board of Aldermen. I have found Sheila's work performance to my liking and thus request a salary increase of 3.5%. I also want to put in saying that Sheila has more than earned her salary for the work that she has done.

Philip Robertson – Phil does not have a contract but his compensation is within our Ordinance. I have evaluated Phil's performance and find it worthy of a 3.5% increase. Phil with the amount of work that I put on him sometimes I even feel sorry for him.

Philip Hawks – Phil has a contract, which upon my evaluation receives the same increase as all City Hall employees. In my opinion Phil handles his responsibilities as desired and asks your approval for the same 3.5% increase.

Allan Schlesinger – Allan did not seek nor receive any additional compensation last year. I seek your approval for 3.5% increase for Allan. Allan, again the same thing, he does a lot of work and he helped save the City money with the Noresco debacle with the High School that was over \$300,000 that he negotiated that he helped keep for the City.

Barbara Charlonis – Barbara is not a Union employee nor does she have a contract. I believe Barbara has done a professional job and is deserving of the same raise given to all City Hall employees, which is 3.5%. Barbara in case you don't know is my secretary.

John Saccu – John has been with us only 6 months but the level of focus and enthusiasm and competency in my estimation is deserving of the same 3.5% increase. The enthusiasm that this guy has for helping out our City's youth and getting them on a program to get them on the right path – for a person who really didn't know anything about the job you ask him questions and you would think that he has been doing this job for ten years.

I respectfully ask that you approve the above requests.

**A MOTION** was made by Mr. Szewczyk with a second by Mr. Benanto to approve the 3.5% Raises for the above mentioned non-Union City Hall Employees, which is equal to the Collective Bargain pay raise for all Union City Hall employees.

## **DISCUSSION ON MOTION**

Is the money in the budget for these raises? Mayor Staffieri said it has all been put in place. Mrs. Moran noted that everyone else work the year and John Saccu only worked 6 months. Mr. Hughes said he has seen the work that Mr. Saccu has done and noted that he also worked for a few months with no pay whatsoever.

**Mr. Sill abstained. MOTION CARRIED.**

## **GREENWAY USE REQUEST – JULY 27, 2008 – H.O.P.E. – DISCUSSION & POSSIBLE ACTION**

Mr. Hughes read the following letter into the record:

To Whom It May Concern:

We were wondering if we could pass out free water again this year at the Derby Riverwalk. Our group is available July 27, 2008. If that date is not good please let us know a date that might be good and we will get some people and water down there. We really had a lot of fun last year with this project and would love the opportunity to do it again. No flyers, no mess – we will walk the walkway when we are done to make sure there are no water bottles left around. Just free cool and refreshing water bottles. I look forward to your response. We do hope you consider our request.

Leslie Everetts, Secretary – H.O.P.E.

**A MOTION** was made by Mr. Bomba with a second by Mrs. Moran to grant use of the Greenway to H.O.P.E. on July 27, 2008 to pass out free water. **Motion carried.**

## **EXECUTIVE SESSION**

**A MOTION** was made by Mr. Hughes with a second by Mr. Benanto to go into Executive Session inviting Joseph Coppola, Allan Schlesinger, Keith A. McLiverty, Deputy Chief Narowski and Sheila O'Malley for the following matters:

- a) **DESCHEEN VS. CITY OF DERBY**
- b) **UNITED METHODIST, CONTRACT NEGOTIATIONS**
- c) **PERSONNEL – POSSIBLE NEW POSITION FOR CITY HALL**

**MOTION CARRIED.**

## **BOARD OUT OF EXECUTIVE SESSION AND BACK INTO REGULAR SESSION**

### **PERSONNEL – POSSIBLE NEW POSITION FOR CITY HALL**

Mayor Staffieri noted this position is for a part-time employee for approximately 15-20 hours a week to help out various departments within City Hall.

**A MOTION** was made by Mr. Szewczyk with a second by Mr. Boulton to approve the hiring of a part-time employee for City Hall to work no more than 20 hours per week.  
**Mr. Sill abstained. Motion carried.**

**UNITED METHODIST, DISCUSSION AND POSSIBLE ACTION**

Mr. Hughes read the following motion into the record:

**A MOTION** was made by Mr. Hughes with a second by Mr. Bomba to have the Mayor and the City's Attorney research and negotiate a PILOT program for the United Methodist project to be located on the Hitchcock Property. The PILOT is subject to Planning & Zoning and Inland/Wetlands approvals and the final approval by the Board of Aldermen. **Motion carried.**

**POSSIBLE ACTION REGARDING – DESCHEEN VS. CITY OF DERBY**

No action was taken.

**ADJOURNMENT**

**A MOTION** was made by Mr. Hughes with a second by Mr. Benanto to adjourn the meeting at 9:46 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn  
Recording Secretary

**RECORDING SECRETARY NOT PRESENT AT MEETING. MINUTES DERIVED FROM TAPE RECORDING OF MEETING.**

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