DERBY BOARD OF ALDERMEN SPECIAL MEETING

DERBY CITY HALL – AUGUST 18, 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.

Mayor Staffieri requested a Moment of Silence in memory of Tom LaRovera, a past employee of the Board of Education who recently passed away from cancer and is survived by his wife and three daughters. Mayor Staffieri said Mr. LaRovera was a dedicated employee who gave his all to the City of Derby and he was a great man.

Roll Call

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

Absent: David M. Lenart, Scott M. Boulton, James J. Benanto, Jr.

Also Present: The Honorable Mayor Anthony Staffieri
Philip Robertson, Chief Administrative Officer
Keith A. McLiverty, City Treasurer
Philip A. Hawks, Fire Marshal
David L. Kopjanski, Building-Zoning Enforcement Officer
Deputy Chief Gerald Narowski, Derby Police Department
Ronald Culmo, Director, Public Works
Kelly Curtis, Fire Commissioner, Derby Fire Department
Leo Moscato, Jr., Director, Derby Municipal Parking Authority
Louise Pitney, (D) Registrar of Voters
Ernestine Gaudio, (R) Registrar of Voters
Carolyn Duhaime, Chair, Board of Apportionment & Taxation/Charter Revision
Paul Varsanik, Board of Apportionment & Taxation
Cinda Buchter, Tax Collector
Rich DiCarlo, Cultural Commission
Nancy O'Dea-Wyrick, Business Mgr.– Board of Education (arrived at 7:15 p.m.)
Raul Sanchez, Middle School Building Committee (arrived at 7:30 p.m.)

ADDITIONS/DELETIONS/CORRECTION TO AGENDA

A MOTION was made by Mr. Hughes with a second by Mr. Sill to adopt the agenda as presented. ***Motion carried***.

PUBLIC PORTION

Dina Weissman, 26 Caldwell Drive, Derby, CT – I would like to speak to agenda items regarding the Charter Revision. I apologize if it was stricken from the agenda I got here late but if they are still on that's what I would like to comment to.

Mayor Staffieri – Yes they're still on.

Ms. Weissman – It states on here on the agenda that this is a public hearing regarding Charter Revision questions. I just want to draw your attention to the Statutes. Under Section 7-19 (inaudible) the Charter Revision Commission itself never held two public hearings and did not come up with a final report. At the one public hearing that they held in May they said they were going to come in with a list of issues to bring to the Board of Aldermen (inaudible) back to the Charter Revision for (inaudible.) So I don't know if this is to put questions on the ballot or what the purpose of this hearing is this evening, but it does not comply with the Statute. 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 JULY 24, 2008 REGULAR MEETING

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to approve the minutes of the July 24, 2008 regular meeting as presented. ***Motion carried***.

COMMITTEE REPORTS

- ***Community Relations***
  - ***Blight Additions – 83 Park Avenue; 44 Hawthorne Avenue; 253-255 Roosevelt Avenue; 81 Park Avenue; 37 Paugassett Road; 9 Pine Street***

Mr. Hughes informed the board members that these blighted properties were reviewed at the last meeting of the Community Relations Committee and it was the recommendation of the Facilities Inspectors to place the properties on the Blight List.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to place 83 Park Avenue on the Blight List. ***Motion carried***.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to place 44 Hawthorne Avenue on the Blight List. ***Motion carried***.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to place 253-255 Roosevelt Avenue on the Blight List. ***Motion carried***.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to place 81 Park Avenue on the Blight List. ***Motion carried***.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to place 37 Paugassett Road on the Blight List. ***Motion carried***.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to place 9 Pine Street on the Blight List. ***Motion carried***.

Mr. Szewczyk said during the Community Relations meeting the Onopiak Property was also discussed. He said the Onopiak Property is meant to be open space for passive recreation.

DEPARTMENT REPORTS

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

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to **TABLE** this item until a representative from the Board of Education arrived. ***Motion carried***.

- ***CULTURAL COMMISSION REPORT – JULY 2008 (Rich DiCarlo, Chair)***

Mr. DiCarlo informed the board that the Committee didn't hold an official meeting last month. He said they are currently working on the upcoming All-Class Reunion and the Farmers' Market. He said they have spoken to a couple of farmers; however they are a bit hesitant to do a market. Mr. DiCarlo explained that the Commission is also assisting the Valley Arts Council with their gallery on Elizabeth Street and he will speak to the proposal of moving the gallery to the former Spooner House a little later in the evening.

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

  Mr. Culmo asked if anyone had any questions. Mayor Staffieri asked about the Flood Controls. Mr. Culmo said everything is working. Mr. Szewczyk noted that there are some trees on Mt. Pleasant and Crescent Street that require trimming. Mr. Culmo responded that he had crews up there and it was supposed to have been taken care of a week and a half ago. He said he would recheck the progress. Report placed on file.

- ***BUILDING DEPARTMENT REPORT – JULY 2008 (David L. Kopjanski, Building Official)***

Mr. Szewczyk asked Mr. Kopjanski if he was able to find any architectural or engineering drawings regarding the planters out front. Mr. Kopjanski said he did not locate anything. Mr. Kopjanski then updated the board on the Orange/Derby Shopping Center. Lowe's is ahead of schedule and the Dollar Tree Store was started two weeks ago and it should probably be finished before the parking lot is done. He told the board that there have been no takers yet on the pad that's been approved for a restaurant and they are having a little bit of trouble in the northwest corner of the property. Mr. Kopjanski said there may be an Amendment to the Site Plan to come up with a different plan on how to handle that corner, which the Planning & Zoning Commission is prepared to review with the City Engineer; noting close to $1.1 million has been spent in that one corner. Mr. Sill asked when the expected completion date is. Mr. Kopjanski said they expect to be done by Christmas. Mr. Hughes asked when they are going to commence the traffic work on Route 34. Mr. Kopjanski said the contract was just awarded to Konover and the work should be finished fairly quickly.

Mr. Kopjanski noted that the Cancer Center at Griffin Hospital is close to asking for C.O.'s (Certificate of Occupancy) for portions of the building. Mayor Staffieri asked if the Grand Opening is still slated for October. Mr. Kopjanski said he feels they will be in before that date. Report placed on file.

- ***FACILITIES INSPECTORS' REPORT – JULY 2008***

Mr. Kopjanski told the board the Inspectors have been busy. Mayor Staffieri said he wanted to let them be made aware of the old Stahl's Jeep property – that there is now a trailer on the property. Mr. Kopjanski said they are aware of the situation and he believes there is someone living in the trailer. Mayor Staffieri said this needs to be addressed and taken care of. Mr. Hughes asked if tractor trailer trucks are allowed to park there overnight. Mr. Kopjanski said there isn't an ordinance against it; typically shopping centers and empty lots draw the trucks in. He said he doesn't believe the Police Department ever bothered them as long as the property owners didn't complain and noted that they would not be allowed to park in a residential area. Report placed on file.

- ***FIRE MARSHAL REPORT – JULY 2008 (Philip A. Hawks, Fire Marshal)***

Mayor Staffieri noted that the list is getting shorter. Mr. Bomba commended Mr. Hawks on a good job. Mr. Hawks said he had to turn one property over to Corporation Counsel since his office was getting nowhere with the owner. Mr. Sill said there are four properties listed from 2005 and asked Mr. Hawks if he was satisfied with the progress being made on the properties. Mr. Hawks said he is. Report placed on file.

- ***FIRE DEPARMENT REPORT – JULY 2008 (Kelly Curtis, Fire Commissioner)***

Mr. Curtis said the doors are being installed at the Hotchkiss Hose Co. He told the board that Nick's Roofing did show up on their due date as promised. Mr. Curtis informed the board members that Charlie Sampson has about 4-5 months left as Chief. The department is hoping a couple of people will take the test and said there is an October 1, 2008 deadline.

DERBY FIRE DEPARTMENT – BID WAIVER – DISCUSSION & ACTION

Mr. Curtis said the bid waiver is for a lease/purchase of 50 sets of turnout gear – coats, pants & suspenders and this will replace the gear they received in 1996/1997. This should hold us for a five year period. He said the gear is made by Morning Pride and this is the company they have worked with for many years and they still feel it is the best gear to work with. This price is good until September 30, 2008 at which time it will go up. Mr. Curtis said the Capital Planning Commission has approved this and has put aside $25,000.00 and it will then go to the Board of Apportionment & Taxation. If this board approves this tonight he would like a copy of the proposal sent to Corporation Counsel for review. Mr. Hughes asked Mr. Curtis if he is comfortable with this company since they have worked with them in the past. Mr. Curtis said there are other companies; however this is the company they have worked with for the past twelve years noting they also have a company that comes in and makes minor repairs to the gear. He said the price does not include boots and helmets. They will be able to purchase those items out of their regular budget.

A MOTION was made by Mr. Hughes with as second by Mrs. Moran to approve the bid waiver in the amount of $2,055.54 per set to Morning Pride Turnout gear for protective gear purchase for the Fire Department. ***Motion carried***.

- ***POLICE DEPARTMENT – JULY 2008 (Deputy Chief Narowski)***

Deputy Chief Narowski reviewed some of the high points from the monthly report. As everyone knows Det. Kurtyka has retired and a reading list has been posted; they will give the test to replace Det. Kurtyka on September 30th. The SRO (School Resource Officer) has returned to full duty from Worker's Compensation and he is expected to report to the first day of school on August 27th. Deputy Chief Narowski then reviewed Det. Kurtyka's retirement liability, which is $53,268.00. He explained they currently have $600,000+ in outstanding liability in the Police Department sick time. The City is going to have to take some type of action to deal with this potential liability because individual departments do not budget for this. If there was ever a mass exodus from the department they would not be able to afford this as a department or as a City. He would urge the City to move towards creating some line item to account for this liability. Deputy Chief Narowski informed the board members they recently held a pre-construction meeting for the roof project at the station and expect the project to commence the first week in September with completion the second week in October. There will be daily meetings with the contractor and Lt. Frosceno is managing the project for the department. He said they will also be meeting with the vendor, 3M Corporation, half way through the project in order to get their input. Deputy Chief Narowski informed the board that they recently had a request for a three way stop sign at the intersection of Sodom Lane and David Humphrey's Road and the Patrol Division recently conducted a traffic study. He explained how the study is conducted and noted the study did not warrant the placing a three way stop sign in that area. He told those present that the Bike patrol and walking beats have been deployed and they have issued several infractions. Deputy Chief Narowski stated that two officers have completed a four day bike patrolman class at Bridgeport P.D. and they have purchased two bicycles for police patrol. Report placed on file.

- ***PARKING AUTHORITY REPORT – JULY 2008 (Leo Moscato, Jr., Director)***

Mr. Moscato noted that everyone should have a copy of the monthly meter revenue. He explained to the board members that Ron Sill accompanied him during the last meter revenue collections to see how the process is done. Mr. Sill commented that it is a very precise system. Mr. Hughes asked Mr. Moscato about the increase in meter revenue from June to July. Mr. Moscato explained he collected early due to his upcoming vacation. Mr. DiCarlo, Parking Meter Agent, also explained that there were a couple of high profile cases at the Courthouse, which brought more cars out. Report placed on file.

- ***BOARD OF EDUCATION REPORT – JULY 2008 (Nancy O'Dea-Wyrick)***

Ms. O'Dea Wyrick explained that Dr. Tracy sends his regrets for not attending this evening; he had a meeting conflict. She said she would like to request a Bid Waiver for Marks Plumbing, the company who is the preferred distributor for Chicago Faucets. She said the reason they chose Chicago Faucets a couple of years ago is they perfectly match up with the equipment they already have installed at the High School. She said they have already done 16 faucets using Chicago Faucets and this order would finish up the remaining science labs. The other item listed is for a new backflow preventor, which is a requirement of Regional Water Authority. Mr. Hughes noted that the Capital

Planning Commission has already approved this company for this year and last year as well.

1) ***Bid Waiver – Marks Plumbing Parts, Science Lab Upgrades - $8,811 – Discussion & Action***

A MOTION was made by Mr. Sill with a second by Mr. Allaire to approve the bid waiver for Marks Plumbing Parts for the Science Lab Upgrades in an amount not to exceed $8,811.00. ***Motion carried***.

2) ***Executive Session – Contract Negotiations – Interim Healthcare***

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to go into Executive Session in the Mayor's Office at 7:37 p.m. inviting Mayor Staffieri, Corporation Counsel and Nancy O'Dea-Wyrick to discussion Contract Negotiations. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to come out of Executive Session and back into Regular Session at 7:51 p.m. ***Motion carried***.

3) ***Bid Waiver – Interim Healthcare, Special Needs Student Access to education - $55.00/hour – Discussion & Possible Action***

A MOTION was made by Mr. Sill with a second by Mr. Szewczyk to approve the Bid Waiver for Interim Healthcare for Special Needs Student Access to education at $55.00 per hour. ***Motion carried.***

Mr. Szewczyk said he would just like to say that Supt. Tracy should be recognized for taking pride in the City on his own volition and he would like to say thank you to Supt. Tracy. Ms. O'Dea-Tracy said she would pass his gratitude on to Dr. Tracy. Mayor Staffieri said he feels the Selection Committee made a really good choice with Dr. Tracy's selection.

AWARD THE NEW DERBY MIDDLE SCHOOL CONSTRUCTION CONTRACTS – DISCUSSION & ACTION – Keith A. McLiverty, Chair, Middle School Building Committee

Mr. McLiverty informed the board that we are at a milestone in the construction schedule for the Middle School. He said this evening we will be awarding the GMP (Guaranteed Maximum Price) contract to FIP Construction. If you recall FIP Construction was selected after a competitive bidding process in accordance with State Statutes and the School Facilities Unit process. Mr. McLiverty said everyone should have received a copy of the GMP proposal and directed the board members to Section II, states the GMP construction grand total of $23,418,000.00. This is the cap for the building to be built, which FIP will oversee the construction to ensure it meets the specifications as designed by Bianco Giolitto Weston Architects and approved by the State of Connecticut School Facilities Unit and adopted by the City and the Middle School Building Committee. Mr. McLiverty said there are some costs that are not part of the GMP that are also listed. In the end when you add up the cost for the

construction from FIP, plus the costs that are not included in the GMP, the total project costs come to $27,246,460, which puts us $753,000 below the estimated construction cost that went to referendum. Mr. McLiverty said there are three contingencies that exist in the project – one carried by the owner at $600,000 for any items that are not part of FIP's contract that we may encounter; FIP is carrying a contingency of $700,000 for items they may encounter; then there are allowances and the contingency for this is $400,000. He said everyone is comfortable with the numbers received for the work. When you think of today's economy and today's market many people who live in the market are feeling the pinch – oil is up, CPI is over 5%, etc… everyone is hurting. This has helped us in getting very aggressive pricing. Companies are not looking at double digit profit margins – they're taking low profit margins in order to have their crews working. He said going from a 12% profit to a 2% may have saved us $300,000 - $400,000 on site work alone – we also benefited with oil prices going down. Mr. McLiverty said after receiving approval this evening they will then place the steel order. The fence, with green sheathing attached to prevent dust and dirt, will be erected tomorrow and the groundbreaking will commence September 1st with the official ceremonial groundbreaking ceremonies taking place on Saturday, September 6th at 10:00 a.m. He said they would like to mirror the cancer center project at Griffin Hospital – have the steel erected in winter and start encapsulating the site in mid-to late winter and then start the interior work. Mr. McLiverty said another thing that is in our favor is our bids include six day work weeks, which will save us a lot of time. The Middle School Building Committee has been working diligently on this project and will continue to work diligently until the project is completed.

Mr. Hughes said he would like to commend the Building Committee for the amount of work and dedication they have done. He said he has attended a few of the meetings and stated it is very technical work and he would like to commend the Building Committee for a fine job.

Mayor Staffieri said the Middle School Building Committee has done a fantastic, fabulous job. He said the committee is comprised of professionals from the building field and they have done a fantastic job for our citizens and our children. Each member brought something unique to the committee and he would like to commend each member for the time and dedication that they have given to this project.

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to approve the contract between FIP Construction, Inc., and the City of Derby for a guaranteed amount of $23,418,000.00. ***Motion carried***.

Mr. McLiverty said the Middle School Building Committee held competitive bids for site work that is non-FIP site work that consists of converting utilities (phone, electricity & data) from Chatfield to the High School and then feeding the Middle School. He said IMCO was the low bidder for this work.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to approve the contract between the City of Derby and IMCO. ***Motion carried***.

Mr. McLiverty informed the board members that TESTCON will be conducting all the material testing on the project. He said this is a T&M Contract (time and materials) and since we don't know how much testing is going to be required we are looking to engage in a not to exceed $50,000 contract with TESTCON pending Corporation Counsel's approval when he returns.

A MOTION was made by Mrs. Moran with a second by Mr. Allaire to approve the contract between the City of Derby and TESTCON for an amount not to exceed $50,000.00 and pending Corporation Counsel's review. ***Motion carried.***

WAIVE PERMIT FEES FOR THE NEW DERBY MIDDLE SCHOOL – DISCUSSION & ACTION

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to waive all permit fees for the construction of the new Derby Middle School. ***Motion carried.***

APPROVE BILLS – MIDDLE SCHOOL BUILDING COMMITTEE – BIANCO, GIOLITTO WESTON ARCHITECTS – INVOICE #9 $55,057.50; FIP CONSTRUCTION, INC. INVOICE #08001.05 - $25,500.00; EAST COAST SIGN & SUPPLY, INC. – INVOICE #39081 $392.00; BELLETTI'S TREE SERVICE $1,375.00 & $3,700.00; NEW HAVEN REGISTER – INVOICE #2304260 $573.25; DICESARE-BENTLEY ENGINEERS, INC. – INVOICE #0015205 $2,913.50; AND AT&T $19,764.82

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to approve payment of the Bianco Giolitto Weston Architects Invoice #9 in the amount of $55,057.50. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve payment of the FIP Construction, Inc. Invoice #08001.05 in the amount of $25,500.00. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mrs. Moran to approve payment of the East Coast Sign & Supply, Inc. Invoice #39081 in the amount of $392.00. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to approve payment of the Belletti's Tree Services Invoices in the amounts of $1,375.00 and $3,700.00.

DISCUSSION ON MOTION

Mr. Szewczyk asked Mr. McLiverty if the trees had already been disposed of. Mr. McLiverty said he saw them go on the back of truck – where they went from there he has no idea. He said they are keeping track of the trees that are being removed and he said the trees that they will be planting at the completion of the project will exceed the number that they have removed. Mr. McLiverty also noted that there will be a brick pavers project at the Middle School similar to the project that was done at the Greenway Trail.

MOTION CARRIED.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve payment of the New Haven Register Invoice #2304260 in the amount of $573.25. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve payment of the DiCesare-Bentley Engineers, Inc., Invoice #0015205 in the amount of $2,913.50. ***Motion carried.***

A MOTION was made by Mr. Hughes with a second by Mr. Szewczyk to approve payment of the AT&T Invoice in the amount of $19,764.81. ***Motion carried.***

Mr. McLiverty then introduced Kevin Boyle of FIP Construction, Inc., who is going to be the Construction Manager for the project. Mr. Hughes asked Mr. Boyle if he feels comfortable with how the project is progressing and if he was surprised with the bids. Mr. Boyle said he feels very comfortable with the project and he was a little surprised with the bid results, noting that they were somewhat competitive. He echoed what Mr. McLiverty said about being in the marketplace at this time with the economy the way it is. Mr. Hughes asked about the completion date. Mr. Boyle said they will do their very best and to hope for a mild winter.

PUBLIC HEARING – CHARTER REVISION QUESTIONS

Mayor Staffieri explained that the Town/City Clerk, Laura Wabno, had knee surgery and unfortunately the Public Hearing for the Charter Revision questions was never advertised. This item can only be discussed this evening. No action can be taken.

Carolyn Duhaime, Chair of the Charter Revision Commission informed the board members that the Commission did hold two public hearings; one before any substantial work was done and then another one in June. She said the draft report that was submitted to the Board of Aldermen was submitted in a timely manner and it was accurate.

Mayor Staffieri asked three times if anyone else would like to speak. No one responded and the Mayor said they would schedule another public hearing very soon.

CHARTER REVISION QUESTIONS – DISCUSSION & ACTION

The board members started to discuss the Charter Revision questions and then stopped since they felt it may sway the public prior to the public hearing.

USE OF COON HOLLOW ON AUGUST 31, 2008 BY STORMS – FEE WAIVER – DISCUSSION & ACTION

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to waive the rental fee for Coon Hollow for Storms on August 31, 2008 for their annual gathering. ***Motion carried.***

SPOONER HOUSE – VALLEY ARTS COUNCIL PROPOSAL – DISCUSSION (Rich DiCarlo, Director – Cultural Commission)

Mr. DiCarlo said everyone should have received their proposal to turn the Spooner House into the Valley Arts Council headquarters. He said they would like to turn the Caroline Street area around. In addition to the actual building, they intend to maintain the area surrounding the property. They would like to move the gallery that is presently on Elizabeth Street to this site. Mayor Staffieri noted that this would be of no cost to the City of Derby – they would pay their own insurance, utilities, etc. Mr. Hughes asked if

they have received a lot of support for this proposal. Mr. DiCarlo said they have and noted there was a number of members of the Council present this evening.

Elizabeth Richter, a member of the Valley Arts Council said she thinks it would be a wonderful thing for the area. She said that she didn't always live in this area, she comes from a more affluent area; however she knows that arts are a big draw for all kinds of people. If we have a place where we can really operate we can give a lot of programs. She stated they have been discussing having a lot of programs for children and this would certainly supplement what is done in the public school system.

Steve DiRienzo said just by looking at what the Gallery has already done he feels this could only take things further. He said it's pretty evident and it's a long know fact that art and culture can transform a community and he feels that it has already started with the Gallery on Elizabeth Street. He said the more they do with the community and the schools it will only make it more palatable for the community to get involved as a whole. Mr. DiRienzo said he feels this is a "win-win" for everyone.

Judi Cuddihee said this speaks a level of sophistication and perhaps it will change the image of the Valley a little bit.

Mr. Szewczyk said he agrees with everything that the Valley Arts Council members said. He noted that Rich DiCarlo is a real dynamo and he just plows through problems and he is positive with Rich leading the charge this will be a very big plus for the town.

Mayor Staffieri said it is a proven fact that when an arts community comes into an area, and it usually is an area that has been downgraded, it always puts the area in a positive direction. He said the area in question is a very old part of town and if we don't have a use for it the City would then have to take care of the property and incur the costs to provide the upkeep for the property.

Mr. Hughes said he would like to think about this and review the materials presented and discuss it at the next meeting for a vote. Mr. Sill said he believes this would be an excellent use of the property.

REGISTRARS' RAISE – MAYOR VETO – DISCUSSION & POSSIBLE ACTION

Mr. Hughes read the following letters into the record:

August 4, 2008

Ken Hughes
President of the Board of Aldermen
City of Derby
1 Elizabeth Street
Derby, CT 06418

RE: Board of Aldermen Meeting
Vote to increase the salaries of the Registrar of Voters
Meeting of July 24, 2008

Dear President Hughes:
On July 24, 2008 the Board of Aldermen voted to approve an increase in the salaries of the Registrar of Voters to $10,000.00. Based on the request from a number of the members of the Board of Aldermen, expressing the desire to further research the issue and to eliminate any confusion as to the budgetary process, pursuant to Section 23 of the Charter of the City of Derby I hereby notify the Board of Aldermen that I will not approve the vote and increase. Members of the board you chair have expressed a concern the increase representing 66.7% is so substantial that it is appropriate for data to be collected on the issue and considered before such an increase should have been approved.

I shall file this objection with the City/Town Clerk and direct that the Board of Aldermen consider my objection pursuant to Section 23 of the Charter of the City of Derby.

Sincerely, Anthony Staffieri, Mayor City of Derby

August 6, 2008

Board of Aldermen
35 Fifth Street
Derby, CT 06418

RE: Salary increase for Registrar of Voters

Dear Members of the Board:

It has come to my attention that one of the Registrars had relayed incorrect information regarding a conversation about a salary increase for their positions. During the budget hearing process I was asked the question as to whether a salary increase could be given for this fiscal year. My answer was as follows:

It is very late in the process, but I would support a reasonable increase due to the cost of living over the many years that the position received no increase. I recommended that the Registrar meet with members of both the Board of Aldermen and the Tax Board as soon as possible, since the budget was about to be set. The Registrar told me that she had already met with many members. I never suggested a particular salary increase or guaranteed that there would be money in the budget to cover said increase. I did however ask her what other Registrars of similar sized cities were receiving. She responded, with much higher salary levels of almost double their current salary. I indicated that some increase was in order, but never discussed an agreed upon level.

I would recommend an increase equivalent to either the CPI or the increase the City Hall workers have received over the relevant period of time. I believe this increase would approximately be 33% or $2,000.00 bringing their salary to $8,000.00 a year.

Very sincerely yours, Alan Schlesinger, Finance Director

Mayor Staffieri asked what the pleasure of the board is. Mr. Hughes said he believes the first order of business would be to take a re-vote of the motion from the last meeting. If it receives six affirmative votes it stands, if it doesn't then it would be open for discussion. So the motion would be to approve the increase for the Registrar of Voters up to the amount of $10,000.

A MOTION was made by Mr. Hughes with as second by Mr. Bomba to take a re-vote of the motion from the last meeting.

DISCUSSION ON MOTION PRIOR TO ROLL CALL VOTE – Ms. Duhaime, Chair of the Board of Apportionment & Taxation urged the board to have Corporation Counsel review the State Statutes because something similar to this was raised before the Tax Board and there is something in the State Statutes concerning raising the salaries of elected officials' mid-term.

Messrs. Hughes & Bomba rescinded their motion.

A MOTION was made by Mr. Sill with a second by Mrs. Moran to **TABLE** this item based on information received from the Chair of the Board of Apportionment & Taxation and have Corporation Counsel review the information for the next meeting. ***Motion carried***.

FOUR PAYMENT TAX SYSTEM, DISCUSSION

Mr. Hughes noted that the City decided to do away with the four payment tax system since it was illegal. He said since they have dismissed the system they have received complaints and hardship stories from different residents. He would like to propose this evening, if the board approves, to direct the Mayor's Office to do some research to see if there are programs available that might be able to help the taxpayers' who were previously on the program and report back to this board.

Mr. Robertson said the State allows you to create specific programs under specific guidelines. He said if the board wishes he would research it for further details to see if a program can be created. Mayor Staffieri said his office will do further research and report back to the board.

BID WAIVER – STRATEGIC ENERGY – ELECTRICITY USAGE – DISCUSSION & ACTION

Mr. Hughes said Mr. Robertson did the research on this item and he turned the floor over to him.

Mr. Robertson said 15 months ago this board voted to join and sign a contract with Strategic Energy. The City purchased energy for a sixteen month period at a rate of $0.10689 and that contact will expire shortly. He has reviewed the costs to re-bid this and the costs would roughly be $5,000. Mr. Robertson said he contacted Strategic Energy to see if they would consider extending a contract and the costs associated with that extension. They have proposed the following prices:

Per KWh pricing:
24-month - $0.11381 (represents a 6.5% increase over 16 months)
36-month - $0.11429

48-month - $0.11438

Mr. Robertson said the other company they contacted was Dominion. He believes this company is the largest generator of electricity and they are the company that purchased Millstone I, II, & III in Connecticut. Their pricing is as follows:

Per KWh pricing:
2 year - $0.13750
3 year - $0.13480
4 year - $0.13550

Mr. Robertson said he also reviewed the program that Governor Rell is promoting, which is PP&U, Inc. (Public Power & Utility, Inc.) located in New Milford, CT. They purchase energy in blocks and sell it to individuals and businesses. This company will only guarantee one month. They will tell you that they will always be below UI's rate. He said he would ask the board this evening to negotiate with Strategic Energy. Mr. Hughes asked if they had a plan for 12 months. Mr. Robertson said he didn't ask them because the last time when they did 16 months he didn't want to risk beyond the 16 months because he was reading different sources where they were suggesting that the price of oil was going to go down. He would suggest going two years as a minimum because you're guaranteeing it at a reasonable rate. Mr. McLiverty said state-wide this is really starting to become a trend – municipalities are locking into these prices. This way you're capping your exposure.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve the 24-month contract with Strategic Energy at an amount not to exceed $0.11381 per KWh. ***Motion carried.***

USE OF DERBY GREEN ON SEPTEMBER 28, 2008 BY BOY SCOUT TROOP 3 FOR 15TH ANNUAL ED STRANG DAY – DISCUSSION & ACTION

Mr. Hughes read the following correspondence into the record:

Dear Derby Board of Aldermen,

Boy Scout Troop 3 requests the use of the Derby Green on September 28, 2008 from 10:00 AM to 5:00 PM for the 15th Annual Ed Strang Community Day.

Ed Strang Community Day began in 1994 when stage and screen star Brian Dennehy returned to the City of Derby's event to honor his long time Housatonic Council Park 3 Derby Cubmaster, Scouting pioneer and Derby Hall of Fame inductee Edmund D. Strang. The annual event is an opportunity for the Lower Naugatuck Valley community to participate in the adventures of Scouting while learning about environmental conservation, nature and community service.

In addition to the many scouting skills stations like cooking, pioneering, first aid, camping and physical fitness stations being run by the scouts of Pack 3, Troop 3 and Venture Crew 33, the highlight of the event will be work renown raptor expert Jonathon

Woods, presenting his birds of prey featuring 15 to 20 raptors including the symbol of America, the bald eagle.

The Raptor Project is an extraordinary and outstanding array of eagles, hawks, falcons, and owls that have won the rapt attention of enthralled audiences throughout the nation. Many of the birds in the Raptor Project have permanent handicaps and have been donated to the project by crowded wildlife centers around the country because they were unable to be re-introduced to the wild.

The event will be promoted throughout the Valley community to help encourage youths in joining the scouting program. Free membership will be offered to any youths interested in joining Derby Methodist Church sponsored Pack 3, Derby 2nd Congregational Church sponsored Troop 3 or Derby-Shelton Rotary Club sponsored Venture Crew 33.

A $1,000,000 insurance policy through the National Boy Scouts of America will be in effect, as it has for all previous Ed Strang Community Days.

Please contact me at 733-5347 for more information should you have any questions regarding this request to use the Derby Green on September 28th.

Thank you for your consideration in supporting Scouting and our community.

Randy Ritter, Scoutmaster Troop 3

Mayor Staffieri noted that the Boy Scouts really do a fantastic job with the Annual Ed Strang Day.

A MOTION was made by Mr. Hughes with a second by Mrs. Moran to grant permission for use of the Derby Green on September 28, 2008 from 10:00 a.m. to 5:00 p.m. for the 15th Annual Ed Strang Day pending the receipt of the executed insurance release. ***Motion carried.***

GRANT RESOLUTION FOR HISTORIC DOCUMENT PRESERVATION GRANT – DISCUSSION & POSSIBLE ACTION

Mr. Hughes read the resolution into the record:

RESOLVED*: That Anthony Staffieri, Mayor of the City of Derby, or the Town Clerk as his designee is empowered to execute and deliver in the name and on behalf of this municipality, an application and contract with the State Library for an Historic Document Preservation Grant.*

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to approve the Resolution for the Historic Document Preservation Grant and to empower Anthony Staffieri as Mayor of the City of Derby to execute said grant. ***Motion carried***.

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mrs. Moran to adjourn the meeting at 8:53 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.