

Ken Hughes Joseph Bomba Ron Sill Scott Boulton

**Board of Aldermen
Transfer Station Investigative
Aldermanic Sub-Committee
Monday December 1, 2008
6:30 PM
Aldermanic Chambers**

This is the meeting of the BOA Transfer Station Investigative Aldermanic Sub-Committee. Today is Monday December 1, 2008. The time is 6:30 PM.

Pledge of Allegiance.

Roll Call: Ken Hughes, Joseph Bomba, Ron Sill and Scott Boulton.

Public portion:

Dan Waleski – 21 Elm Street – Derby.

I am here on behalf of a friend who uses the Derby Transfer Station frequently and has asked me to speak with regards to his concerns. He felt that he is not satisfied with the supervision at the transfer station and that perhaps there needs to be some changes.

Mr. Hughes: Thank you Mr. Waleski.

Mr. Hughes: Anyone else from the public who wishes to speak? Anyone else from the public who wishes to speak? Anyone else from the public who wishes to speak?

Mr. Hughes: Public portion closed.

Mr. Hughes: Next item

Executive Session: Discussion of DEP investigation as to violations at the Transfer Station/Administrative investigation.

- **Motion to go into Executive Session inviting Corp. Council Joseph Coppola, Mayor Anthony Staffieri and Public Works Commissioner Ron Culmo at 6:34 PM.**

Motion by Ken Hughes. Second by Joseph Bomba. All in Favor. Motion Passes.

- **Motion to come out of Executive Session at 8:03 PM.**

Motion by Ken Hughes. Second by Joseph Bomba. All in Favor. Motion Passes.

Item #6 - Sub-committee findings regarding operation and violations at the Transfer Station. DEP investigation and order to remedy. Discussion and possible action regarding findings.

This Subcommittee of the Board of Aldermen was formed to investigate the violations and suspected general mismanagement at the Transfer Station. This report is a summary of these committees' findings to be presented to the full Board of Aldermen.

- 1. It is our finding that Shawn Wheeler, Joseph DiMartino, Sean Greene, Louis Tiano, Ron Luneau and Alan Jeanetti, who are City of Derby employees are certified by the State of Connecticut in the correct operating procedures and paperwork filing procedures in running a transfer station.**
- 2. It is our finding that the training and certification requirements are outlined by the DEP in Sections 22a-209-6 and 22a-231-1 of the Connecticut Solid Waste Management Regulations. Under these regulations, all license holders pledge to “oversee the operation of the solid waste facility in accordance with applicable state and federal statute and regulations.”**
- 3. It is our finding that Joseph DiMartino, Louis Tiano, Ron Luneau and Alan Jeanetti, were not only certified, but re certified every 5 years in the correct operating procedures and paperwork filing procedures in running a transfer station according to DEP regulations.**
- 4. It is our finding that Shawn Wheeler, Joseph DiMartino, Sean Greene, Louis Tiano, Ron Luneau and Alan Jeanetti were provided a Solid Waste Operator Certification Manual, pursuant to DEP regulations, which outlines the proper operating procedures and paperwork filing procedures in running a transfer station.**
- 5. It is our finding that from January to July 2008, the daily reports were not filled out in compliance with State regulations as instructed by the State of Connecticut, and re-instructed during recertification, and referenced in the State of Connecticut Statutes and Solid Waste Operator manual, of which some employees were presented multiple copies by the State.**
- 6. It is our finding that even though the employees submitted a signed statement stating they filled out the proper paperwork, in reality, the paperwork reviewed by the committee, from January to July 2008, according to State statutes and standard practice was anything but proper. Copies of all these records are on file.**

7. It is our finding that Alan Jeanetti handed the City Attorney daily logs from the trunk of his vehicle whereas the logs, per State statutes, should have remained onsite at all times. This is documented in the police report dated August 8, 2008, Case # 08-7933.

8. It is our finding that, as told to us by their Union Representative, Alan Jeanetti and Ron Luneau repeatedly asked their superior for equipment to cut grass and brush around the transfer station. This was found to be absolutely false based on direct correspondence with the Director of Public Works.

9. This subcommittee recognizes that: “Any person who knowingly violates any provision of the regulating statutes shall be fined not more than \$25,000 per day for each day of violation or imprisoned not more than 2 years or both.”

10. It is our finding that the office trailer at the Transfer Station was abused and maintained in a state of disarray. Pictures are on file.

11. It is our finding that ADS, our trash hauler, was allowed by certified operators to remove trash from the Transfer Station without first being weighed, yet the City of Derby was charged based on the weight of the trucks. The City had no receipts to verify this billing.

12. It is our finding that including the improper paperwork procedures, there were also countless other violations at the Transfer Station noted by outside professional consultants. These included but were not limited to: Improper and mismanaged composting procedures, improper materials placed in leaf piles, improper acceptance of street sweepings, improper management of brush, improper management of grass clippings and no procedures in place to separate recyclables, all of which are required to be known by a licensed, certified operator.

13. It is our finding that, prior to July 25, 2008, the area of the transfer station has not been kept clean. Documentation, including photographs were provided to the subcommittee and are on file

14. It is our finding that cash received by some employees from customers of the transfer station was placed in a bag wrapped in the scale ticket as a receipt, hidden somewhere in the trailer, and brought on occasion to the Finance Department in Derby City Hall

15. It is our finding that the Finance Department only received a bag with some money, and the amounts handwritten on a piece of paper, with no scale ticket receipts included in the bag.

16. It is our finding that the money coming in to City Hall has more than tripled since a private company is running the Transfer Station.

17. It is our finding that on occasion Alan Jeanetti and Ron Luneau would close and lock the Transfer Station prior to the posted and understood hours of operation therefore inconveniencing residents of Derby as noted in a letter from the Board of Aldermen dated July 27, 2007.

18. It is our finding that a private contractor, ADS, held a key to the Derby Transfer Station main gate and was allowed to use the site after hours.

19. It is our finding that from Jan 2, 2008 to July 20, 2008, Louis Tiano worked approximately on 12 occasions, Shawn Wheeler approximately on 8 occasions, Joseph DiMartino approximately on 8 occasions, Sean Greene on approximately 1 occasion, Alan Jeanetti on approximately 143 occasions and Ron Luneau on approximately 102 occasions at the transfer Station.

Based on the above findings, taking into account the days worked at the transfer station from January to July 2008, this Subcommittee recommends disciplinary action for the previously mentioned infractions which may include written reprimand, suspension and/or termination.

- **Motion to accept these findings into the record.**

Motion by Joseph Bomba. Second by Scott Boulton. All in Favor. Motion passes.

- **Motion to adjourn at 8:09 PM.**

Motion by Ron Sill. Second by Joseph Bomba. All in favor. Motion Passes.

Respectfully submitted,

**Laura A. Wabno
Recording Secretary**

**These minutes are subject to the approval of this sub-committee at their next scheduled meeting.*