

**DERBY BOARD OF ALDERMEN  
REGULAR MEETING**

**DERBY CITY HALL – October 28, 2010 – 7:00 P.M.**

**MINUTES**

The Honorable Mayor Anthony Staffieri called the meeting to order at 7:12 p.m. All rose and pledged allegiance to the flag.

**Roll Call**

Present: Barbara DeGennaro, Stephen Iacucione, Beverly Moran, Joseph DiMartino and Ken Hughes - President.

Absent: James Benanto, David Lenart, Joseph Bomba and Scott Boulton.

Also Present: Corporation Counsel - Joseph Coppola, and Chief Administrative Officer - Phil Robertson.

**Public Portion**

Lori Alberta - 325 David Humphreys Rd. She and her husband are new residents. She heard Olive Garden was coming to Derby. What are the plans for economic development? Mayor Staffieri advised Ms. Alberta to make an appointment with him or Economic Developer - Sheila O'Malley.

Dan Waleski - 21 Elm Street. Mr. Waleski acknowledged a marvelous job by the Tax Collector by having the auction and bringing it to public attention. He praised and thanked her.

Phi Robertson - Cheshire CT. Mr. Robertson recognized the shining light of Derby's new Police Chief - Gerry Narowski.

Public Portion closed.

**Approval of Minutes - September 23, 2010**

**A MOTION** to approve the minutes by Mr. Hughes, second by Mr. DiMartino, all in favor. **Motion carried.**

**Additions, Deletions or Corrections to the Agenda**

Mr. Hughes has some additions: a request for a building permit fee waiver for the Opera House - discussion and possible action, re-appointment to the W.P.C.A. for five years of Carolyn Duhaime - discussion and possible action, additions and modifications to the Housatonic River Flood Control Operation and Maintenance Manual for flood protection works - City of Derby - September 1973 by Mike Joyce - City Engineer - Discussion and possible action and Estate of Greco - Tax Appeal Matter - Offer to provide title to the City of Derby - for property known as Lot 32B - Harrison Avenue - referral to subcommittee - discussion and possible action.

**A MOTION** to approve the agenda with the additions by Mr. Hughes, second by Mr. DiMartino, all in favor. **Motion carried.**

**Committee Reports – Community Relations**

Motion to bring to the full BOA the: Reimbursement to Mr. Pablo Barriga of 61 Emmett Avenue - Sidewalk Reimbursement in the amount of \$1,292.00.

Mr. Hughes provided the board with an update from Mr. Lenart: The sidewalk replacement on 61 Emmett Avenue was approved in the amount of \$1,292.00, **A MOTION** by Mr. DiMartino to approve, second by Ms. DeGennaro, all in favor. **Motion passes.**

Also discussed at the committee meeting was 76A and 76B Academy Hill Rd regarding the issue with the reservoir and cutting of the brush, discussions are ongoing. There was an issue with City Carting with the Condo Complexes in town. It was resolved through the Mayor's office. The Condo Association was extremely happy with the quick work by the Mayor's office on the issue. The striking workers at the Derby Nursing Home placed a pod unit on the side of the road without permission. Corporation Counsel sent Mr. Lenart a draft copy of the chronic nuisance property ordinance. The committee is also working on a permit for groups wishing to place signs on City property regarding when, where and how long the sign will be up and what size the sign is.

### **Department Reports**

Board of Education - No one present.

Cultural Commission - No one present.

Public Works - no questions on the report.

Building Report - there is a potential tenant at the Staples building, there is interest in the vacant spaces at the Walmart lot, Red Raider plaza and the bowling alley building.

Facilities Inspector Report - no questions on the report.

Fire Marshal Report - no one present.

Fire Department Report - No one present.

Police Report - Chief Narowski presented his report. The department engaged South Central Criminal Justice Administration to conduct the deputy chief's test, the test will be conducted in December and Chief Narowski decided not to appoint an acting Deputy Chief in order to reduce cost.

The COPS grant application was denied two years in a row.

Chief Narowski is searching for non-conventional means of funding for the police canine. Negotiations and discussions with the union are on-going.

Mr. DiMartino informed Chief Narowski about young adults playing soccer on the football field on the weekends. There are signs regarding no unauthorized play allowed. Chief Narowski will look into it. Mr. DiMartino will provide a schedule of authorized games.

Parking Authority Report - No one present.

### **Refund of Excess Taxes requested - \$189,476.12 - Cinda Buchter, Tax Collector.**

**A MOTION** to approve by Mr. Hughes with a second by Ms. DeGennaro, all in favor. **Motion carried.**

### **St. Mary/St. Michael sign placement: Eco-Shred Day - Sat Nov 6, 2010. Discussion/Action**

A MOTION to approve by Mr. Hughes, second by Ms. Moran, all in favor. **Motion carried.**

**Pay increase of 4% for the Fire Marshal Staff (Two Deputy Marshals, one Fire Inspector and one Life Safety Code Inspector) as approved by the BOAT on Aug 16 2010. Discussion/Action**

A MOTION to approve by Mr. DiMartino with a second by Mr. Iacuone, all in favor. **Motion carried.**

**Derby Middle School - Permission for placement of signs for Musical - Rte 34/Rte 8, Division St/BJ's, and the end of Rte 8 ramp - Kimberly Stoll, DMS Music Teacher**

A MOTION to approve by Ms. Moran with clarification that it not be on state property, second by Mr. Hughes, all in favor. **Motion carried.**

**Purchase of Natural Gas via 1,2 or 3 year agreement - Discussion/Action**

Mr. Robertson presented bids received. The bids were from Spark, Hess, Direct Energy, Santa and Metro.

A MOTION to approve a purchase for natural gas for a two year contract from Santa in the amount of 6.08 for the first year and 6.50 for the second year by Mr. Hughes, second by Mr. Iacuone, all in favor. **Motion carried.**

**Additions and Modifications to the Housatonic River Flood Operation & Maintenance Manual for the Flood Protection Works - City of Derby**

Mike Joyce of Milone & McBroom presented information to the board. On June 26, 1968 entered into agreement with the Army Corp of Engineers to adopt a current operation & maintenance manual associated with the levee system.

In conjunction with the levee certification process, one of the requirements is that the manual be up to date.

A MOTION to approve by Mr. Hughes with a second by Mr. Iacuone, all in favor. **Motion carried.**

**"Derby Revised Flood Ordinance" - Discussion/Action**

DEP sent recommended revisions for the current Derby Flood Protection Ordinance. Derby participates in a national flood insurance program. The revisions are required to maintain the eligibility. The Board of Aldermen will need to hold a public hearing for the adoption.

A MOTION to go to public hearing on the matter by Mr. Iacuone, second by Mr. DiMartino, all in favor. **Motion passes.**

**Permit fee waiver for the Opera House**

A MOTION to approve by Ms. Moran, second by Mr. Iacuone, all in favor. **Motion carried.**

**Reappointment to WPCA for five years - Carolyn Duhaime**

A MOTION to approve by Ms. Moran, second by Mr. DiMartino, all in favor. **Motion carried.**

**Estate of Greco - Offer to provide title to City of Derby for Lot 32B on Harrison Avenue**

A MOTION to send to the Aldermanic Sub Committee by Mr. Iacuone, second by Ms. Moran, all in favor. **Motion passes.**

**Executive Session - Discussion regarding Lucas vs Derby**

A MOTION to go into Executive Session at 7:58 p.m. by Mr. DiMartino with a second by Ms. Moran and invite Corporation Counsel Joe Coppola and Chief Narowski all in favor. **Motion passes.**

**A MOTION** to come out of Executive Session at 8:11 p.m. by Ms. Moran, second by Mr. Hughes, all in favor. **Motion carried.**

**Discussion and Possible Action regarding Lucas vs Derby**

**A MOTION** to settle Lucas vs Derby in the amount of \$2,500.00 by Mr. Hughes, second by Mr. DiMartino, all in favor. **Motion passes.**

**Adjournment** -

**A MOTION** to adjourn by Ms. Moran, second by Ms. DeGennaro, all in favor. **Motion carried.**

Meeting ended at 8:12 p.m.

*Respectfully Submitted,*

*Denise Cesaroni  
Recording Secretary*

\*\*\*\*These minutes are subject to approval by the Board of Aldermen at their next regular meeting.