

City of Derby

Board of Aldermen

First Ward

Barbara L. DeGennaro, President
Stephen Iacuone
Felicia Monaco

Second Ward

Arthur T. Gerckens
Ronald M. Sill
David M. Lenart

Third Ward

David J. Anroman
Carmen T. DiCenso
Peter M. Olenoski, Jr.

Board of Alderman Minutes
Aldermanic Chambers, City Hall
1 Elizabeth Street, Derby, CT
July 24, 2014

1. Call to Order.

The meeting was called to order at 7:15 PM

2. Pledge of Allegiance.

3. Roll Call.

Present were Ms. DeGennaro, Mr. Iacuone, Mr. Gerckens, Mr. Sill, Mr. Anroman, Mr. Olenoski, Mr. DiCenso, Ms. Monaco and Mr. Iacuone. Mr. Lenart was absent.

4. Additions, Deletions, Corrections, and Adoption of Agenda.

Mayor Dugatto requested to change the size listed on item 6.c. to state 3' x 4'.

Mr. DiCenso motioned to remove item 8. d. Ms. DeGennaro seconded and the motion carried.

5. Public Portion.

Fredrick Picroski - 216 Derby Avenue – Stated that he was disappointed in the Bank of America on Derby Day since their ATM was not working. Also, some vendors travel from show to show and if they have a state permit there should be some way to expedite the permit process for Derby events. He thanked the Board for making the car tax payment a two payment system.

Pastor of The Real Tabernacle – 101 Elizabeth Street - Stated that the empty lot on Anson Street is not being used. They would like to build that area into a park and already have people who are willing to donate time and materials.

Inaudible 21 Castle Lane, Ansonia - Bid for police cars should stay in Derby and they shouldn't be open to other towns.

Arleen Greco - 12 Seventh Street, Derby. She would like to use the Anson Street lot to distribute free backpacks for local school children. Mayor Dugatto stated that her request was on the agenda.

Mr. Finkel - 270 Shagbark Drive. Stated that he feels Derby is going to be known for signs. There are too many signs throughout Derby. For example: yard signs behind Adams, signs near Smoke 'n Bones, and Home Depot has large signs. These signs should be illegal.

Mayor Dugatto spoke as a resident. She apologized for the venue confusion. She then made the following speech: We share a very important role in the governance of our city. Together, the mayor and aldermen share responsibility by those who have elected us. It is a responsibility that is bound by accountability. Though our mission is the same, our roles are not. The aldermen's job

is to set policy for the protection and advancement of the city's assets. My job, as mayor, is to initiate, administer, and facilitate the process. Open Door Sessions will provide an informal setting for people to discuss the challenges and opportunities that exist in our city. These are the things that inspire our actions. Aside from their legislative duties, Derby's aldermen are the eyes, ears, and voices of our neighborhoods. They are volunteers that lead lives outside of their community service. I invite them to participate in these sessions, too. Don't wait for the information or solutions to be presented. Call us, email us, or attend a public meeting to ask questions, voice your concerns, or express your ideas. Information exchange should not be limited to the formality of a meeting. As mayor and aldermen, we have an obligation to seek the best solution to the challenges that face our city, and to create a path of simplicity and certainty for the opportunities that exist. We must all work together toward those things that will have a positive impact on our community. Tonight the Board of Aldermen will conduct their monthly meeting, held the fourth Thursday of each month. I encourage you to stay to participate in the governance of our city. I also look forward to meeting with you at our regular Open Door Sessions every Thursday evening from 5:00 PM to 7:00 PM.

6. Administrative and Appointments

a. Refund of excess taxes paid through July 17, 2014 - \$3,387.18 as recommended by Denise Cesaroni, CCMC, Tax Collector

Mr. Sill motioned to approve the refund of the excess taxes. Mr. Anroman seconded and the motion carried.

b. Waive Section 14 of the City Charter to allow James Watson to serve as a Member of the Board of Apportionment and Taxation and as a Facilities Inspector.

Mr. Sill motioned to appoint James Watson as a member of the Tax Board. The Board and City Clerk discussed the order of the motions.

Ms. DeGennaro asked for the salary amount. Mayor Dugatto requested to take a recess. Mr. Sill motioned to recess for 5 minutes. Mr. Anroman seconded and the motion carried.

The meeting reopened at 7:29 PM.

Mayor Dugatto stated that the salary was \$9,987.00.

Mr. Sill added to his motion the approval of the salary. Mr. Anroman seconded. The motion carried with all in favor.

Mr. Sill motioned to waive Section 14 for James Watson. Mr. Anroman seconded and all were in favor. An email will be sent to Mr. Lenart for his vote.

c. Authorize St. Jude Church to place ~~18" x 24"~~ 3'x4' signs at 5 locations on City owned property for Family Labor Day Festival on Monday, September 1, 2014.

Mr. Sill motioned to authorize the sign request. Mr. Anroman seconded. Ms. DeGennaro stated that the Board has not allowed signage near Whiskey's. Mr. Sill amended his motion to remove the location at Whiskey's. Mr. Anroman seconded and the motion carried.

d. Authorize use of Derby Green by Christian Center The Real Tabernacle for a "Community Movie Night" on Friday, August 8, 2014 between the hours of 6:00 pm and 11:00 pm.

Ms. DeGennaro asked how many people were expected. The pastor stated that there were 25-30 people last time, but it was held on Anson Street. They are hoping for 35-50 since it's a larger space. Ms. DeGennaro stated that if it is held on the Green and there will be a lot of people, the church will need to hire a police officer. The pastor stated that he doesn't believe that many people will attend.

Mr. Anroman motioned to authorize the use of the Green. Mr. Iacuone seconded and the motion carried.

- e. Authorize use of the Greenway and the access road behind BJ's Warehouse by Walnut Hill Community Church to conduct the Derby's B.E.S.T. 5k Run/Walk on Saturday, September 27, 2014.**

Mr. Anroman motioned to authorize the use of the Greenway. Mr. DiCenso seconded.

Ms. DeGennaro asked about the parking and parking attendants that were previously discussed with the mayor regarding the BJ's access road. Mr. Iacuone stated that he should contact the police. Ms. DeGennaro asked to amend the motion to have them contact the police and Storm Ambulance. The church does provide registered nurses, but they have no problem contacting Storm's as well.

Mr. Anroman amended his motion. Mr. DiCenso amended his motion.

Mr. Gerckens questioned that since we are allowing people to run road races on the access road. He is concerned that they are setting a precedent for other road races.

The motion carried with all in favor.

- f. Authorize Pyramid Shriners Car Club to place an A-Frame sign at the top of Derby Milford Road from September 14, 2014 to October 6, 2014.**

Mr. Sill motioned to approve the sign request, Mr. Anroman seconded.

Ms. DeGennaro mentioned the state road restrictions. Mr. Iacuone said they should leave it up to the state to remove it if they disagree.

The motion carried with all in favor.

- g. Waive Picnic Grove Fee for Paugasset Hook and Ladder Company #4 on Sunday, August 24, 2014.**

Mr. Olenoski motioned to waive the fee. Ms. DeGennaro motioned to waive the fee minus the security deposit. Mr. Anroman seconded and the motion carried.

- h. Authorize use of Anson Street lot by Living Springs Christian Fellowship of Seymour, CT to distribute 50 backpacks and school supplies for neighborhood children on Sunday, August 17, 2014 from 3:00 pm to 5:00 pm.**

Ms. DeGennaro asked Ms. Greco about how it will be determined which 50 students are to receive the backpacks. Ms. Greco stated that it will be the first 50 who attend.

Mr. Olenoski motioned to authorize the lot as requested, Ms. DeGennaro seconded with the amendment that Ms. Greco contact the fire department and police department to advise them of their use of the lot. The motion carried with all in favor.

7. Approval of Minutes:

- a. Regular Meeting -April 24, 2014**

Ms. DeGennaro motioned to approve the minutes, Mr. Sill seconded and the motion carried. Mr. Olenoski abstained.

- b. Regular Meeting - June 26, 2014**

Ms. DeGennaro motioned to correct the minutes. Under item 6.3. Waive the Picnic; the motion should state that they waived the fee with the exception of the security deposit. She

also asked to correct the spelling of Attorney “Welch”. Mr. Anroman seconded and the motion carried.

c. Special Meeting – July 8, 2014

Ms. DeGennaro motioned to table the minutes until next month. Mr. Sill seconded and the motion carried.

8. Blight Committee

a. Update full Board of Alderman on status of 350 Derby Avenue

Mr. DiCenso stated that a letter detailing the conditions of the building was sent, but the owners have not responded. Attorney Welch stated that if it’s an emergency that the building comes down due to it being a danger to citizens, then they should waive the bid process. Ms. DeGennaro stated that the new ordinance states that the owners have the right to have a hearing. Attorney Welch stated that he will meet with the building inspector and determine the proper course of action.

Mr. DiCenso motioned that Corporation Counsel and the building inspector meet to discuss the situation. Mr. Sill seconded. Both Mr. DiCenso and Mr. Sill rescinded their motion as a motion was not necessary.

b. Update on 46-48 Fifth Street Foreclosure

Attorney Welch stated that the foreclosure sale that was scheduled had been withdrawn by Wells Fargo. There is no equity in the property. The City will proceed as a tax foreclosure.

c. Discussion on how to obtain permission to go on blighted properties to take care of the blighted conditions and bill the property owner.

Mr. DiCenso stated that they have a number of properties that are abandoned. He forwarded the Board a “Clean and Lien Program” that Ansonia uses. It’s an ordinance that allows the city to remediate the issue and place a lien on the property. He asked that corporation counsel review it.

~~**d. Recommendation to add 43 Anson Street to the Blight List.**~~

9. Community Relations

a. No Action Items for this Month

10. Operations and Procedures Committee

a. No Action Items for this Month

11. Road Bond Committee

a. No Action Items for this Month.

12. Department Reports

a. Board of Education

Ms. DeGennaro stated that they didn’t receive Dr. Conway’s report. Dr. Chambers stated that she would make sure it was sent out tomorrow morning. She updated the Board on the status of some of the grants that they have been recently awarded.

b. Cultural Commission

No one was in attendance.

c. Public Works

The report was not discussed. Mr. Olenoski asked about the large pothole on RT34. Mr. DeFala said the state is aware of it but has not repaired it yet.

d. Building Department

Ms. DeGennaro asked the status of 67 Minerva Street. Mr. Sarmiento stated the prospective owners are going tomorrow to remove the fence and they are going to be meeting with Planning and Zoning soon.

e. Facilities Inspectors

Mr. Gerckens stated there are many complaints about Dworkin. Mr. Sarmiento stated the attorney is looking into it and that they are on the blight list.

f. Fire Marshal

Ms. DeGennaro asked how the fireworks went. The Fire Marshal stated it went well and his only concern was the train trestle. People from Shelton walk on the trestle and the Derby PD cannot patrol that area in Shelton.

g. Fire Department

No report was forwarded. They have sold approximately 75 bricks. Next month they will be requesting to hold a service on September 11th. Bricks are still available for purchase.

h. Office of Emergency Management

There was nothing significant discussed.

i. Parking Authority

No one from the parking authority was in attendance. Ms. DeGennaro asked about the trailer on the city lot. Mayor Dugatto stated that the parking authority was going to call someone, but she hasn't heard back.

j. Police Department

No one was in attendance.

k. Water Pollution Control Authority

Mr. Saccu discussed his report. Ms. DeGennaro requested a joint meeting with the Tax Board. All members were in agreement and Ms. DeGennaro will schedule the meeting.

l. Finance Director

The report was not discussed.

m. Corporation Counsel Update

Ms. DeGennaro asked about checking to make sure the blight liens are on the land records.

n. Storm Ambulance Corp

No representative was in attendance.

o. Parks and Recreation

Nothing was discussed.

p. Revolving Loan Fund

Mr. Gerckens asked about the report. There are multiple items that are very old, specifically the Connie's loan; which will not be paid off for 19 years. It was supposed to be a 10 year agreement. It's already 8 years old. The Board asked to see the original paperwork.

13. Other Committee Reports

a. O'Sullivan Island Committee

There was nothing new to report.

b. Capital Planning Commission

Nothing was discussed.

c. School Building Committee for Roofs

1. Approve Payment of Application #1 for Bradley School - \$637,545.00

Ms. DeGennaro motioned to approve the payment to Commercial Roofing as recommended in the amount of \$637,545. Mr. Sill seconded and the motion carried.

2. Approve Payment of Application #1 for Derby High School - \$390,450.00

Ms. DeGennaro motioned to approve the payment to Imperial Roofing as recommended in the amount of \$390,450. Mr. DiCenso seconded and the motion carried.

3. Approve Payment for Plan Review – June 22, 2014 - \$1,500.00

Ms. DeGennaro motioned to approve payment. Mr. Olenoski seconded and the motion carried.

4. Approve Net Credit for leaving lightweight concrete fill in place at Bradley School – Net Credit – (33,251.00)

No action was needed as credit has already been applied.

14. New Business

a. Request from Christian Center The Real Tabernacle Church for the City of Derby to donate old City Computers to the Church.

Mayor Dugatto said there are numerous computers that need to be decommissioned. This will need to go through sub-committee first. Ms. DeGennaro motioned to forward this item to the Community Relations Sub-Committee and make Chief Narowski aware of status. Mr. Sill seconded and the motion carried.

b. Waive bidding requirements for the repair of the City Hall elevator by ThyssenKrupp Elevator Americas in the amount of \$13, 862.00.

Mr. DiCenso motioned to approve the bid waiver, Mr. Anroman seconded and all were in favor.

Mayor Dugatto said it takes 2 weeks to get the part needed and it will need to be inspected by the state. The company that is making the repair is the same company that the city has a maintenance agreement with.

15. Old Business

a. Update on Foreclosure Litigation of blighted properties, 245 Francis Street, 187-189 Derby Avenue and 105 Hawkins Street. Discussion/Possible Action.

No action is needed.

b. Status of Gilbert Street Drainage Project and IMCO invoice PW11131 with related work completion per BOA action at 5/22/14 meeting.

Mr. DeFala stated that there are two items (trash rack and the bulk head wall) that still need to be completed. Those two items are a separate project.

Ms. DeGennaro motioned to discuss this item in Executive Session 16 f. as well as 17. F. Mr. Olenoski seconded and the motion carried.

c. Status of Municipal Parking Garage, Discussion / Possible Action.

Mr. DiCenso asked what is being done. Is the city repairing it, rebuilding, etc? Mr. Sill feels

that a special full Board meeting should be held. Ms. DeGennaro will schedule the meeting.

16. Executive Session

Ms. DeGennaro motioned to enter into executive session at 9:15 PM to discuss the items below and invite Attorney Welch. Chief Lenart and Fire Commissioner are invited for item d. and Commissioner DeFala is invited for item f. Mr. Olenoski seconded and the motion carried. Ms. DeGennaro will not be in attendance during discussion of item f.

- a. O'Sullivan Island – pending litigation**
- b. Sale of East Derby Waterworks – sale of City property**
- c. VEMS v. City of Derby – pending litigation**
- d. CMED Dispatching for City of Derby Fire and EMS – contract negotiations**
- e. Edward Wabno (retired) v. City of Derby (Police Department) – pending workers' compensation claim.**
- f. Status of Gilbert Street Drainage Project and IMCO invoice PW11131 with related work completion per BOA action at 5/22/14 meeting.**

At 10:25 pm the meeting reopened to the public.

17. Regular Session

- a. O'Sullivan Island – pending litigation**
Ms. DeGennaro motioned to empower the mayor to enter into the 8th tolling agreement for the O'Sullivan Island pending litigation. Mr. Sill seconded and the motion carried.
- b. Sale of East Derby Waterworks – sale of City property**
No Action was taken.
- c. VEMS v. City of Derby – pending litigation**
No action was taken.
- d. CMED Dispatching for City of Derby Fire and EMS – contract negotiations**
Ms. DeGennaro motioned that the City of Derby withdraw from CMED New Haven as a result of them not being able to provide the services required effective 9/15/14 and move to authorize the mayor to sign any and all documents to effectuate said withdrawal. Mr. Anroman seconded and the motion carried.
- e. Edward Wabno (retired) v. City of Derby (Police Department) – pending workers' compensation claim.**
Attorney Welch asked the board to move to approve the full and final stipulation for agreement and award in the workers compensation case of Edward Wabno v. City of Derby dated July 11, 2014 as presented. Mr. Olenoski motioned to approve the motion as recommended by Attorney Welch. Mr. Sill seconded and the motion carried. Ms. DeGennaro recused.
- f. Status of Gilbert Street Drainage Project and IMCO invoice PW11131 with related work completion per BOA action at 5/22/14 meeting.**
Mr. Sill motioned to pay the invoice in the amount of \$52,025. Mr. Anroman seconded and the motion carried.

18. Adjournment

Mr. Sill motioned to adjourn at 10:27 PM. Mr. Anroman seconded and the motion carried.

Respectfully submitted,

Terri Kuskowski

These minutes are subject to the Board's approval at their next scheduled meeting.