

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
Special Meeting 1/22/14

1. Call to Order.

Mayor Dugatto called the meeting to order at 7:00 PM.

2. Pledge of Allegiance.

3. Roll Call.

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

4. Public Portion.

No one from the public wished to speak.

ADMINISTRATIVE AND APPOINTMENTS:

5. Fill vacancy on Board of Aldermen from the 1st Ward due to resignation of Anthony J. DeFala, Sr. – Democratic members only pursuant to Section 5 of the City Charter.

Ms. DeGennaro stated that democratic members held a caucus on January 15th to appoint the vacancy for the replacement of Anthony J. DeFala, Sr. The appointment is to Felicia Monaco for the remainder of the term.

Mayor Dugatto swore in Felicia Monaco as the new Aldermen.

6. Recognition of the 2013 National Champion Derby J. Pee Wee Pop Warner Cheerleaders and 2013 National runner-up Derby Jr. Midget Pop Warner Cheerleaders.

Mayor Dugatto congratulated the cheerleaders. She said that it was wonderful that these girls are not only great athletes, but great students. She commended the parents on supporting them as well. She also commended the coaches and assistant coaches. The Board presented Certificates of Recognition to the following:

| 2013 Jr. Pee Wee Cheer Team | | Cheerleaders | |
|-----------------------------|----------------------|-------------------|-----------------------|
| Head Coach | Barbara Hubbard | Gianna Baligad | April Nowinski |
| Asst. Coach | Brittany Anderson | Cassandra Bottone | Ryleigh Oliwa |
| Asst. Coach | Lauren Anderson | Daisy Calvert | Kelsey Picheco |
| Asst. Coach | Antionette DeGennaro | Alyssa Caruso | Nazareth Redzep-Erazo |
| Asst. Coach | Samantha Slowik | Amelia Douglas | Brooke Uleano |
| Asst. Coach | Melissa Calvert | Lizandra Jimenez | Eshona Vickers |

| | | | |
|--------------------|------------------|-----------------|---------------|
| Asst. Coach | Casey Picheco | Eniyah Lawrence | Taylor Wilson |
| Asst. Cheer Coord. | Kathy Slowik | Alexis Mays | Kasia Wlazlo |
| Cheer Coordinator | Melanie Anderson | Rylee Netto | |
| President | Tom Able | | |

| 2013 Jr. Midget Cheer Team | | Cheerleaders | |
|----------------------------|-------------------|------------------|-------------------|
| Head Coach | Lynnette Esposito | Alexis Admans | Victoria Ramirez |
| Asst. Coach | Nicole Adams | Jordan Epps | Kaelyn Rice |
| Asst. Coach | Chantal Gerckens | Sara Gerckens | Samatha Ruelle |
| Asst. Coach | Nicole Oraziotti | Makayla Gibson | Angelica Sampson |
| Asst. Coach | Pam Voytek | Haley Grammatico | Alyssa Schneider |
| Asst. Coach | Teri Pough | Amaya Jones | Kayleigh Stockmal |
| Asst. Coach | Elizabeth Albers | Molly Keane | Leonora Sulejmani |
| Asst. Cheer Coordinator | Kathy Slowik | Alyssa Meneo | Megan Tallberg |
| Cheer Coordinator | Melanie Anderson | Victoria Natale | Kimbery Voytek |
| President | Tom Abel | Natasha Oquendo | Ania Washington |
| | | Kayla Piczko | Anita Wlazlo |

7. Waive Section 14 of the city charter to allow Anthony J. DeFala, Sr. to serve as Street Commissioner and a Supernumerary Police Officer.

Mr. Lenart motioned to approve the waiver. Mr. Anroman seconded and the motion carried.

8. Approve appointments to the Capital Planning Commissioner as per 7-92 of the City of Derby Ordinances as recommended by Mayor Dugatto.

Mr. Anroman motioned to approve the appointments as recommended, Mr. Lenart seconded and the motion carried with all in favor.

The appointments were: Mayor Dugatto, Mr. Butler, Mr. Carloni, Ms. DeGennaro, Mr. Olenoski, Mr. Sill, Mr. Marcucio, Sr., Mr. Thomson, and Mr. McLivery.

9. Approve appointment of a School Building Committee to oversee the Roof Replacement Projects approved at referendum on October 1, 2013 as recommended by the Operations and Procedures Committee.

Mr. Anroman motioned to approve the appointments as recommended, Mr. Sill seconded and the motion carried with all in favor.

The appointments were: Mr. Keith McLiverty, Mr. Anthony DeSimone, Mr. Dave Anroman, Mr. Edward McManus and Mr. Rob Hyder.

APPROVAL OF MINUTES:

10. Regular meeting minutes of December 19, 2013.

Ms. DeGennaro motioned to table item 10. Mr. Sill seconded and the motion carried.

11. Special meeting minutes of January 15, 2014.

Mr. Gerckens motioned to approve minutes, Ms. DeGennaro seconded and the motion carried with all in favor.

Ms. Monaco abstained.

COMMITTEE REPORTS:

12. Approve Road Bond Invoice #I-187750 in the amount of \$663.50 to O&G Industries as recommended by the Community Relations Committee.

Mr. Sill motioned to correct items 12, 13, 14 and 15 to state that they are recommended by the Road Bond Committee not the Community Relations Committee and to approve payment. Mr. DiCenso seconded and the motion carried. Ms. Monaco abstained.

13. Approve Road Bond Invoice in the amount of \$1,553.60 to the Derby Police Department as recommended by the Community Relations Committee.

Mr. Sill approved to pay the invoice, Mr. Olenoski seconded and the motion carried. Ms. Monaco abstained.

14. Approve Road Bond Invoice #1242038 in the amount of \$1,259.00 and Invoice #1243253 in the amount of \$1,287.26 to Tilcon Connecticut, Inc. as recommended by the Community Relations Committee.

Mr. Sill motioned to approve payment, Mr. Anroman seconded and the motion carried. Ms. Monaco abstained.

15. Approve Road Bond Invoice dated December 5, 2013 in the amount of \$32,712.75 to F. Pepe Construction, Inc. as recommended by the Community Relations Committee.

Mr. Sill motioned to approve payment, Mr. Anroman seconded and the motion carried. Ms. Monaco abstained.

16. Discuss update on Foreclosure Litigation of Blighted Properties from the Blight Committee.

Attorney Blake updated the Board on the following properties.

- a. 245 Francis Street - He stated that no complaint was ever filed. So it is being worked on.
- b. 196 Derby Avenue - They defaulted against the owner, but other defendant has counsel and they are working with them regarding counters on why they should not proceed with foreclosure.
- c. 187-189 Derby Avenue - They need to file an additional party because the property was sold.
- d. 105 Hawkins Street - They are proceeding with the foreclosure.
- c. 199 Caroline Street- He stated that no complaint was ever filed so it is being worked on.

DEPARTMENT REPORTS:

17. Board of Education.

Dr. Conway thanked the board for appointing the building committee so they can stay on schedule with the roof project. The CCTV bids have been awarded and they are hoping to have the project completed within the next 45 days. They are working on administrative contracts. He also stated that the administrators have demonstrated their trust, because a portion of their contract is tied directly to their evaluation. He also advised the Board of two recognitions received by State of CT. One was for being the top performing alliance districts and the other was for closing the achievement gap.

18. Cultural Commission Report.

There was nothing new to report.

19. Public Works Report.

Ms. DeGennaro had inquired about the process for road cutting and repair. She will be adding it to the agenda for the next Operations and Procedures Committee meeting. Mr. DeFala stated that they are working on a new protocol. She would also like to refer issues with the homeowners on Gilbert Street regarding how their properties have been affected to the Community Relations Committee. Attorney Blake added that he is meeting with the contractor on Friday to discuss the removal of their equipment from Gilbert Street.

Mr. DiCenso stated that he stopped at Public Works and said there was a noticeable difference and he thinks Anthony is doing a great job.

20. Building Department Report.

49 Permits were issued. Aldi's applied for an application. Panera Bread has also showed interest. The department issued the demolition permit for Town Fair Tire. He also thanked Mr. DiCenso and the Blight Committee for their efforts.

The Board discussed the copier that was purchased for city hall, but is currently in the Building Department. There is no funding for the copier lease. Additionally, the lease agreement was entered into without the Board's approval and it does not have the standard terms for a \$1 buyout. If they default on the lease it will cost the city more than it would to fund the balance of the lease. More information will be gathered and it will be discussed further at the next meeting.

21. Facilities Inspector Report.

\$43,200 was collected in blight fines and they are working on the foreclosures. He will review the properties because there is confusion on which four properties are in litigation.

22. Fire Marshall Report.

The report was not discussed.

23. Fire Department Report.

The new commissioner, Mike Kellher, has been sworn in and they thanked Kelly Curtis for his 8 years of service.

24. Office of Emergency Management.

No one was in attendance.

25. Parking Authority Report.

The report was not discussed. The Derby Municipal Parking Authority invited the Mayor and Board of Aldermen to an open house on Saturday, February 1st at 10 am.

26. Derby Police Department.

Three new commissioners were sworn in: Thomas DeGennaro, Denise Bottone, and John Mastrianni.

27. WPCA - Update.

Mr. DiCenso asked about fines from DEP regarding Roosevelt Drive. Mr. Saccu stated that they are not taking action.

28. Corporation Counsel's Monthly Update.

There was no update.

29. Storm Ambulance Corps Monthly Report.

There was no report.

30. Parks & Rec.

No one was in attendance.

31. Economic Development Department.

Revolving Loan Payment Update.

Ms. DeGennaro forwarded the report from Ms. Finn and stated that everyone is paid up for December except for Benanto Real Estate and Bella's. Bella's indicated that they anticipate opening in a few months.

NEW BUSINESS:

32. Presentation by Arthur Bogen of Valley Regional Planning Agency - Assessment and Plan for O'Sullivan Island Cleanup. - Discussion Only.

Mr. Arthur Bogen gave a presentation regarding O'Sullivan Island. Mr. Rick Dunne was also in attendance to assist with the presentation. Mr. Bogen is the environmental planner at VCOG. They are working with DEP to determine what is needed to be done. He stated that the work that has been done on the site was completed by licensed professionals. In 1983 and 1985, there were removal of over 900 drums filled with PCBs. This occurred at the end of the island. Not all of the PCB contamination was cleaned up at that time. They have been working with EPA to get more funds to address this. The latest activity was the EPA addressing removal of additional PCB contamination. They then put in clean fill depending on the depths of contaminated soil removed. They did not work on the entire peninsula. Subsequent reports indicated that there are some issues in some locations but at depth. He spoke with CT Dept. public Health who is going to create an updated report. The EPA indicated that the site was eligible for passive recreation; however, the EPA only dealt with PCBs. They did not look for other issues on the site. PCB contamination was an urgent concern and that is what their task was.

They are working on locating funding for assessments and working with DEEP to find out what exactly is needed for grant approval. EPA capped the area with 2' of soil. DEEP has more in depth requirements for approval. Possible contaminants that may or may not be there are metals: lead and arsenic (some are naturally occurring), total petroleum hydrocarbons: grease, motor oil, etc., and volatile organic compounds (VOC). He said that VOCs in the soil are not a tremendous issue and it would be more of a concern if it was in a confined area. PCBs were first manufactured in 1929 and used through 1979 when they were banned. They do not believe there are any PCBs left in the top soil. If those chemicals are there it needs to be determined how deep and whether or not they are ok to remain.

Mr. Gerckens questioned what should be done about digging and all the installation of monuments, tree planting, etc. that have already been approved. Mr. Bogen stated that the Health Department is working on an update. There were areas that were north of the fire station where nothing was found. The PCB area was more isolated. There may be no issues there, but they need to wait for the reports. Hopefully, they will have the reports within the next two months.

Ms. DeGennaro said that the location will remain closed until they can find out more information.

33. Refund of Excess Taxes paid through January 17, 2014 - \$3,032.53, Denise Cesaroni, CCMC - Tax Collector.

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

34. Approve Summer Concert Series on Derby Green on Tuesday Evenings from 7:00 PM - 9:00 PM June 17 to August 19, 2014 with rain dates on Wednesdays of the same week and on July 3, 2014 for the Fireworks Display as recommended by the Cultural Commission.

Mr. Sill motioned to approve the concert series, Mr. Anroman seconded and the motion carried.

35. Authorize Mayor Dugatto to execute contracts with Flagship Networks for Computer and Network Services.

Mayor Dugatto advised the Board that the City's internet keeps going down and in finance, the AS400 software has been going down for 2 hours a day every day. The payroll system is having issues as well. She stated that Flagship Networks has a specified plan to correct firewall issues. Mayor Dugatto is also asking for approval of an invoice for \$1,014.00 to repair the firewall issues.

Mr. Lenart motioned to approve invoice. Ms. DeGennaro motioned to amend Mr. Lenart's motion and to allow the Mayor to enter into negotiations with Flagship and bring back any proposal or contract to bind the city at a later date. Mr. Lenart agreed and Mr. Sill seconded. The motion carried without further discussion.

36. Authorize Mayor Dugatto to execute contract with Q-Send Technologies for Website Development and Maintenance.

Ms. DeGennaro would like a copy of the contract before authorizing execution and stated they may need to go

out to bid. Mr. Gerckens stated that Mr. Walsh did a fantastic job all these years and we owe him a debt of gratitude. Ms. DeGennaro motioned to table this issue and said this will be brought to the Operations & Procedures Committee. Mr. Sill seconded and the motion carried.

37. Authorize the acceptance of Easement from Town Fair Tire Centers of CT, LLC and the Derby Four, LLC to the City of Derby.

After discussion regarding the drainage, Ms. DeGennaro motioned to table, Mr. Anroman seconded and the motion carried with all in favor.

OLD BUSINESS:

There was no old business discussed

EXECUTIVE SESSION:

Mr. Sill motioned to enter into executive session after a brief break at 8:56 PM to discuss the items listed below and invite Mayor Dugatto and corporation counsel. Mr. Olenoski seconded and the motion carried.

38. Pending Litigation – O’Sullivan Island – Attorney/Client Privileged Retainer

39. Pending Litigation – Trident Insurance vs. City of Derby

40. Pending Heart and Hypertension Claim of Charles M. Stankye, III

41. Pending Heart and Hypertension Claim of Salvatore Frosceno

Mr. DiCenso motioned to come out of executive session at 9:48 PM. Mr. Olenoski seconded and the motion carried. The following action was taken:

38. Pending Litigation – O’Sullivan Island – Attorney/Client Privileged Retainer

Mr. DiCenso motioned to retain Robinson and Cole for pending litigation pertaining to O’Sullivan Island. Mr. Sill seconded and the motion carried.

39. Pending Litigation – Trident Insurance vs. City of Derby

Mr. DiCenso motioned to pay Trident Insurance pursuant to recommendation by counsel. Mr. Sill seconded and the motion carried.

40. Pending Heart and Hypertension Claim of Charles M. Stankye, III

Mr. Gerckens motioned to approve the findings and award for pending heart and hypertension claim of Charles M. Stankye, III. Mr. Anroman seconded and the motion carried.

41. Pending Heart and Hypertension Claim of Salvatore Frosceno

Mr. Gerckens motioned to approve the findings and award for pending heart and hypertension claim of Salvatore Frosceno. Mr. DiCenso seconded and the motion carried.

42. Adjournment.

Mr. Lenart motioned to adjourn at 9:50 PM, Mr. Sill seconded and the motion carried.

Respectfully submitted,



Terri Kuskowski

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