# City of Derby
# Board of Aldermen

| First Ward | Second Ward | Third Ward |
|---|---|---|
| Barbara L. DeGennaro | Joseph L. DiMartino | Carmen T. DiCenso, President |
| Thomas J. Donofrio | Arthur T. Gerckens | Peter M. Olenoski, Jr. |
| Stephen M. Iacuone | Ronald M. Sill | Tony Staffieri |

***Board of Alderman Meeting Minutes***
***Aldermanic Chambers, City Hall***
***1 Elizabeth Street, Derby, CT***
***January 28, 2016***

**1. Call to Order.**
Mayor Dugatto called the meeting to order at 7:00 PM.

**2. Pledge of Allegiance.**
Mayor Dugatto led the Pledge of Allegiance.

**3. Roll Call.**
Mayor Dugatto requested roll call.

The Board of Aldermen present were Ms. DeGennaro, Mr. Donofrio, Mr. Iacuone, Mr. DiMartino, Mr. Gerckens, Mr. Sill, Mr. DiCenso, Mr. Olenoski, and Mr. Staffieri.

**4. Additions, Deletions, Corrections and Adoption of Agenda**
Mr. DiCenso motioned to delete the following items: 8.2.3, 8.2.7, 11.5 B and 12.1, Ms. DeGennaro seconded and the motion carried.

**5. Public Portion**
Ron Dicamillo– spoke on behalf of his mom who owns two homes at 29 and 31/33 Gilbert Street. He expressed his displeasure with the way the permit process is being handled with regards to the Gilbert Street parking lot. He has been contacting the Mayor's office for months and is getting no response. He stated that if he did not receive a response to his concerns by the end of the meeting he will be going to the media and there will be a citizen protest.

Frank Pepe – a business owner in Derby. He spoke about the Board making changes to the bid processing. He would like to see Derby give discounts like other towns do for in town businesses and residents. He stated that other towns have a 10% discount for contractors in the town. He would also like to see them up the non-bidding process to $25,000.

Tom Lionetti of Sunset Drive – Spoke regarding the timing of the Derby Senior Center director's termination. He feels it could have waited. He said all the people there love her and he feels that the way it was handled was a slap in the face to the citizens.

Terry Porcu – employee of the Derby Senior Center. Stated that she doesn't know why the director was terminated and she wants to know what the mayor's intentions are for the building and the seniors. She said the seniors need that center.

**6. Approval of Minutes**

**6.1. Regular Full Board Meeting –December 17, 2015**
Motioned by Mr. Sill, seconded by Mr. DiMartino and the motion carried. Mr. Donofrio abstained.

**7. Administrative and Appointments**

**7.1 Move to approve refund of excess taxes paid through January 11, 2016 in the amount of $2,547.19.**
Motioned by Mr. DiCenso, seconded by Mr. Olenoski and carried with all in favor.

**8. Sub-Committee Reports**

**8.1. Blight Committee**

**8.1.1. Move to place property known as Division Street, Map 7-10, Block #20B on the blight list**
Motioned by Mr. DiCenso, seconded by Mr. DiMartino and carried with all in favor.

**8.1.2. Move to remove 195 Main Street from the blight list.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and carried with all in favor.

**8.2. Community Relations**

**8.2.1. Move to approve vendor license for Humpty Dumpty Ice Cream.**
Motioned by Mr. Sill, Mr. Staffieri seconded and the motion carried.

**8.2.2. Move to approve vendor license for Nichols Dog House.**
Motioned by Mr. Sill pending the final signature that is required, Ms. DeGennaro seconded and the motion carried with all in favor.

Mr. Gerckens said the BOA does not have permission to specify the food vendor's location. The zoning department is responsible for approving the location.

**8.2.3. ~~Move to approve vendor license for Norma Patricia Davis of Comcast Xfinity~~**

**8.2.4. Move to approve the address change for Derby High School from Nutmeg Avenue to Chatfield Street and further authorize the City Engineer to provide the appropriate address number.**
Motioned by Mr. Sill, seconded by Mr. Staffieri, and the motion carried.

**8.2.5. Sterling Opera House – Awareness Strategies. Discussion/Action**
Tracey Curtis spoke about the Sterling Opera House and ways to raise money to fund the repair of the building. Mr. Welch stated that the lease of the building would require going out to bid. If the Board determines that this is something they want to move forward with an RFP needs to be created.

Mr. Sill motioned to move this to subcommittee and Mr. Staffieri seconded. The motion carried with all in favor.

**8.2.6. Recommend for approval to the full Board of Aldermen the request from South Central Connecticut Regional Water Authority to install a Sensus Tower on Cottage Street.**
Mr. Sill motioned to table this item and move it back to subcommittee, Mr. DiMartino seconded and the motion carried.

**8.2.7. ~~Recommend to the full Board of Aldermen to bring the discussion of Derby's Greenway Trail for upkeep and preventative maintenance.~~**

**8.3. Operations & Procedures**

**8.3.1. Waiver of Compensation and Appraisal for the Route 34 Widening Project.**

**A. Move to approve the waiver of Compensation and Appraisal for the reconstruction of CT Route 34 (Main Street). State Project number 36-184, Serial Number 1 and authorize Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.**
Motioned by Mr. Gerckens, seconded by Mr. Olenoski and the motion carried. Ms. DeGennaro abstained.
**NOW THEREFORE**, the said **City of Derby** does hereby waive the right to an appraisal and the right to any and all just compensation for said real property acquisition described on the map entitled: "TOWN OF DERBY, MAP SHOWING LAND ACQUIRED FROM TOWN OF DERBY, BY THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, RECONSTRUCTION OF ROUTE 34 (Main Street), SCALE 1" = 40',

NOV. 2015, Thomas A. Harley, P.E. –CHIEF ENGINEER, BUREAU OF ENGINEERING AND CONSTRUCTION. TOWN NO. 36, PROJECT NO. 36-184, SERIAL NO. 1." And further authorized Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.

B. **Move to approve the waiver of Compensation and Appraisal for the reconstruction of CT Route 34 (Main Street). State Project number 36-184, Serial Number 13 and authorize Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.**
Motioned by Mr. Gerckens, seconded by Mr. Olenoski and the motion carried. Ms. DeGennaro abstained. **NOW THEREFORE**, the said **City of Derby** does hereby waive the right to an appraisal and the right to any and all just compensation for said real property acquisition described on the map entitled: "TOWN OF DERBY, MAP SHOWING LAND ACQUIRED FROM TOWN OF DERBY, BY THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, RECONSTRUCTION OF ROUTE 34 (Main Street), SCALE 1" = 20', THOMAS A. HARLEY, P.E. –CHIEF ENGINEER, BUREAU OF ENGINEERING AND CONSTRUCTION, TOWN NO. 36, PROJECT NO. 36-184, SERIAL NO. 13." And further authorized Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.

C. **Move to approve the waiver of Compensation and Appraisal for the reconstruction of CT Route 34 (Main Street). State Project number 36-184, Serial Number 18 and authorize Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.**
Motioned by Mr. Gerckens, seconded by Mr. Olenoski and the motion carried. Ms. DeGennaro abstained. **NOW THEREFORE**, the said **City of Derby** does hereby waive the right to an appraisal and the right to any and all just compensation for said real property acquisition described on the map entitled: "TOWN OF DERBY, MAP SHOWING LAND ACQUIRED FROM TOWN OF DERBY, BY THE STATE OF CONNECTICUT, DEPARTMENT OF TRANSPORTATION, RECONSTRUCTION OF ROUTE 34 (Main Street), SCALE 1" = 20', THOMAS A. HARLEY, P.E. –CHIEF ENGINEER, BUREAU OF ENGINEERING AND CONSTRUCTION, TOWN NO. 36, PROJECT NO. 36-184, SERIAL NO. 18." And further authorized Mayor Anita Dugatto to execute any and all documents necessary to effectuate same.

**8.3.2. Move to amend the City of Derby Fuel Disbursement Policy to include the Storm Ambulance chief vehicle and to provide said vehicle with 32 gallons per month.**
Motioned by Mr. Gerckens and seconded by Mr. Olenoski. The motion carried.

Mr. Gerckens asked if they are a city agency or not. Why are they funding an outside agency? Ms. DeGennaro stated that these vehicles are registered to and insured by the City of Derby.

**8.4. Road Bond**

**8.4.1. No Action Items.**

**9. Department Reports**

**9.1. Board of Education**

Dr. Conway said that next week they have a signing ceremony with Post University. They are offering a 15% discount to all residents of Derby and Derby employees. Derby students will be eligible to take up to 9 credits and will be able to attend Post University at a discounted rate. Ms. DeGennaro asked if this agreement should have been signed without the Board of Aldermen's approval. Attorney Welch stated he will look into it.

**9.2. Cultural Commission**

Nothing was discussed.

**9.3. Public Works**

Mr. DiMartino said they need to take a look at the cobblestone road. The plow trucks are getting damaged and they are receiving complaints that people are falling because of the condition of the road.

Mr. Sill thanked Mr. DeFala for his work with the Irving School students.

**9.4. Building Department**

Nothing was discussed.

**9.5. Facilities Inspectors**
Nothing was discussed.

**9.6. Fire Marshal**
Nothing was discussed.

**9.7. Fire Department**
There was no report.

**9.8. Office of Emergency Management**
There was nothing new to report.

**9.9. Parking Division**
Ms. DeGennaro stated they did not get a chance to review the report since the Board just received it tonight.

**9.10. Police Department**
No report was received.

**9.11. Water Pollution Control Authority**
Nothing was discussed.

**9.12. Finance Director**
Nothing was discussed.

**9.13. Corporation Counsel Update**
Nothing was discussed.

**9.14. Storm Ambulance Corp**
Nothing was discussed.

**9.15. Parks and Recreation**
Mr. DiMartino asked about the field. Dr. Conway said they are moving forward with the revised plan.

Mr. Gerckens stated that residents want the use of non-powered boats at Witek Park approved. Mr. Sill said they would look into it, but he thought the official paperwork said no motorized boats. Corporation Counsel will research it.

Mr. Olenoski asked if Public Works maintains all the parks. Witek Park is the only area not maintained by Public Works. It is believed that a certified company was needed to maintain the park. The City will research the contract for Witek Park.

**9.16. Revolving Loan Fund**
Nothing was discussed.

**10. Other Committee Reports**

**10.1. O'Sullivan Island Committee**
Mr. Gerckens asked about when the Board could start discussions on reopening O'Sullivan Island. They stated it will be added to the next subcommittee meeting.

**10.2. Capital Planning Commission**
Nothing was discussed.

**10.3. School Building Committee for Roofs**
There was nothing to report.

**10.4. WPCA Infrastructure Committee**
Nothing was discussed.

**11. New Business**

**11.1. Move to authorize an appraisal of property located at Francis Street (Map 8-7, Lot 48) for the purpose of a possible sale of the property.**
Motioned by Mr. DiCenso, seconded by Mr. DiMartino and the motion carried with all in favor.

**11.2. Move to authorize an appraisal of a portion of property located and designated on the Tax Assessor Map 6-4, Lot 18 which property is required to complete the Burtville Pumping Station Upgrade.**
Motioned by Mr. DiCenso, seconded by Ms. DeGennaro and the motion carried.

**11.3. Derby Day**

**A. Move to approve Saturday, June 25, 2016 from 10:00 am to 5:00 pm for Derby Day 2016 Festival.**
Motioned by Mr. DiCenso, seconded by Mr. DiMartino and the motion carried.

**B. Move to recommend to the Derby Traffic Commission the closure of Elizabeth Street from Thompson Place to Fifth Street from 7:00 am until 7:00 pm on Saturday, June 25, 2016.**
Motioned by Mr. DiCenso, seconded by Mr. Olenoski and the motion carried with all in favor.

**C. Move to approve the placement of restrooms on the lower end of the Derby Green during the Derby Day festival.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

**D. Move to authorize the Derby Cultural Commission to place signs in the City Hall Parking Lot, entrance to DHS/DMS parking lot, in front of Irving School, entrance to Bradley School, the fences on both corners of Caroline and Main Street, the fence on Main Street at the end of Elizabeth Street, at the beginning of the Derby Riverwalk on Division Street and at the beginning of the Derby Riverwalk on Main Street.**
Motioned by Mr. DiCenso and seconded by Mr. Staffieri.

Mr. Gerckens said they are working on this issue in committee with Planning and Zoning. Mr. Sarmiento said that the Board could approve the list; however, no signage could be installed without Planning and Zoning approval.

Ms. DeGennaro motioned to table and go back to committee. Mr. Sill seconded and the motion carried.

**E. Move to authorize the Derby Cultural Commission to hang a banner across Elizabeth Street.**
Motioned by Mr. DiCenso and seconded by Mr. DiMartino. Mr. Sarmiento says that the poles are owned by UI and they are not allowed to hang the banners. Mr. DiCenso and Mr. DiMartino withdrew their motions.

**11.4. Authorize the use of the Derby Green from 12:00 until 6:00 pm on Sunday, March 20, 2016 for Annual Easter Event for Children.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

**11.5. Ecofest 2016**

**A. Move to approve Saturday, May 21, 2016 from 11:00 am to 5:00 pm for Derby EcoFest 2016 utilizing the city owned property at the end of Caroline Street.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

~~**B. Move to recommend to the Derby Traffic Commission the closure of Elizabeth Street from Thompson Place to Fifth Street from 7:00 am until 7:00 pm on Saturday, June 25, 2016.**~~

**C. Move to approve placement of restrooms on the location for the Derby EcoFest 2016.**

Motioned by Mr. DiCenso, seconded by Mr. DiMartino and the motion carried.

D. **Move to authorize the Derby Cultural Commission to place signs in the City Hall Parking Lot, entrance to DHS/DMS parking lot, in front of Irving School, entrance to Bradley School, the fences on both corners of Caroline and Main Street, the fence on Main Street at the end of Elizabeth Street, at the beginning of the Derby Riverwalk on Division Street and at the beginning of the Derby Riverwalk on Main Street.**
Mr. DiCenso moved to table 11.5 D. Ms. DeGennaro seconded and the motion carried.

E. **Move to authorize the Derby Cultural Commission to include a second life sale for the community where people can purchase a table to sell their gently used goods or crafts.**
Motioned by Mr. DiCenso. Ms. DeGennaro motioned to table. Mr. Olenoski seconded and the motion carried.

**11.6. Move to waive building permit fees for renovations of basement and kitchen at Storm Engine Company in the amount of $223.12.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

**11.7. Move to have the City of Derby contribute $1,000 toward each team for the Derby Pop Warner Cheerleaders National Championship Rings for the Pee Wee and Jr. Midget squads.**
Motioned by Mr. DiCenso and seconded by Mr. DiMartino.

Ms. DeGennaro asked for an amendment because they can't approve the dollar amount. The tax board would need to vote on that.

Mr. McLiverty said that the Aldermen should recommend the approval of the dollar amount.

Ms. DeGennaro motioned to amend the vote and recommend the approval of the City of Derby's contribution of $1,000 to each squad, Pee Wee and Jr. Midget, for the championship rings to the Board of Taxation.

Mr. DiMartino would like to increase the dollar amount up to $3722. This would cover the cheerleaders.

Ms. DeGennaro amended her motion to increase the recommended dollar amount $3843. Mr. DiCenso and Mr. DiMartino accepted the amended motion and the motion carried. Mr. Donofrio abstained.

**11.8. Move to adopt resolution requesting that the City of Derby be included in a feasibility study to be conducted by the Naugatuck Valley Council of Governments as recommended by the CT DEEP.**
Motioned by Mr. DiCenso and seconded by Mr. Sill.

Mr. Gerckens asked why everyone was opposed to this two months ago. Mr. DiCenso stated that they were opposed when it only involved connecting Derby and Ansonia. This study includes 19 towns.

Ms. DeGennaro said the motion should be changed because no resolution has been received. She asked Corporation Counsel for his recommended motion.

Attorney Welch stated they should move to agree to participate in a feasibility study to be conducted by the Naugatuck Valley Council of Governments as recommended by the CT DEEP.

Mr. DiCenso and Mr. Sill accepted the amended motion and the motion carried.

**12. Old Business**
~~**12.1. Update on WPCA and DEEP issues – Executive Session if necessary.**~~

**13. Executive Session**
**13.1. Old Colony Construction, LLC v City of Derby – Pending Litigation**
**13.2. Litigation regarding former employee in tax office**

**13.3. Personnel matter – Derby Senior Center**
**13.4. Contract negotiations/price for property acquisition**

Ms. DeGennaro motioned to enter into executive session at 8:22 PM and invite Attorneys Welch and Teodosio. Mr. Olenoski seconded and the motion carried.

**14. Regular Session Action from Executive Session**
**14.1. No Action Items.**

**15. Adjournment**
The meeting adjourned following executive session as no action was taken.

Respectfully submitted,

Terri Kuskowski

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