City of Derby
Board of Aldermen

First Ward	Second Ward	Third Ward
Barbara L. DeGennaro	Arthur T. Gerckens, President	David J. Anroman
Stephen Iacuone	Ronald M. Sill	Carmen T. DiCenso
Felicia Monaco	Joseph DiMartino	Peter M. Olenoski, Jr.

Board of Alderman Minutes
Aldermanic Chambers, City Hall
1 Elizabeth Street, Derby, CT
October 22, 2015

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. Present were Ms. DeGennaro, Mr. Iacuone, Ms. Monaco, Mr. Gerckens, Mr. Sill, Mr. DiMartino, Mr. Anroman, Mr. DiCenso and Mr. Olenoski.

4. **Additions, Deletions, Corrections and Adoption of Agenda**
   4.1. Mr. Gerckens motioned to make the following changes: Delete item 8.1.3 and item 8.1.7, Edit item 8.3.1 to include period after Discussion/Possible Action and delete the remaining sentence, Edit item 8.3.2 to include a period after Discussion/Possible action and delete the remaining sentence, item 9.9 should read "Parking Division", Add item 11.5 "Move to waive Building Permit Fees for Storm Ambulance Corps to construct new foundation on their building at 151 Olivia Street", add item 11.6 "Derby Gridiron Club – Permission to hold a bonfire at the Picnic Grove on Wednesday, November 25, 2015", add item 13.5 "CMED Discussion to Executive Session Discussion / Possible Action" and add item 14.3 "CMED – Action". Mr. Sill seconded and the motion carried.

5. **Public Portion**
   Christina DiMartino – Sherwood Avenue. Thanked the Board and all City officials for their assistance during the Food Truck Festival.

   Fred Picroski – 216 Derby Avenue. Asked about the status of the building involved in the fire. Mr. DiCenso said the building should be demolished within the week.

6. **Approval of Minutes**

   6.1. Regular meeting – September 24, 2015
   Ms. DeGennaro motioned to approve with one correction under item 9.10 it should state "kits" not "kids". Mr. Gerckens added that under public portion it should state next "meeting" not next "meet" and under item 12.2 "NVCG" should be "NVCOG". Ms. DeGennaro accepted the additional amendments. Mr. Sill seconded and the motion carried.

7. **Administrative and Appointments**
   7.1 Refund of excess taxes paid through October 09, 2015 in the amount of $2,459.19 as recommended by Denise Cesaroni, CCMC, Tax Collector
   Mr. Sill motioned to approve the refund of the excess taxes in the amount of $2,459.19. Mr. DiMartino seconded and the motion carried.

8. **Sub-Committee Reports**

8.1. Blight Committee

8.1.1. **Move to recommend to the full Board of Aldermen that 46 Fifth Street be removed from the blight list.**
Motioned by Mr. DiCenso, seconded by Mr. Anroman and the motion carried.

8.1.2. **Move to recommend to the full Board of Aldermen that 26 Bank Street be removed from the blight list.**
Motioned by Mr. DiCenso, seconded by Mr. DiMartino and the motion carried.

8.1.3. ~~**Move to recommend to the full Board of Aldermen that 31 Bank Street be removed from the blight list.**~~

8.1.4. **Move to recommend to the full Board of Aldermen that 31 Derby Avenue (four properties facing Jennings & Bank Streets) be removed from the blight list.**
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

8.1.5. **Move to recommend to the full Board of Aldermen that the following properties be turned over to Corporation Counsel for consideration under City Foreclosure:**

- 8.1.5.1. **23 Anson Street**
- 8.1.5.2. **105 Camptown Road**
- 8.1.5.3. **108 Derby Avenue**
- 8.1.5.4. **187-189 Derby Avenue**
- 8.1.5.5. **92 Hawkins Street**
- 8.1.5.6. **103 Hawkins Street**
- 8.1.5.7. **105 Hawkins Street**
- 8.1.5.8. **9-11 Hawthorne Avenue**
- 8.1.5.9. **49 Marshall Lane**
- 8.1.5.10. **77 Minerva Street**
- 8.1.5.11. **151 Pleasant View Road**
- 8.1.5.12. **310 Silver Hill Road**

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

8.1.6. **Move to recommend to the full Board of Aldermen that 145 Mt. Pleasant Street and 98 Water Street be removed from the Blight List.**
Motioned by Mr. DiCenso, seconded by Mr. DiMartino and the motion carried.

8.1.7. ~~**Move to recommend to the full Board of Aldermen that 98 Water Street be removed from the Blight List.**~~

8.1.8. **Move to recommend to the full Board of Aldermen that 195 Main Street be placed on the Blight List.**
Motioned by Mr. DiCenso, seconded by Mr. Anroman and the motion carried.

Ms. DeGennaro stated that there is an ordinance regarding graffiti. Mr. Cota explained that they didn't use that ordinance since there was so much more wrong with the building.

8.2. Community Relations

8.2.1. **Move to recommend to the full Board of Aldermen to approve the request to place a sign for the Commodore Hull Road Race near the Kiosk at the Derby-Shelton Bridge end of the Greenway.**
Motioned by Mr. Gerckens, seconded by Mr. Sill and the motion carried.

8.2.2. **Move to recommend the full Board of Aldermen to approve the request to submit an application for the Diana Donald Scholarship/Internship Program to hire an intern in the planning or planning related field.**
Motioned by Mr. Gerckens, seconded by Mr. DiMartino and the motion carried. Ms. DeGennaro abstained.

8.2.3. Move to recommend to the full Board of Aldermen to hold a discussion regarding banner and sign placement requests.

No motion was made. Mr. Gerckens asked the Board members to think about sign placement requests and to review chapter 195-71 of the charter. They will discuss it further in sub-committee.

8.3. Operations & Procedures

8.3.1. Disposal of city property known as retired Derby Fire Department Engine 12 pumper to the City of New Haven Fire Department. Discussion / Possible action. ~~and recommendation to the full Board of Aldermen.~~

Ms. DeGennaro stated that this was discussed in subcommittee. Ms. DeGennaro motioned to donate the truck to the New Haven Fire Department in exchange for 16 Live Fire Training exercises over the next four years. Mr. DiCenso seconded and the motion carried.

8.3.2. Proposed Amendment to Ordinance, City of Derby Code, Chapter 64 "Building Construction", Amend §65-5(a) and Amend §64-5(b) concerning "Procedure for withholding of approval of application for building permit when sewer use fees are delinquent". Discussion / Possible Action. ~~and Recommendation to the full Board of Aldermen.~~

Ms. DeGennaro stated that the Board had previously amended 64-5(a) and (b) to include that if a parcel had delinquent real estate taxed the permit could be withheld. The amendment adds the Water Pollution Control Authority to determine when those items are delinquent.

Ms. DeGennaro motioned to approve the amendment as presented specifically to amend Section 64-5(a) and (b) to include the sewer use fees, charges, and assessments. Mr. DiMartino seconded and the motion carried.

8.4. Road Bond

8.4.1. Move to recommend payment approval of John J. Brennan Construction Invoice #1821 OMB dated 9/14/15 in the amount of $831.69.

Motioned by Mr. Sill, seconded by Mr. Olenoski and the motion carried.

8.4.2. Move to recommend payment approval of The Grasso Companies, LLC Invoice #1924 dated 10/1/15 in the amount of $450,237.00.

Motioned by Mr. Sill, seconded by Mr. Olenoski and the motion carried.

8.4.3. Move to recommend payment approval of The Grasso Companies, LLC Invoice #1949 dated 10/13/15 in the amount of $14,330.00.

Motioned by Mr. Sill, seconded by Mr. Olenoski and the motion carried.

9. Department Reports

9.1. Board of Education

No representative present.

9.2. Cultural Commission

The report was not discussed.

9.3. Public Works

Ms. Monaco thanked Mr. DeFala for his work on Gilbert Street.

9.4. Building Department

The report was not discussed.

9.5. Facilities Inspectors

The report was not discussed.

9.6. Fire Marshal

The report was not discussed.

9.7. Fire Department
Nothing was discussed.

9.8. Office of Emergency Management
Mayor Dugatto mentioned that a drill was held simulating a tornado and it went very well.

9.9. Parking ~~Authority~~ Division
Nothing was discussed.

9.10. Police Department
Nothing was discussed.

9.11. Water Pollution Control Authority
Mr. Iacuone stated that their board is asking for special meeting to discuss a number of items.

9.12. Finance Director
Nothing was discussed.

9.13. Corporation Counsel Update
Mr. Sarmiento stated that demo has started on Silver Hill Road so they might not want to go ahead with foreclosure.

9.14. Storm Ambulance Corp
Nothing was discussed.

9.15. Parks and Recreation
Mr. Sill stated there was no new news and they are still awaiting information on the field.

9.16. Revolving Loan Fund
Corporation counsel stated that judgement was received on Jaks and they are pursuing their post judgement remedies.

10. Other Committee Reports

10.1. O'Sullivan Island Committee
No meeting was held.

10.2. Capital Planning Commission
No meeting was held.

10.3. School Building Committee for Roofs

10.3.1. Move to approve invoice from Nick Behun dated 9/18/15 in the amount of $5,600.00 as approved by the School Building Committee for Roofs on 10/20/15.
Motioned by Mr. Gerckens, seconded by Mr. Sill and the motion carried.

10.4. WPCA Infrastructure Committee
Nothing was discussed.

11. New Business

11.1. Move to approve the request of the Derby Cultural Commission to utilize the Derby Green to conduct Annual Christmas Tree Lighting on Wednesday, November 25, 2015 from 4:00 PM to 9:00 PM. Pending notification to ambulance, fire and police departments.
Motioned by Mr. Gerckens, seconded by Mr. DiMartino and the motion carried.

Mr. Gerckens motioned to reopen item 4. Ms. DeGennaro seconded and the motion carried.

Mr. Gerckens motioned to delete item 11.2. Ms. DeGennaro seconded and the motion carried.

~~**11.2. Move to Adopt Resolution regarding NVCOG, its subcontractors, and O'Sullivan's Peninsula.**~~

11.3. Move to approve posting of 10 small signs by Treasured Time at various locations in Derby from October 23, 2015 until November 20, 2015 for their two events on November 19, 2015 at Villa Bianca in Seymour, CT.
Motioned by Mr. Gerckens and seconded by Mr. DiCenso.

Ms. DeGennaro said that some of the locations requested are not city property.

Mr. Gerckens rescinded his motion.

Mr. Gerckens motioned to allow signage on previously approved locations as listed below and this Board is not approving any signage on private property.

- Sentinel Hill @ David Humphreys island - Yes
- Sodom @ Marshall – No
- Birmingham is Ansonia - No
- Corner near BJ's – Yes
- David Humphreys @ Sodom – No
- Academy Hill green – No
- Hawthorne @ North – No

Mr. Sill seconded and the motion carried.

11.4. Move to approve appointment of Cynthia Knopick as Planning and Zoning alternate member.
Motioned by Mr. Gerckens, seconded by Mr. DiMartino and the motion carried. Ms. DeGennaro opposed.

11.5. Move to waive Building Permit Fees for Storm Ambulance Corps to construct new foundation on their building at 151 Olivia Street.
Motioned by Mr. Gerckens, seconded by Mr. DiCenso and the motion carried.

11.6. Derby Gridiron Club – Permission to hold a bonfire at the Picnic Grove on Wednesday, November 25, 2015 with proper notification to the fire department and fire marshal. Discussion / Possible Action.
Motioned by Mr. DiCenso, seconded by Mr. Sill and the motion carried.

12. Old Business
12.1. No Action Items.

13. Executive Session

13.1. Sale of city property known as 96 Olivia Street – Strategy and negotiations.
13.2. Sale of city property known as 38 Anson Street – Strategy and negotiations.
13.3. New England Sheet Metal of Shelton, Inc. and the City of Derby – Real estate strategy.
13.4. Derby Fee Update – Strategy and negotiations.
13.5. CMED – Discussion / Possible Discussion.

At 7:50 PM, Mr. Gerckens motioned to enter into executive session and invite attorneys Teodosio and Welch. Seconded by Mr. Anroman and the motion carried.

The meeting reopened at 8:35 PM.

14. Regular Session Action from Executive Session

14.1. Sale of city property known as 96 Olivia Street – Discussion/Possible Action and Recommendations to the full Board of Aldermen.

Ms. DeGennaro recommended the following resolution:

Whereas, the City is the owner of the property located at 96 Olivia Street, and

Whereas, the Board of Aldermen has determined that it is in the best interest of the City that the property be sold for open space, passive recreation and parking.

Now, therefore, the Board of Aldermen hereby moves to sell the property located at 96 Olivia Street pursuant to Section 24 of the Derby City Charter. The property shall be publically bid and advertised in the New Haven Register with a bid opening date of November 16, 2015 at 12:00 noon with a minimum bid of $5,200.00. The property shall be sold subject to the following restrictions and conditions;

1. *The property may only be used for open space, passive recreation, and parking. The property may be fenced. No structure of any kind will be permitted to be built upon the property. Further, the property may not be used for zoning purposes to increase coverage or density on any adjoining property.*
2. *The City reserved the right to reject any and all bids for any reason.*
3. *The property shall revert to the city for the failure to use said premises as required.*

Further, the sale of the property is subject to a favorable 8-24 referral from the Derby Planning and Zoning Commission.

Seconded by Mr. Sill and the motion carried.

14.2. Sale of city property known as 38 Anson Street – Discussion/Possible Action and Recommendations to the full Board of Aldermen.

Ms. DeGennaro recommended the following resolution:

Whereas, the City is the owner of the property located at 38 Anson Street, and

Whereas, the Board of Aldermen has determined that it is in the best interest of the City that the property be sold for open space, passive recreation and parking.

Now, therefore, the Board of Aldermen hereby moves to sell the property located at 38 Anson Street pursuant to Section 24 of the Derby City Charter. The property shall be publically bid and advertised in the New Haven Register with a bid opening date of November 16, 2015 at 12:00 noon with a minimum bid of $11,000.00. The property shall be sold subject to the following restrictions and conditions;

1. *The property may only be used for open space, passive recreation, and parking. The property may be fenced. No structure of any kind will be permitted to be built upon the property. Further, the property may not be used for zoning purposes to increase coverage or density on any adjoining property.*
2. *The City reserved the right to reject any and all bids for any reason.*
3. *The property shall revert to the city for the failure to use said premises as required.*

Further, the sale of the property is subject to a favorable 8-24 referral from the Derby Planning and Zoning Commission.

Mr. Olenoski seconded and the motion carried.

14.3. CMED - Action

Attorney Welch asked that the Board consider a motion to resolve the CMED pension liability claim in the amount of $6,000.

Ms. DeGennaro motioned upon the recommendation of Corporation Counsel's offering. Mr. DiMartino seconded and the motion carried.

15. Adjournment

Mr. Sill motioned to adjourn at 8:43 PM. Mr. Olenoski seconded and the motion carried.

Respectfully submitted,

Terri Kuskowski

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