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
June 25, 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.

   Mr. Sill asked for a moment of silence for Walter Ewen and Charles Stankye, Jr.

3. **Roll Call.**
   Mayor Dugatto requested roll call. Present were Ms. DeGennaro, Mr. Iacuone, Ms. Monaco, Mr. Gerckens, Mr. Sill, and Mr. DiMartino. Mr. Anroman, Mr. DiCenso, and Mr. Olenoski were absent.

4. **Additions, Deletions, Corrections and Adoption of Agenda**
   Mr. Gerckens motioned to edit item 12.2 to state "pending litigation". Ms. DeGennaro seconded and the motion carried.

5. **Public Portion**
   Mayor Dugatto spoke about two carvings that Andy Cota created for the Sterling Opera House. They were displayed in the Aldermanic Chambers during the meeting. She thanked him for his work. Mr. Cota spoke briefly about the carvings.

6. **Approval of Minutes**
   6.1. Special meeting: May 4, 2015
   Mr. Sill motioned to approve the minutes, Ms. DeGennaro seconded and the motion carried.

   6.2. Regular meeting: May 28, 2015
   Mr. DiMartino motioned to approve the minutes, Mr. Sill seconded. Ms. DeGennaro stated that she believes she read into the record the gas policy and she would like item 9.1 elaborated on. Mr. DiMartino withdrew his motion and motioned to table. Ms. DeGennaro seconded and the motion carried.

   Upon listening to the previous recording, Ms. DeGennaro did not read the entire policy into the minutes, but read the change she made. The minutes have been revised to include her entire statement and motion verbatim for clarification.

7. **Administrative and Appointments**
   7.1 Refund of excess taxes paid through June 18, 2015 - $5,564.29 as recommended by Denise Cesaroni, CCMC, Tax Collector
   Mr. Sill motioned to approve the refund of the excess taxes in the amount of $5,564.29. Mr. DiMartino seconded and the motion carried.

8. **Sub-Committee Reports**
   8.1. Blight Committee

8.1.1. Move to approve settlement to accept 25% of blight fines as full payment provided that the blight violations are remedied within 60 days of the bank taking title, but no event later than September 30, 2015.

Mr. Sill motioned to approve the settlement for 125 Hawthorne Avenue, Mr. DiMartino seconded and the motion carried.

8.1.2. Move to proceed with the foreclosure of 201 Hawkins Street.

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

8.1.3. Move to remove 13 South Division Street from the blight list and to place it back on the blight list.

Motioned by Mr. Sill, Ms. Monaco seconded and the motion carried.

8.1.4. Move to remove 196 Hawkins Street from the blight list and to place it back on the blight list.

Motioned by Mr. Sill, Ms. Monaco seconded and the motion carried.

8.1.5. Move to place 189-191 Caroline Street on the blight list.

Motioned by Mr. Sill, seconded by Ms. Monaco and the motion carried.

8.1.6. Move to place 188 Hawkins Street on the blight list.

Motioned by Mr. Sill, seconded by Ms. Monaco and the motion carried.

8.1.7. Move to place 249 Roosevelt Drive on the blight list.

Motioned by Mr. Sill, seconded by Ms. Monaco and the motion carried.

8.1.8. Move to remove 276 Derby Avenue from the blight list.

Motioned by Mr. Sill, seconded by Ms. Monaco and the motion carried.

8.1.9. Move to lien property located at 92 Hawkins Street.

Motioned by Mr. Sill and seconded by Ms. Monaco, Ms. DeGennaro doesn't believe a motion is needed due to operation of the ordinance. Mr. Cota stated that is correct and no vote is needed. It was brought to the board as an informational item. Mr. Sill withdrew his motion as did Ms. Monaco.

8.2. Community Relations

8.2.1. Move to waive the electrical permit fee for the DHS/DMS electronic sign excepting from the fee due to the State of Connecticut.

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

8.2.2. Move to permit the use of the Derby Greenway by the Walnut Tree Community Church to conduct Derby's B.E.S.T. 5K on Saturday, September 26, 2015 from 7:30 AM through 10:30 AM; subject to notifying the police, fire, and ambulance.

Motioned by Mr. Gerckens, seconded by Mr. DiMartino and the motion carried. Mr. Gerckens added to his motion to change the name to "Walnut Hill" not "Walnut Tree". Mr. DiMartino seconded the change and the motion carried..

8.2.3. Move to approve block party on Grove Street from 1:00 PM – 5:00 PM on July 5th; subject to approval from the Local Traffic Authority.

Motioned by Mr. Gerckens, Ms. DeGennaro seconded and the motion carried. Mr. Gerckens stated that the LTA has approved the block party.

8.2.4. Move to approve/disapprove bid waiver for electrical work in Phase I of the WPCA bond project.

Mr. Gerckens motioned to *disapprove* the bid waiver. Mr. Sill seconded.

Mr. Iacuone stated that when it was bid the first time, the contractor who bid, took the water pollution plant's number and electrician and never raised an eye about taking that number. Mr. Iacuone asked that the Board to remember this decision when and if they run out of funding. Ms. DeGennaro said they've given waivers to other departments. WPCA has been using the same electrical company for years and is always

there if there is an emergency.

Ms. DeGennaro, Ms. Monaco, Mr. DiMartino, and Mr. Iacuone all voted no.

The City Clerk will follow up with the absent board members for their vote, but since bid waivers need a unanimous vote, the motion failed.

No further action was taken.

*Absentee votes:
Mr. Olenoski – Yes to disapprove
Mr. Anroman – No to disapprove
Mr. DiCenso – No to disapprove

Motion still failed.

8.2.5. Move to approve/disapprove bid waiver for instrumentation work on Phase I of the WPCA bond project.
Motion to approve by Mr. Gerckens, Mr. Sill seconded and the motion carried.

*Absentee votes:
Mr. Olenoski – Yes to approve
Mr. Anroman – Yes to approve
Mr. DiCenso – Yes to approve

Motion still passed.

8.3. Operations & Procedures

8.3.1. Payment of salary increase due to Fire Marshal's Office for the Deputy Fire Marshals and Fire Inspectors for the fiscal year July 1, 2014 – June 30, 2015. Discussion / Possible Action
Motioned by Ms. DeGennaro, Mr. DiMartino seconded and the motion carried.

8.3.2. Adopt Resolution for Competitive Bidding Process and Procedures and City of Derby Charter Section 66 and City of Derby Code, Chapter 8, "Competitive Bidding", §8-1 though §8-3 for fiscal year July 1, 2015 – June 30, 2016. Discussion / Possible Action.
*Ms. DeGennaro made the following motion "to adopt the following resolution for fiscal year July 1, 2015 to June 30, 2016 now therefore be it resolved by Board of Aldermen City of Derby resolved pursuant to section 66 City Charter the Board of Aldermen hereby waive bids for any purchase of work undertaking contractor supplies which exceeds $1,000, but is less than $10,000 provided the following procedures follow to wit the department head shall obtain a minimum of three written proposals for the purchase of the item and shall make such purchase from the lowest responsible party.

Mr. Sill seconded and all were in favor.

8.3.3. Fireworks Display Agreement with PyroEngineering, Inc. for Derby/Shelton Fireworks Display on July 2, 2015 for said fireworks display with alternate date of July 5, 2015. Discussion / Possible Action.
Ms. DeGennaro motioned to approve the agreement as presented, Mr. DiMartino seconded and the motion carried.

8.3.4. Road Closures for Elizabeth Street at Main Street and Elizabeth Street to Third Street on July 2, 2015 for Derby/Shelton Fireworks Display on July 2, 2015 for said fireworks display with alternate date of July 5, 2015. Discussion / Possible Action.
Ms. DeGennaro motioned to give the police department discretion to close or open said streets as necessary for the fireworks on July 2, 2015 or on the alternate date of July 5, 2015, seconded by Mr. Sill and the

motion carried.

8.3.5. Recommendation for payment of 18.5 sick days, 8 vacation days, and 3 personal days for Henry J. Domurad, Jr. at this rate of compensation at the time of his April 2012 separation of employment from the City of Derby. Discussion / Possible Action.

Ms. DeGennaro stated that on June 27, 2013 at a Board of Aldermen meeting, she motioned to have Corporation Counsel Joe Coppola investigate the amount of time that Henry Domurad had accrued at the time of his separation. She stated that the motion carried, however, on July 2, 2013 Mayor Staffieri vetoed that motion. The veto had been recorded at the town clerk's office although it never became record in the minutes of their meeting. For edification and clarification, that motion was vetoed and no action was ever taken.

Ms. DeGennaro motion that the City of Derby pay 18.5 sick days, 8 vacation days, and 3 personal days for Henry J. Domurad, Jr. at this rate of compensation at the time of his April 2012 separation of employment from the City of Derby. Ms. Monaco seconded and the motion carried.

8.4. Road Bond

8.4.1. Nothing to report.

9. Department Reports

9.1. Board of Education

Dr. Conway was unable to attend.

9.2. Cultural Commission

Ms. DeGennaro asked that they present their financial report next month in accordance with the ordinance.

9.3. Public Works

The report was not discussed.

9.4. Building Department

The report was not discussed.

9.5. Facilities Inspectors

The report was not discussed.

9.6. Fire Marshal

Ms. DeGennaro asked if they were all set for the fireworks. Fire Marshal said they are all set and the trestle issue has been resolved.

9.7. Fire Department

The Board was updated that they have gone from 101 to 34 missing reports.

9.8. Office of Emergency Management

No report was received.

9.9. Parking Authority

No report.

Mr. Gerckens said they don't meet anymore. July 1st the mayor will be the lead person. She said they will be ready. Mr. Gerckens asked if the business part was all set. Mr. McLiverty said the new account has been established. Payroll will commence on July 3rd. The mayor has contacted the employees and spoke with them regarding who still wants to be there. She hopes to make it as seamless as possible.

9.10. Police Department

The report was not discussed.

9.11. Water Pollution Control Authority
No report was received.

9.12. Finance Director
No report was received.

9.13. Corporation Counsel Update
9.13.1. KS State Bank Agreement.
9.13.2. Road Bond Project – Phase I
9.13.3. F. Pepe Construction, LLC.
9.13.4. CMED – Corporation counsel stated that there will be an action item after it goes to the Operations and Procedures sub-committee. Ms. DeGennaro asked to have the street names corrected.
9.13.5. Citisense

9.14. Storm Ambulance Corp
The report was not discussed.

9.15. Parks and Recreation
No report.

9.16. Revolving Loan Fund
The report was not discussed.

10. Other Committee Reports
10.1. O'Sullivan Island Committee
10.1.1. Report from OIAC meeting dated May 7, 2015
10.1.2. Update from Rick Dunne from NVCOG on O'Sullivan Island Project
Mr. Dunne disseminated the report from the State of CT. He stated that the Department of Health letter is back from federal review and that the letter and health review are substantially the same as when first published. DPH has stated the area is safe for recreational use, but it would not be safe for residential use. The soil cannot be penetrated and nothing should be planted (i.e. a garden or anything that would be ingested by humans or animals). Mr. Dunne would like to keep it closed for now because they have installed monitoring wells. If it is opened, he asked that those areas be secured. There are several areas that should remain closed. Two sites mentioned were the piles where the trees are at the edge of the peninsula, those are piles of PCBs, and the sediment at water edge can't be removed. DEEP is going to conduct fish testing to see if the fish consumption standards are the same. PFC is something else that the State would like tested. More testing will be completed and discussions will be held at a later date.

The report is on file at the town clerk's office.

No action was taken by the Board.

10.2. Capital Planning Commission
Nothing was discussed.

10.3. School Building Committee for Roofs
Nothing was discussed.

10.4. WPCA Infrastructure Committee
Nothing was discussed

11. New Business
11.1. Derby / Shelton Civil War Memorial located on the Derby Green. Discussion
Mr. Cohen addressed the Board regarding stone assessment and cleaning of monuments. He stated that a fund

had been created years ago following the vandalism to three monuments (2 in Derby and 1 in Ansonia). All the monuments were repaired and there is a remaining balance of $1,400. Mr. Cohen contacted Francis Miller, ConservArt LLC, and asked him to prepare, at no cost, a presentation on what can be done to restore the Civil War Monument. He hopes to come back at a later date with a formal proposal. The estimate is $10,000 for the cleaning and $30,000-35,000 for restoration. $5,500 has been pledged so far. He is hoping the cities of Derby and Shelton will support this project.

11.2. Waive Bidding Procedure pursuant to Section 66 of the City Charter for the repair of the HVAC system at City Hall.

Mr. Domurad said it's an antiquated system. If they do not repair the existing system a mechanical engineer would be needed to redesign and replace the system. Ms. DeGennaro said last year there was money in LOCIP and asked why it wasn't repaired at that time. Mr. Domurad said the bid expired because the votes were not received in time and the funds were reallocated. It's about $4,000 more than last year. Mr. Domurad said they have funds to cover the repair in this year's workers comp line.

Ms. DeGennaro asked why they need a bid waiver. Mr. Domurad said the current company would need to be called in anyway for wiring since it's their system.

No action taken.

Mr. Garofalo addressed the Board and expressed his concerns regarding the historical documents stored at city hall and damage that would be done to them from the humidity in the building if the HVAC system remains not functioning.

Mayor Dugatto stated that they will go out to bid for the repairs.

11.3. Approve request of Derby Cultural Commission to set Saturday June 25, 2015 for the annual Derby Day Celebration and Festival.

Mr. Sill motioned to approve the request, Mr. DiMartino seconded and the motion carried.

11.4. Approve request of the Valley Shakespeare Festival.

A letter requesting the placement of signage throughout the city was received. Ms. DeGennaro stated that signs are not allowed on the green or on the fence at St. Michael's, which is city owned.

Ms. DeGennaro motioned that we contact the Valley Shakespeare Festival and allow them to place signs at the BJ's entrance on Division Street and the entrance on the Derby Shelton Bridge only. Mr. DiMartino seconded and the motion carried.

12. Old Business

12.1. DerbyCares Update. Discussion.

12.2. Derby Feed Update – Regular and Executive Session – Strategy and Negotiation – Pending Litigation.

Mr. Teodosio said they are still in the contingency phase which has been extended. A Phase 2 component will require a subtraction from the purchase price. The purchase price is $600,000 and taxes are $75,000. Phase 2 will cost an estimate of $28,000. The issue is the time it will take for Phase 2. Monitoring wells may need to be installed on that property.

Ms. Monaco motioned to go into executive session and invite Attorneys Teodosio and Welch, Mr. Sill seconded an the motion carried.

No action will be taken.

13. Adjournment

The meeting adjourned after executive session.

Respectfully submitted,

Terri Kuskowski

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

I vote yes to disapprove the bid waiver for the electrical work in Phase I of the WPCA bond project on item #8.2.4 on the agenda of the June 25, 2015

Peter M. Olenoski, Jr.

I vote no to disapprove the bid waiver for the electrical work in Phase I of the WPCA bond project on item #8.2.4 on the agenda of the June 25, 2015

David Anroman

Carmen DiCenso

I vote yes to approve the bid waiver for the instrumentation work in Phase I of the WPCA bond project on item #8.2.5 on the agenda of the June 25, 2015

Carmen DiCenso

Peter Olenoski, Jr.

David Anroman