City of Derby
Board of Aldermen / Alderwomen

First Ward	Second Ward	Third Ward
Barbara L. DeGennaro	Joseph L. DiMartino	Jim DiMartino
Thomas J. Donofrio	Evelyn Browning	Louis Oliwa
Bev Moran	Ronald M. Sill	Charles Sampson

Board of Aldermen/Alderwomen Meeting Minutes
Derby City Hall
1 Elizabeth Street, Derby, CT
September 13, 2018

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

2. **Pledge of Allegiance.**
   Mayor Dziekan led the Pledge of Allegiance. A moment of silence was held for the victims of the 911 attack.

3. **Roll Call.**
   The Board of Aldermen / Alderwomen members present were Barbara DeGennaro, Thomas Donofrio, Bev Moran, Joseph DiMartino, Evelyn Browning, Ronald Sill, Jim DiMartino and Louis Oliwa. Charles Sampson was absent.

4. **Adoption of the Agenda**
   No changes were made to the agenda.

5. **Public Portion**
   No one from the public spoke.

6. **Department Head Reports**

   6.1. Finance Director
   Nothing was discussed

   6.2. Board of Education
   ~~No representative was present.~~ Dr. Conway arrived at 7:16 PM.

   6.3. Cultural Commission
   No representative was present.

   6.4. Public Works
   Mayor Dziekan spoke regarding East Bassett Street and stated that UI Company is going to install lighting at no cost to the city. The city will be responsible for the monthly energy cost just as with other lights in Derby. The cost is approximately $7.00. Ms. DeGennaro believed this has been denied in the past and asked if corporation counsel can look into this. Mayor Dziekan stated that he spoke to the residents and they are very happy about the added lighting.

   6.5. Building Department
   ~~No representative was present.~~
   Mr. Sarmiento arrived at 7:11. Ms. DeGennaro asked about dumpsters being put on city streets. Mr. Sarmiento stated that residents goes through the police department/ LTA for a permit.

   6.6. Facilities Inspector
   No representative was present.

   6.7. Fire Marshal

Nothing was discussed.

6.8. Fire Department
Nothing was discussed.

6.9. Office of Emergency Management
Nothing was discussed.

6.10. Parking Division
Ms. DeGennaro asked if there were new employees. Ms. Finn said yes there is a new women working at the parking garage. Mr. Donofrio asked who approved the employment. Ms. Finn and Mayor Dziekan said they were backfilling an existing position.

6.11. Police Department
No representative was present.

6.12. Water Pollution Control Authority
Nothing was discussed.

6.13. Chief of Staff
Nothing was discussed.

6.14. Corporation Counsel – Including Planning and Zoning, Labor Counsel, and Outside Counsel
Attorney Marino stated that the status of the revolving loan will be provided at the next meeting.

6.15. Storm Ambulance Corps
Nothing was discussed.

6.16. Parks and Recreation
Nothing was discussed.

6.17. Revolving Loan Fund
Nothing was discussed.

6.18. Website Report of tickets for the month
Nothing was discussed.

6.19. Economic Development Liaison
Nothing was discussed.

6.20. Athletic Complex Building Committee
Mr. McLiverty stated they ran into some snags. They have a meeting tonight to discuss this further.

6.21. Field House and Baseball Field Building Committee
Ms. DeGennaro asked about a land transfer and if it needs to come back to the Board. Mr. McLiverty state that the city is not purchasing it so it's more of an easement, not a conveyance. Attorney Marino said he'd look into it.

7. Administrative & Appointments

7.1. Approval of Minutes

7.1.1. Move to approve minutes from Regular Meeting – August 16, 2018
Motioned to approve by Ms. Browning, seconded by Mr. Sill and the emotion carried.

7.1.2. Move to approve minutes from Special Meeting – August 23, 2018
Motioned by Mr. Sill, seconded by Ms. DeGennaro and the motion carried.

7.2. Move to approve tax refunds in the amount of $5,688.77

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

7.3. **Move to approve the appointment of the following people to the Elderly Commission of the City of Derby for two year terms that run from February 1, 2018 to January 31, 2020 as recommended by Mayor Richard Dziekan:**

- 7.3.1. **Virginia Costigan**
- 7.3.2. **Jennifer Desroches**
- 7.3.3. **Shirley Erickson**
- 7.3.4. **Elizabeth Lally**
- 7.3.5. **Michael McFarland**
- 7.3.6. **Joan Shaw**
- 7.3.7. **Ronald Sill**

Motioned by Mr. Joe DiMartino, seconded by Mr. Jim DiMartino and the motion carried.

7.4. **Move to approve the appointment of Robert Hyder as a Hearing Officer for blight purposes of the City of Derby as recommended by Mayor Richard Dziekan.**
Motioned to approve by Ms. DeGennaro, Mr. Sill seconded and the motion carried.

8. Committee Reports

8.1. Blight Committee

8.1.1. No Action Items.

8.2. Community Relations

8.2.1. Vendor Permit – Move to recommend to full BOA/A to approve the Vendor Permit for Power Home Remodeling as Door-to-Door Solicitors:

- **8.2.1.A.1. Joseph Cox**
- **8.2.1.A.2. Stuart Fodiman**
- **8.2.1.A.3. Elijah Lewis**
- **8.2.1.A.4. Bruce Hackenson**
- **8.2.1.A.5. Robens Marcelin**

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

8.2.2. Sterling Opera House – United Way request to use Sterling Opera House for Leadership Greater Valley program on Thursday, September 20, 2018.
There is no certificate of occupancy and due to liability Attorney Marino suggested that the Board deny the request.

Ms. DeGennaro motioned to deny the request, Ms. Browning seconded and the motion carried.

8.2.3. Move to authorize Troop 3 Boy Scouts of America to use the Onopiak Nature Preserve for a Camping Weekend from Friday, November 30, 2018 to Sunday, December 2, 2018.
Motioned by Mr. Sill and seconded by Mr. Donofrio.

Ms. DeGennaro asked about the time. They said it is 6 pm Friday to 10 am on Sunday. Mr. DeGennaro asked about insurance and if they need a licensing agreement like they did for New Haven. It is not needed and they will make sure the New Haven Police Department doesn't schedule training that weekend. Mr. Oliwa said there is a dirt pile and some clean up and he was concerned about safety. Mayor Dziekan stated they did clean up the area and removed poison sumac and ivy plants.

The motion carried.

8.3. Operations and Procedures

8.3.1. Waiver of Building Permit Fees for School Projects

8.3.1.A.1. Move to waive building permit fees, Permit #11344 in the amount of $7,547.92 less the state permit fee and less City review cost for replacement windows at Derby High School.

Motioned by Ms. DeGennaro and seconded by Mr. Joe DiMartino and the motion carried.

8.3.1.A.2. Move to waive building permit fees, Permit #11356 in the amount of $12,095.40 less the state permit fee and less any engineer plan review fees for the new field house foundation.
Motioned by Ms. DeGennaro, Mr. Donofrio seconded and the motion carried.

8.4. Road Bond

8.4.1. Phase 5 Road Bond Project

Move to add the following streets to Phase 5 of the Road Bond Project:

8.4.1.A.1. Indian Avenue

8.4.1.A.2. Gilbert Street from High Street to Monaco Circle

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

8.4.2. Road Bond Invoices

Move to approve the following invoices for the Road Bond Project:

8.4.2.A.1. 42018 F. Pepe Construction, LLC $1,585.50
Motioned to approve by Mr. Sill, seconded by Mr. Joe DiMartino and the motion carried.

8.4.2.A.2. 41818 F. Pepe Construction, LLC $2,856.00
Motioned to approve by Mr. Sill, seconded by Mr. Joe DiMartino and the motion carried.

8.4.2.A.3. 41918 F. Pepe Construction, LLC $3,024.00
Motioned to approve by Mr. Sill, seconded by Ms. Browning and the motion carried.

8.4.2.A.4. 82018 F. Pepe Construction, LLC $4,850.00
Motioned to approve by Mr. Sill, seconded by Ms. Browning and the motion carried.

9. New Business

9.1. U Street Master Plan – Move to approve the final DPZ Master Plan for South Side of Main Street dated January 18, 2018.
Motioned by Mr. Donofrio and seconded by Mr. Sill.

Ms. DeGennaro asked if they could deviate from this plan. Mr. Baklik stated that in order to receive the funds they need to have a plan in place. It is not necessary to adhere to the plan.

The motion carried.

9.2. Johnson Control Energy Audit – Presentation of Final Report of Energy Audit for City of Derby.
A brief presentation on the energy costs and savings was given. Payment would be made from the operating budget. A representative from Johnson Control spoke to the Board about how the project works. Ultimately the savings from the energy / lighting improvements made pay for the project. Mr. McLiverty said that this should be brought before Bond Counsel as the borrowing of funds could change the Bond Rating.

This item will be brought back to the Operation and Procedure Sub-Committee. Also the contract terms and conditions need to be finalized for review.

9.3. Columbus Day Parade – Move to authorize the use of Elizabeth Street, Main Street and Bridge Street for a Columbus Day Parade on Sunday, October 7, 2018
Bridgeport is unable to conduct their parade. They are working with Shelton to hold the parade in their town. Shelton asked if we could assist and expand the parade to Derby. Ms. Gagliardi stated that the permit normally takes a month to get and they only have 3 weeks. She stated that Chief Narowski said that they would need 12 officers on overtime and the cost would be over $5,000. That cost is not budgeted for. She stated there would be approximately 80 units. The Board felt it was a good idea but they need more time to prepare and having funding in place.

Motion to deny by Mr. Joe DiMartino and seconded by Ms. Browning. A roll call vote was requested.

Barbara L. DeGennaro Yes Joseph L. DiMartino Yes Jim DiMartino Yes

Thomas J. Donofrio No	Evelyn Browning Yes	Louis Oliwa Yes
Bev Moran Yes	Ronald M. Sill Yes	~~Charles Sampson~~

Motion to deny request passed.

9.4. Haunted Lantern Tour – Derby Green – Move to authorize use of the Derby Green on Saturday, October 27, 2018 for a Haunted Lantern Tour.

Laura from Talisman & Cauldron on Minerva Street and Mr. DiCarlo spoke about the Lantern Tour that would begin at the Derby Green.

Motion to approve by Ms. Moran provided they submit proof of insurance and have approval from the Chief of Police. Seconded by Mr. Joe DiMartino and the motion carried.

Mr. Sill excused himself from the meeting at 8:10 PM.

9.5. Haunted Graveyard Tour – Olde Uptown Cemetery on Derby Avenue – Move to authorize the use of Olde Uptown Cemetery on Sunday, October 28, 2018 for a Haunted Graveyard Tour.
Ms. DeGennaro asked if we own the property. Mayor Dziekan stated that the property isn't owned by the city. They were advised to contact the current owner.

10. Old Business

10.1. Lowes Personal Property Tax – P51781
Ms. DeGennaro motioned to table. Mr. Oliwa seconded and the motion carried.

10.2. 2018-2019 Capital Plan
Ms. DeGennaro moved to approve the amended 2018-2019 Capital Plan as recommended by the Capital Planning Commission with the change for fire marshal's vehicle in the amount of $8,760 and increase the total Capital Plan to $228,760. Mr. Joe DiMartino seconded and the motion carried.

10.3. Athletic Complex Building Committee – Move to reduce the number of voting members on the committee.
Ms. DeGennaro motioned to table and refer back to Operations & Procedures. Mr. Jim DiMartino seconded and he motion carried.

11. Executive Session

11.1. Hammonasset Construction, LLC v City of Derby – Pending Litigation
11.2. Regional Water Authority – Negotiations
~~11.3. Collective Bargaining Agreement with Public Works and WPCA – Strategy & Negotiations~~
11.4. Sale of City of Derby Properties – 92-94 Hawkins Street, 13 South Division Street, 182 Derby Avenue

Ms. DeGennaro asked about Item 11.3. It was stated that they will not be discussing this issue tonight. Ms. DeGennaro motioned to table Items 11.3 and 12.3, Ms. Moran seconded and the motion carried.

Mr. Jim DiMartino motioned to enter into executive session and invite Mr. Baklik and Corporation Counsel Marino at 8:17 PM, seconded by Ms. Moran and the motion carried.

At 8:47 PM the meeting reopened to the public.

12. Regular Session Action from Executive Session

12.1. Move to approve settlement agreement between Hammonasset Construction, LLC and the City of Derby and to authorize the Mayor to execute all documents to finalize the litigation.
Ms. DeGennaro motioned to approve the agreement as presented. Ms. Moran seconded and the motion carried.

12.2. Regional Water Authority – Negotiations No Action
~~12.3. Collective Bargaining Agreement with Public Works and WPCA – Strategy & Negotiations~~
12.4. Sale of City of Derby Properties – 92-94 Hawkins Street, 13 South Division Street, 182 Derby Avenue
Ms. DeGennaro motioned to approve in accordance with the submitted bids, Mr. Oliwa seconded and the motion carried.

13. Adjournment

Mr. Jim DiMartino motioned to adjourn, seconded by Mr. Donofrio and the motion carried at 8:42 PM.

Respectfully submitted,

Terri Kuskowski

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