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
December 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.

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

4. **Adoption of the Agenda**
   Mr. Sampson motioned to make the following changes: Move items 11 and 12 after item 6; delete item 7.3; add item 8.4.1A.9 Laydon Industries $136,266.22; add item 8.4.1A.10 Laydon Industries $337,026.96; and add item 8.3.1 Ordinance 186-7 Ms. DeGennaro seconded and the motion carried. .

5. **Public Portion**
   Marc Garofalo – spoke regarding an email he submitted. He asked that it be added to the permanent record.

   Dear Members of the Board of Aldermen/Alderwomen,

   I write regarding Item #9.1 Tax Incentive Application for 101 Marshall Lane that is on your agenda for December 13, 2018.

   I ask that you cautiously consider this application and the future ramifications if it is approved.

   Any Tax Incentive that is approved means less money in the City's bank accounts. Therefore, they should be evaluated with the highest level of scrutiny.

   I believe Tax Incentives should be considered only for specific areas in the City. Those areas whose tax revenue performance is below normal or that require extraordinary investment for future benefit.

   The downtown area including the South Side of Main Street are classic examples of those types of criteria.

   The application before you includes improvements made before the Tax Incentive Ordinance was even introduced as a concept. If the City is going to set that precedent, it will likely open the door to any developer to make application for a Tax Incentive.

   The 101 Marshall Lane project was approved with a Zone Change and there doesn't seem to be any need to incentivize this project because it clearly works on its own merit. If this application is approved, then doesn't it make sense that THC (The Hops Company) and the developers of Big Y will expect the same treatment by the City of Derby?

   Please consider the impact of the approval of this application. In addition to giving up nearly $50,000.00 in income, there

are other long term implications of approving these types of applications without tighter guidelines.

While I don't feel the need to speak at the meeting, I would like this communication entered as part of the permanent record of the meeting.

I appreciate your consideration.

Sincerely,

Marc J. Garofalo, MPA, CCTC - Town / City Clerk

6. Department Head Reports

6.1. Finance Director

Mr. Donofrio spoke about solar panels on city buildings and asked Mr. Coppola to report back to the Board with what the city has gotten back from the solar panels at the transfer station.

6.2. Board of Education

No representative.

6.3. Cultural Commission

No representative.

6.4. Public Works

Ms. DeGennaro asked about the line painting on the newly paves roads. Mr. Armeno stated that it will be done soon. He also stated that the curbing that was damaged will be repaired by DPW. Ms. Finn stated they are holding back 5% due to the damages that were sustained.

6.5. Building Department

No representative.

6.6. Facilities Inspector

Nothing was discussed.

6.7. Fire Marshal

Mr. Sampson asked about the letters that were sent out regarding privatizing of the alarm system. Mr. Hawks said they are mostly completed.

6.8. Fire Department

No representative.

6.9. Office of Emergency Management

No representative.

6.10. Parking Division

It was stated that Rich will be back on Monday and that everyone has been doing a great job in his absence.

6.11. Police Department

No representative.

6.12. Water Pollution Control Authority

No representative.

6.13. Chief of Staff

Excused.

6.14. Corporation Counsel – Including Planning and Zoning, Labor Counsel, and Outside Counsel

Nothing was discussed.

6.15. Storm Ambulance Corps

Nothing was discussed.

6.16. Parks and Recreation

Nothing was discussed.

6.17. Revolving Loan Fund

Attorney Marino said Ms. Finn forwarded him the statuses and he will have a report for the January meeting.

6.18. Website Report of tickets for the month

Nothing was discussed.

6.19. Economic Development Liaison

Mr. Sill asked about the two fancy lights that were purchased. The poles were installed and wired. Mr. Sill hopes the lights can be installed soon. Mr. Donofrio asked if April was still the date for downtown. Mr. DiCenso said the bids will go out in June.

Ms. DeGennaro asked about the lighting outages on RT8 North. Mr. Armeno will contact Beacon Falls tomorrow to inquire about that.

6.20. Athletic Complex Building Committee

6.21. Field House and Baseball Field Building Committee

Mr. Cota said they are on track for the scheduled opening.

NOTE – ITEMS 11 & 12 WERE DISCUSSED AFTER ITEM 6

7. Administrative & Appointments

7.1. Approval of Minutes

7.1.1. Move to approve minutes from Regular Meeting – November 8, 2018

Motioned to approve by Mr. Sill, seconded by Mr. Oliwa. Ms. Moran abstained. The motion carried.

7.1.2. Move to approve minutes from Special Joint Meeting – December 4, 2018

Motioned to place minutes on file by Mr. Sampson, Mr. Jim DiMartino seconded and the motion carried.

7.2. Move to approve tax refunds in the amount of $3,282.43

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

~~**7.3. Move to approve the appointment of Raymond Sadlik as an alternate member of the Planning and Zoning Commission as recommended by Mayor Richard Dziekan.**~~

7.4. Move to adopt 2019 Regular Meeting Schedule for:

7.4.1. Full Board of Aldermen/Alderwomen

7.4.2. Blight Committee

7.4.3. Community Relations Committee

7.4.4. Operations and Procedures Committee

Motioned to approve the schedules by Mr. Sampson with the 5:15 PM time change for the Operations & Procedures Committee meetings, seconded by Mr. Oliwa and the motion carried.

City of Derby

Board of Aldermen/Alderwomen

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

2019 Regular Meeting Schedule

Operations and Procedures Committee

All meetings will be held in the Joan Williamson Aldermanic Chambers at Derby City Hall, 1 Elizabeth Street, Derby, CT at 5:15 p.m.

January 24, 2019

February 28, 2019

March 28, 2019

April 25, 2019

May 23, 2019

June 27, 2019

July 25, 2019

August 22, 2019

September 26, 2019

October 24, 2019

November 21, 2019

December 19, 2019

January 23, 2020

#

2018 DEC 14 AM 10:08

City of Derby

Board of Aldermen/Alderwomen

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

2019 Regular Meeting Schedule
Blight Committee

All meetings will be held in the Joan Williamson Aldermanic Chambers at Derby City Hall, 1 Elizabeth Street, Derby, CT at 6:00 p.m.

January 24, 2019

February 28, 2019

March 28, 2019

April 25, 2019

May 23, 2019

June 27, 2019

July 25, 2019

August 22, 2019

September 26, 2019

October 24, 2019

November 21, 2019

December 19, 2019

January 23, 2020

#

2018 DEC 14 AM10:08

City of Derby

Board of Aldermen/Alderwomen

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

2019 Regular Meeting Schedule

Community Relations Committee

All meetings will be held at
Derby City Hall, 1 Elizabeth Street, Derby, CT at 6:00 p.m. or immediately following the adjournment of the Blight Committee.

January 24, 2019

February 28, 2019

March 28, 2019

April 25, 2019

May 23, 2019

June 27, 2019

July 25, 2019

August 22, 2019

2018 DEC 14 AM10:08

September 26, 2019

October 24, 2019

November 21, 2019

December 19, 2019

January 23, 2020

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City of Derby

Board of Aldermen/Alderwomen

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

2019 Regular Meeting Schedule
Road Bond Committee

All meetings will be held at Derby City Hall, 1 Elizabeth St., Derby, CT at 6:00 pm or immediately following the adjournment of the Community Relations Committee.

January 24, 2019

February 28, 2019

March 28, 2019

April 25, 2019

May 23, 2019

June 27, 2019

July 25, 2019

2018 DEC 14 AM 10:08

August 22, 2019

September 26, 2019

October 24, 2019

November 21, 2019

December 19, 2019

January 23, 2020

#

City of Derby

Board of Aldermen/Alderwomen

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

2019 Regular Meeting Schedule
Full Board of Aldermen/Alderwomen

All meetings will be held in the Joan Williamson Aldermanic Chambers at Derby City Hall, 1 Elizabeth Street, Derby, CT at 7:00 p.m.

January 10, 2019

February 14, 2019

March 14, 2019

April 11, 2019

May 9, 2019

June 13, 2019

July 11, 2019

2018 DEC 14 AM 10:08

August 8, 2019

September 12, 2019

October 10, 2019

November 14, 2019

December 12, 2019

January 9, 2020

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8. Committee Reports

8.1. Blight Committee

8.1.1. Move to add 13 Talmadge Street to the Blight List.
Motioned by Mr. Joe DiMartino, seconded by Mr. Oliwa and the motion carried.

8.1.2. Move to remove 25 Park Avenue from the Blight List.
Motioned by Mr. Joe DiMartino, seconded by Mr. Sill and the motion carried.

8.1.3. Move to remove 188 Elizabeth Street from the Blight List.
Motioned by Mr. Joe DiMartino, seconded by Mr. Oliwa and the motion carried.

8.1.4. Move to remove 16 Lafayette Street from the Blight List.
Motioned by Mr. Joe DiMartino, seconded by Mr. Sampson and the motion carried.

8.1.5. Move to remove 68 Seymour Avenue to the Blight List.
Motioned by Mr. Joe DiMartino, seconded by Mr. Sill and the motion carried.

8.2. Community Relations

8.2.1. Move to waive permit fee for Field House and Baseball Field Project and refund previously paid fee to the Field House and Baseball Field Project.
Motioned by Mr. Sill, seconded by Mrs. Browning. Ms. DeGennaro asked if they had requested the waiver before. Mr. Garofalo said it was waived for the original project, but that first application had been withdrawn so they need to request it again.

8.2.2. Move to waive the annual Boat Ramp Permit Fee for Major Steven Roy Andrews Fishing Outreach Program, Inc., service to local veterans and at risk and needy kids.
Motioned by Mr. Sill, seconded by Mr. Oliwa and the motion carried.

8.3. Operations and Procedures

8.3.1. Ordinance Section 186-7
Ms. DeGennaro motioned to adopt Section 186-7 of the City of Derby Code in its entirety. Mr. Sampson seconded and the motion carried.

Section 186-7

Parking of trailers, campers, recreational vehicles, and commercial motor vehicles; fine.

a. For purposes of this section, the following definitions shall apply:

"Trailer" means any rubber-tired vehicle without motive power drawn or propelled by a motor vehicle. Trailers include, but are not limited to: camp trailers, boat trailers, utility trailers, vending trailers, commercial trailers, and semi-trailers.

"Camper" means any motor vehicle designed or permanently altered in such a way as to provide temporary living quarters for travel, camping or recreational purposes.

"Recreational vehicle" includes the camper, camp trailer and motor home classes of vehicles.

"Commercial motor vehicle" means a vehicle designed or used to transport passengers or property which (A) has a gross vehicle weight rating of twenty-six thousand and one pounds or more, or a gross combination weight rating of twenty-six thousand and one pounds or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than ten thousand pounds; or (B) is designed to transport sixteen or more passengers, including the driver, or is designed to transport more than ten passengers, including the driver, and is used to transport students under the age of twenty-one years to and from school; or (C) has two (2) rear axles or more.

b. *Unless otherwise authorized by the Board of Aldermen / Alderwomen or by the Connecticut General Statutes, no trailer, camper, recreational vehicle, or commercial motor vehicle shall be parked or stored or allowed to stand upon a street, highway, city property or city or state right-of-way unless the trailer or vehicle is temporarily disabled for a period not to exceed twenty-four (24) hours while so disabled.*

c. *This section shall not apply to a commercial motor vehicle that is parked on a city or state highway solely for the purpose of loading or unloading during the ordinary course of business or engaged in maintenance or repair at said location.*

d. *The registered owner of any such vehicle shall be presumed to be the operator of such vehicle.*

e. *Any violation of this section shall be an infraction in the amount of seventy-five dollars ($75.00). Each day a violation continues or occurs shall constitute a separate violation. In addition, said vehicle(s) may be towed and impounded at the operator's and/or owner's expense.*

f. *This section shall be enforced by any officer of the Derby Police Department.*

8.4. Road Bond Project

8.4.1. Move to approve payment of the following invoices:

8.4.1.A.1. Birmingham LLC #2018133 $5,860.00
8.4.1.A.2. Birmingham LLC #2018133 $10,900.00
8.4.1.A.3. Birmingham LLC #2018133 $4,600.00
8.4.1.A.4. Birmingham LLC #2018133 $1,260.00
8.4.1.A.5. Birmingham LLC #2018133 $1,260.00
8.4.1.A.6. Birmingham LLC #2018133 $3,780.00
8.4.1.A.7. Birmingham LLC #2018133 $3,300.00
Total: $30,960.00
Motioned to approve by Mr. Sill and seconded by Mr. Sampson. Motion carried.

8.4.1.A.8. Baltazar Contractors, Inc – Final Payment $55,015.02
Motioned to approve by Mr. Sill, seconded by Ms. Browning and the motion carried.

8.4.1.A.9. Laydon Industries $136,266.22
Motioned to approve by Mr. Sill, seconded by Mr. DiMartino and the motion carried.

8.4.1.A.10. Laydon Industries $337,026.96
Motioned to approve by Mr. Sill, seconded by Mr. DiMartino and the motion carried.

9. New Business

9.1. Discussion and Possible Action on $47,732.27 tax incentive over three years for 101 Marshall Lane.
Motioned by Mr. Sampson and seconded by Mr. Joe DiMartino.

Ms. DeGennaro said they passed the ordinance in October 2018. The work began in March 2018. She doesn't believe that was the intent of the ordinance. This was to be for new businesses or for future renovations. Mr. DiCenso said he was the chairman of the tax incentive program. They discussed that they were going to start the program with AIEP as they are the ones to initiate the program. Mr. DiCenso thanked Betsy for her assistance with the new value of the property. Ms. DeGennaro said they Board did not have the information regarding AIEP when the ordinance was approved. She questioned what is to stop any business in Derby from saying they did improvements within the past year. The ordinance specifically states that it is not retroactive.

Mr. Sampson and Mr. DiMartino withdrew their motions. Mr. Sampson motioned table, Mr. Sill seconded and the motion carried.

10. Old Business

10.1. No action items.

NOTE – ITEMS 11 & 12 WERE DISCUSSED AFTER ITEM 6

11. Executive Session –

11.1. Regional Water Authority – Property Acquisition - Negotiations

11.2. Property Damage Claims from Athletic Complex Project – Pending Claims

11.3. Sale of City Properties

Mr. Sampson motioned to enter into executive session at 7:13 PM and invite Corporation Counsels Marino and Cutler and Mr. DiCenso. Mr. Donofrio seconded and the motion carried.

At 8:15 PM the meeting reopened to the public.

12. Regular Session Action from Executive Session

12.1. Regional Water Authority – Property Acquisition – Negotiations

No action.

12.2. Property Damage Claims from Athletic Complex Project – Pending Claims

No action.

13. Adjournment

Mr. Sill motioned to adjourn, seconded by Mr. Sampson and the motion carried at 8:38PM.

Respectfully submitted,

Terri Kuskowski

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