

BOARD OF ALDERMEN
COMMUNITY RELATIONS SUBCOMMITTEE MEETING
THURSDAY, JANUARY 24, 2019 – 6:00 P.M.
JOAN WILLIAMSON ALDERMANIC CHAMBERS
MINUTES

Chairman Ron Sill called the meeting to order at 6:10 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Ron Sill, Evelyn Browning, Louis Oliwa

Also Present: The Honorable Mayor Richard Dziekan
Charles Sampson, President, Board of Aldermen/Alderwomen
Alderman Beverly Moran
Alderman Joseph DiMartino
Andrew Baklik, Chief of Staff
Marc J. Garofalo, Town & City Clerk
Vincent Marino, Corporation Counsel

ADDITIONS, DELETIONS & CORRECTIONS TO THE AGENDA

Mr. Sill noted that there are two additions to the agenda.

A MOTION was made by Mr. Sill with a second by Mr. Oliwa to add to the agenda:
New item #13 – Waive Building Permit Fee for the new lights at the football field
New item #14 - Vote to approve the new members to the Derby Fire Police
Adjournment will now be item #15. **Motion carried.**

PUBLIC PORTION

Mr. Sill asked three times if anyone wished to address the committee. Hearing no one wishing to address the committee the public portion was closed.

APPROVAL OF MINUTES OF THE NOVEMBER 29, 2018 COMMUNITY RELATIONS MEETING

A MOTION was made by Mr. Oliwa with a second by Ms. Browning to approve the minutes of the November 29, 2018 meeting as presented. **Motion carried.**

FRANCIS STREET RESIDENT CONCERN – DISCUSSION/POSSIBLE ACTION

Raymond Lucarelli of 8 Francis Street, Derby, CT addressed the committee regarding many problems that are occurring on his street. He said he has lived on Francis Street, which is a dead end street, for the past 72 years long before anyone else lived there. Mr. Lucarelli said there is a serious problem with flooding on the street and informed the committee that his brother has been telling various City boards about this situation since

1989. All the rain water runoff from 9th Street and Hawkins Street ends up on Francis Street. The catch basins used to be cleaned out but it no longer happens. He said all he is asking is to be treated like every other taxpayer in town. The City no longer sweeps his street. Mr. Lucarelli said he has brought his concerns to the former Public Works Director and also went to Andrew Baklik's office to discuss the situation. He said nothing has changed and he starting to think it's something personal against him. Mr. Sill at this point assured him that was not the case. Mr. Lucarelli said everyone's street gets plowed – not his. He said after living on the street for 72 years they finally put up a dead end street sign. The sign is knocked over and has been on the ground going on two years. There are pot holes up and down the street and it feels like a roller coaster when you drive down. Mr. Lucarelli also noted that there is a serious problem with the trucks going to the commercial businesses at the top of the street. They park and block the road and he can't get by. He said calling the police to ticket the trucks is just a waste of time.

Mr. Jim DiMartino said he met with Mr. Lucarelli about 5-6 times in his capacity as a Public Works employee and that he has tried to address some of the problems on the street. He said most of the potholes have been filled in and the street has been swept. Mr. Sill asked about the sign on the ground. Mr. DiMartino said he doesn't know about that but will look into it. He said he doesn't think it's a well-travelled road by Public Works and it was probably overlooked. He said Public Works is going to address the catch basins in the spring. There is also a catch basin in Mr. Lucarelli's backyard behind the fence that they will also take care of.

Ms. Browning asked if there is parking on both sides of the street. Mr. Lucarelli said yes – there are so many cars now on the street with the employees from the businesses that it's hard to get by. He said a fire truck would have a hard time getting through.

Mayor Dziekan said he did meet with Mr. Lucarelli to address his concerns. He said Public Works went right out and dealt with the catch basin – he didn't realize there was another one. He said Public Works will get that taken care of and he will also discuss the parking situation with the Police Department. Mayor Dziekan noted that his administration has done more than the past administrations. Mr. Lucarelli agreed with Mayor Dziekan that he has had more items taken care of than in the past.

Mr. Baklik said that Mr. Lucarelli came to see him at City Hall right before the holidays. He said there is no excuse as to why past administrations neglected that street. He noted that Ed Armeno, the Public Works Director, is well aware of the items that need to be taken care of on the street. He said he hopes to have answers by the full Board of Aldermen/Alderwomen meeting on February 14th.

Mr. Oliwa asked if there are any signs posted stating "Loading" and "Unloading" so the Police can enforce it. Mr. Lucarelli said he does not believe there are.

Mr. Lucarelli brought many photos to show the committee members, which are attached to the minutes.

**RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN ON
INFORMATION, UPDATE AND REQUEST FOR INFORMATION TO THE DERBY PENSION BOARD
DISCUSSION/POSSIBLE ACTION**

Mr. Sill said he brought this up over a year ago as there was an inquiry regarding the Pension Board. He would like to request a full meeting of the Pension Board noting that the board used to meet a couple of times a year and right now there hasn't been a meeting in quite some time.

A MOTION was made by Mr. Sill with a second by Mr. Oliwa to recommend to the full Board of Aldermen/Alderwomen that they inform the Pension Board that a meeting needs to be scheduled as soon as possible. **Motion carried.**

VENDOR LICENSE APPLICATION – JIM'S ICE CREAM – DISCUSSION/POSSIBLE ACTION

Mr. Sill stated that Jim's Ice Cream has been doing this for about fifteen years.

A MOTION was made by Ms. Browning with a second by Mr. Oliwa to recommend to the full Board of Aldermen/Alderwomen to approve the Vendor License Application for Jim's Ice Cream. **Motion carried.**

VENDOR LICENSE APPLICATION – RENEWAL BY ANDERSON – DISCUSSION/POSSIBLE ACTION

Mr. Sill noted that the paperwork regarding this request is in the packet this evening and everything appears to be in order.

A MOTION was made by Mr. Sill with a second by Ms. Browning to recommend to the full Board of Aldermen/Alderwomen to approve the vendor license applications for the following individuals working for Renewal by Anderson:

- Nicholas Burleigh
- Conner Morgan
- Chris Sanzari
- Amanda Staron
- Harry Hackley
- Nicholas Trifari
- Thanh Nguyen
- Nikolas Mazzucco
- Courtlan Young

MOTION CARRIED.

FUEL CELL ENERGY PROPOSAL – DISCUSSION/POSSIBLE ACTION

Derek Phelps from Fuel Cell Energy, Carl Williams, Project Development and Tom Harkenson, IDA Properties attended the meeting to give the committee an overview on the proposed Derby Fuel Cell Project. Fuel Cell Energy is a Connecticut based company in Danbury with manufacturing done in Torrington. They have a strong customer base with such companies as ExxonMobil, Pfizer, the Groton sub base and also companies in Europe and Asia. Legislation passed in 2017 was Public Act 17-144,

which is an act promoting the use of fuel cells for electric distribution system benefits and reliability and amending various energy-related programs and requirements. Section 10 authorizes the CT Department of Energy and Environmental Protection (CT DEEP) to undertake a competitive solicitation for grid-scale Class 1 Renewable Resources, which includes fuel cells. Mr. Phelps said of all the Fuel Cell projects proposed only two were selected – 1 in Hartford and 1 in Derby. He said they received great support from Mayor Dziekan and his staff, which helped get them selected.

Mr. Williams said the project will be comprised of redundant SureSource® fuel cell power plants providing approximately 14.8MW of Class 1 Renewable Energy, RECs and Capacity. The project will be located on two vacant parcels totaling 3.44 acres in Derby, CT which is owned by IDA Properties, Inc. An interconnection application was filed with the UI to the Indian Wells substation abutting the proposed fuel cell site. The fuel cell plants will be fueled by natural gas provided from the Eversource distribution system at 15 psi.

The schedule for the project is as follows:

- Power Purchase Agreement signed last year
- Lease/Tax arrangements were captured in the Agreement
- Permits in place (August timeline)
- Siting Council, United Illuminating, Regional Water, Natural Gas will have by August
- Financing – Can drawdown
- Mobilization – August 2019
- Commercial Operation Date – May 2021

Tom Harkenson of IDA Properties said they own the property where the fuel cell (inaudible.) He said they have been a part of the Derby community since 1985-86. He said they started in 1979 in Shelton. Mr. Harkenson said they do commercial facades of office buildings primarily in New York City and fabrication is done in our plant in Derby. He said they purchased the former Hull Dye property when the City of Derby owned it and they've been operating out of it since that time. He said over time the property that was the UI substation (inaudible) and then Derby Cellular had purchased it and IDA eventually bought it. Mr. Harkenson said they now own three separate parcels on the canal – next to the substation and on the river front. He said they have entered into a Lease Agreement with Fuel Cell for the property that is next to the substation. Mr. Harkenson said he is going to continue to operate – it will not affect his operation at all. Mr. Sill asked if there would be enough parking. Mr. Harkenson said it should not affect them – they will coordinate with Fuel Cell during their construction phase. Once they are operating it should be a benign activity not generating any noise or pollution, which is a concept that they support. He feels this will be a win for the City of Derby. Mr. Sill said he feels this is a great opportunity for the City of Derby and he doesn't see anything negative at all.

Mayor Dziekan said he has had many conversations with these gentlemen. He said they have a plant in Bridgeport, which he went by a couple of weeks ago and it is

extremely quiet. Mr. Phelps said on Site 9 – Bridgeport Fuel Cell – is a 15 megawatt fuel cell project and they pay just over \$200,000 a year in property taxes to the City of Bridgeport. The site is located on 1.5 acres of remediate brownfields. He said this is comparable to what Derby's plant will be.

Mr. Baklik noted that this company and in particular these gentlemen have been great to work with. He said we've been discussing this for about a year and he said per footprint they will be the most contributing taxpayer that we will have in the City. There will be no strain on City services, no children in school, no strain on the roads, no strain on the sewers. There will be a slight water usage that will provide a boost to the gas grid. Mr. Baklik said this is a win for everybody.

Mr. Phelps said they are the highest and best use for the City of Bridgeport and he is confident that they will be the highest and best use for the City of Derby for the 3.1 acres that they will use.

Mr. Sill asked if there were any more questions. None were raised.

A MOTION was made by Ms. Browning with a second by Mr. Oliwa to recommend to the full Board of Aldermen/Alderwomen to authorize the City to enter into a long-term Tax Agreement and authorize the Mayor to sign any documents in support of the construction of a Fuel Cell on Roosevelt Drive near the UI Substation.

DISCUSSION ON MOTION

Atty. Marino said if there are any questions raised about the tax revenue the gentlemen should be at the full Board of Aldermen/Alderwomen meeting to ensure that it is answered appropriately. He said while the Agreement that the City will enter into with the user will generate substantially more taxes annually than the properties generally generate it will not generate in accordance with the normal process. Atty. Marino said there's a reason for that why users like this can enter into an Agreement with municipalities like Derby because there's a statute that provides such. But for entering into the Agreement and having a tax fixed at a sub certain, which is substantial but not exactly what you would receive otherwise, they would not have a viable project and they would not come. Mr. Phelps thanked Atty. Marino and said that is awfully important to get across. He said one of the things that they now need to do in addition to going to the Siting Council is we need to formalize the tax agreements that are integral to the project. The committee members stated that they should be at the next full meeting to answer any questions that may arise. Atty. Marino said the Aldermen may raise the question of "why should they get a break?" He said if they don't receive a break then they're not going to come here and we're going to lose out. The property is now generating \$1,500 in taxes annually – if they don't come we're going to lose out on \$198,500 annually. Mr. Harkenson said as the owner of the property they have looked at various ways that they could use the property – self storage units, warehouse, etc...now with the zone change in that whole Roosevelt Drive area was a smart move by the City. He said the alternatives that could be done on the site in the normal approval process would pale in comparison to what is being proposed. Atty. Marino

said it might be interesting to have the Assessor run some numbers of what the property could generate in taxes with other developments versus what is being proposed.

MOTION WITHDRAWN

A MOTION was made by Mr. Sill with a second by Ms. Browning to recommend to the full Board of Aldermen/Alderwomen to enter into a long-term Tax Agreement and to authorize the Mayor to sign any documents in support of the application that will go before the Siting Council. **Motion carried.**

DEPARTMENT OF PUBLIC WORKS GASOLINE TANKS – DISCUSSION/POSSIBLE ACTION

Mayor Dziekan said this came about because DEP was in the area and saw the pumps at the Public Works Complex and found out we weren't registered. He said the tanks have been there for about thirty years and they haven't been serviced or checked. Basically everything that was supposed to be happening to the tanks hasn't been done in the past thirty years. Mayor Dziekan said we had Anchor Engineering come in to give us a proposal to remove the tanks and replace them with above ground tanks. We've also been exploring the possibility of joining with Ansonia or with a private company such as Cumberland Farms. He said we went to CCM (Connecticut Council of Municipalities) and also the COG (Council of Governments) to see what other municipalities are doing. Mayor Dziekan said it looks like removing the tanks and joining with Ansonia might be the best way to go. He said we would need to enter into an Inter-Municipal Agreement. Derby would be splitting the cost with Ansonia and Ansonia has newer above-ground tanks that are fully computerized. Mayor Dziekan said Ansonia is in agreement if we want to do this and he feels this is a win-win. Mr. Oliwa asked if we would have 24/7 access. Mayor Dziekan said we would – they would supply gate keys and the vehicles would have FOB's. He also noted that the computer screen at the Public Works Complex is also broken, which would cost about \$3,000.00 to repair. Mr. Oliwa asked when we can start using Ansonia's pumps. Mayor Dziekan said we still have about 7,000 gallons in our tanks that we need to deplete. Atty. Marino said it would probably be about a month after we receive BOA approval and also noted that the Inter-municipal Agreement would need to be drawn up and approved by both municipalities. He said it also might make sense to tie it to the fiscal year. Mr. Baklik stated that whatever we decide to do we would still need to do some testing with our tanks. He said if it's not too bad we may be able to abandon them in place if they're not leaking. If we were to install the above ground tanks it would be about \$400,000. Mr. Oliwa asked if anyone contacted Valley Transit about using their facilities. Mr. Baklik said we could explore that as an option. Ms. Browning asked if Ansonia would be in charge of the computer and asked if it were to break would they charge us. Atty. Marino said that would all be spelled out in the Inter-municipal Agreement.

A MOTION was made by Ms. Browning with a second by Mr. Oliwa to recommend to the full Board of Aldermen/Alderwomen to explore options to replace the gasoline tanks and resolve to finance any potential clean up at the Derby Public Works Complex. **Motion carried.**

WAIVE BUILDING PERMIT FEE FOR BUILDING & ELECTRICAL PERMIT FEES FOR FOOTBALL FIELD – DISCUSSION/POSSIBLE ACTION

A MOTION was made by Mr. Oliwa with a second by Ms. Browning to recommend to the full Board of Aldermen/Alderwomen to refund Building and Electrical Permit Fees in the amount of \$2,200.00 out of \$4,550.20 for the Football Field light bases and electrical work. **Motion carried.**

APPROVE THE FOLLOWING INDIVIDUALS TO THE DERBY FIRE POLICE – DISCUSSION/POSSIBLE ACTION

Mr. Sill noted that this is done every January.

A MOTION was made by Mr. Oliwa with a second by Ms. Browning to recommend to the full Board of Aldermen/Alderwomen to approve the following members of the Derby Fire Police for 2019-2020:

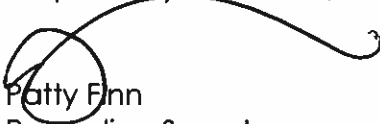
- Captain James McGuire – Hotchkiss Hose Company #1
- 1st Lt. Ted Hawks – Hotchkiss Hose Company #1
- 2nd Lt. Jeff Wilchinsky – East End Hose Company #3
- Robert Gulluzy – Paugassett Hook & Ladder Company #4
- Keith Voytek – Hotchkiss Hose Company #1
- Ken Silva – Hotchkiss Hose Company #1
- Rich Tardie – Hotchkiss Hose Company #1
- Robert Turschmann – Hotchkiss Hose Company #1
- Carlo Sarmiento – Storm Engine Company #2

MOTION CARRIED

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Ms. Browning to adjourn the meeting at 7:20 p.m. **Motion carried.**

Respectfully submitted,



Patty Finn
Recording Secretary

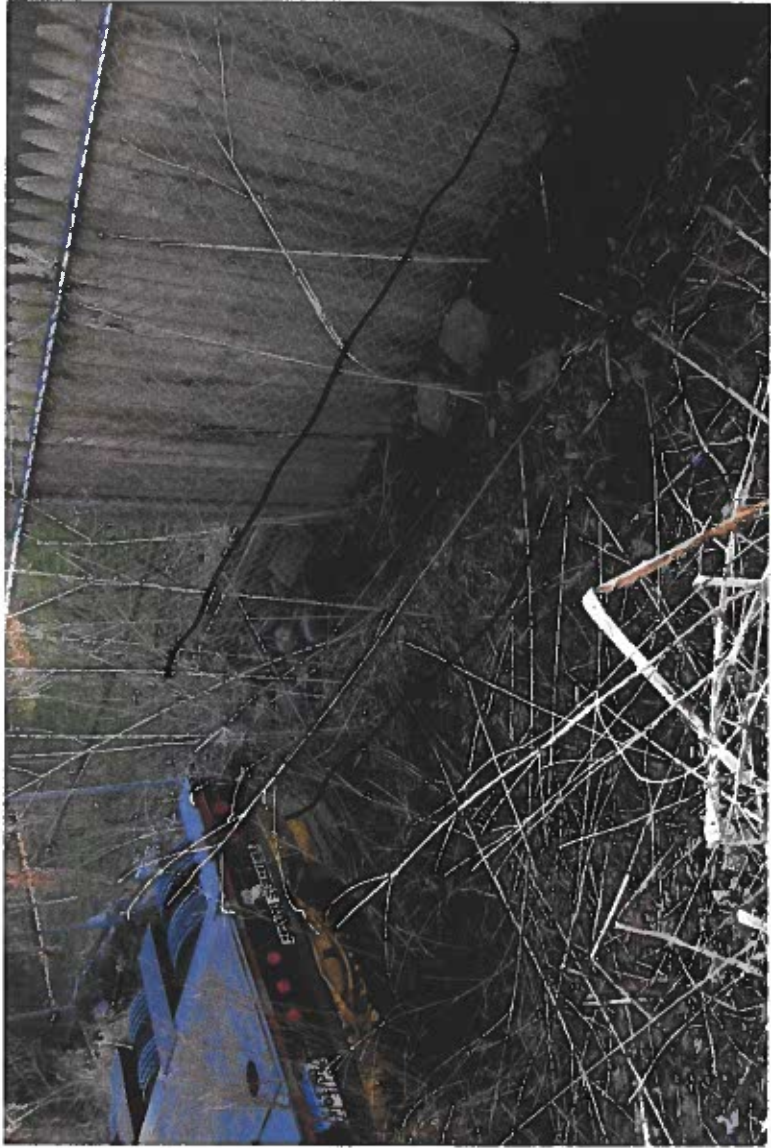
THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOARD OF ALDERMEN COMMUNITY RELATIONS SUBCOMMITTEE AT THEIR NEXT MEETING.















MILONE & MACBROOM, INC.

716 South Main Street • Cheshire, Connecticut 06410
(203) 271-1773 • FAX (203) 272-9733

John M. Milone, P.E.
James G. MacBroom, P.E.
Vincent C. McDermott, L.A.
John R. Gilmore, P.E.
Rodney I. Shaw, L.A.
Thomas R. Shell, L.A.
Edward A. Hart, P.E.
Robert A. Jackson, L.S.
David R. Bragg, P.E., L.S.
John P. Thompson, P.E.
Stephen R. Dietzko, P.E.
David W. Dickson, L.A.
Jeanine A. Bonin, P.E.

January 12, 1995

Mr. Amos A. Lucarelli
8 Francis Street
Derby, CT 06418

**RE: Easement - City of Derby
Francis Street & Eighth Street
MMI #565-14**

Dear Mr. Lucarelli:

On behalf of the City of Derby, we would like to again thank you for your cooperation on this project.

As promised, enclosed is a copy of your signed agreement.

If you have any questions, please do not hesitate to call.

Very truly yours,

MILONE & MAC BROOM, INC.


John R. Gilmore, P.E.
Vice President

JRG/ec1

Enclosure

j12acod2

A G R E E M E N T

AMOS A. LUCARELLI, of the City of Derby, County of New Haven and State of Connecticut, herein referred to as the "Grantor" and the Grantor's heirs, successors and assigns, does hereby grant to the City of Derby, its successors and assigns, an Easement for the purpose of constructing, installing and maintaining a storm drainage system in and through that parcel of land owned by the Grantor in that area designated as "within the limits of drainage easement" as shown on a certain map entitled "Drainage Easement In Favor Of The City of Derby, From Eighth Street To Francis Street, Derby, Connecticut, Scale 1" = 20', dated September 7, 1994", made by Milone & MacBroom, Inc., Project No. 565 and certified substantially correct by Robert A. Jackson, Jr., which map shall be filed with the Derby Town Clerk. Said easement area, according to said map, shall contain 1140 sq. ft., more or less.

By the acceptance of this easement the Grantee agrees for itself, its successors and assigns that when any entry is made upon the property pursuant to this Agreement, that any disturbed area shall be restored as nearly as possible to its condition immediately prior to the entry, all at the expense of the Grantee, once the work is completed.

Dated at Derby, Connecticut on this 16th day of November, 1994.

Witness:

Paul Dinice
RTO

Amos A. Lucarelli
AMOS A. LUCARELLI

STATE OF CONNECTICUT)

COUNTY OF NEW HAVEN)

ss. Derby

November 16, 1994

Personally appeared Amos A. Lucarelli, Signer and Sealer of the foregoing, who acknowledged the same to be his free act and deed before me.

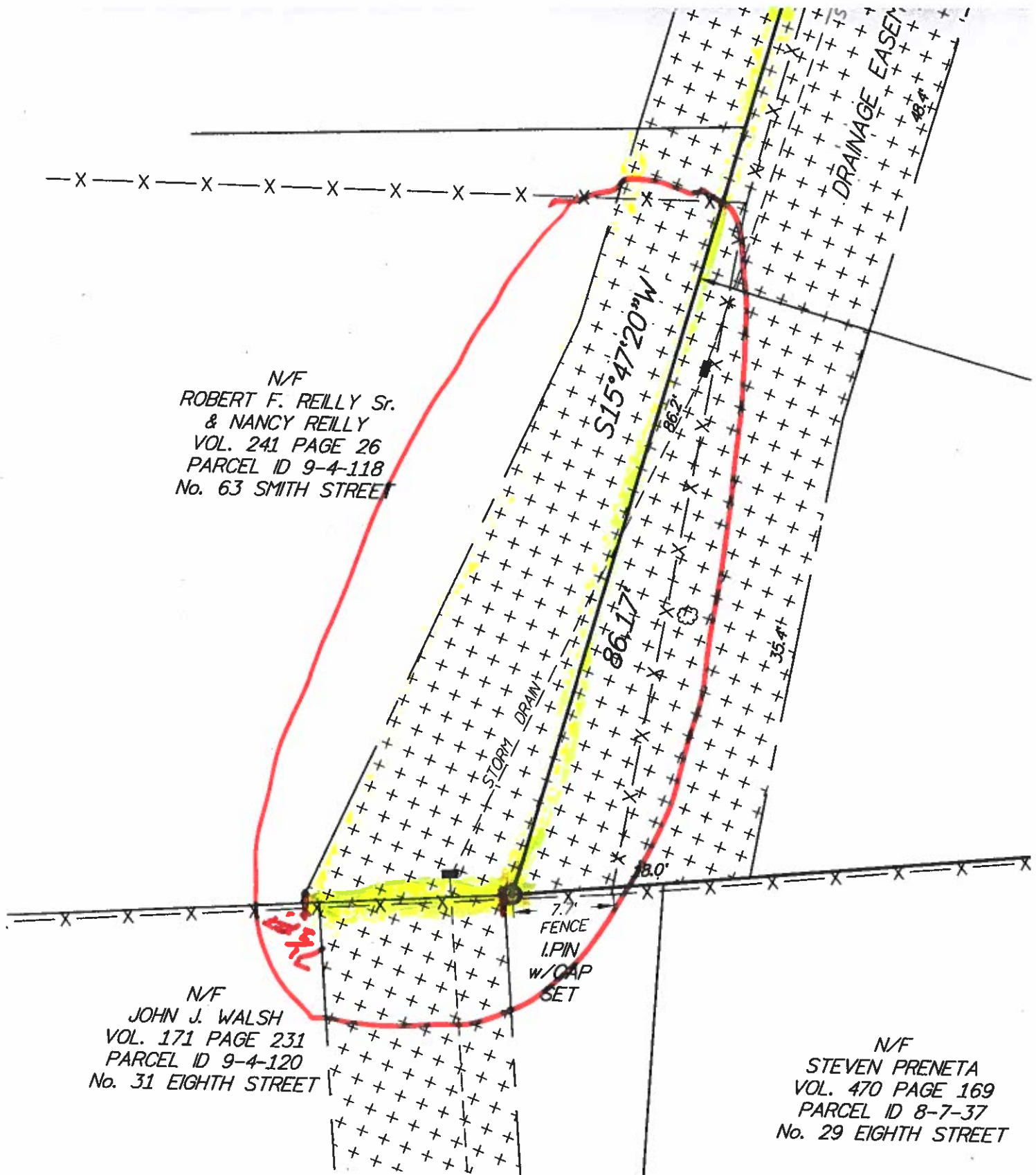
NOTARY PUBLIC
PAUL DINICE

Derby, CT
Commission Expires March 31, 1999

Paul Dinice

Notary Public

My Commission Expires: Mar 31, 1999



Flanagan's Surveying & Mapping

Andrew J. Flanagan Land Surveyor
 P.O. BOX 3153 MILFORD CT 06460





















