

City of Derby

Board of Aldermen

First Ward

Barbara L. DeGennaro
Stephen Iacuone
Felicia Monaco

Second Ward

Arthur T. Gerckens, President
Ronald M. Sill
Joseph DiMartino

Third Ward

David J. Anroman
Carmen T. DiCenso
Peter M. Olenoski, Jr.

Board of Alderman Minutes
Aldermanic Chambers, City Hall
1 Elizabeth Street, Derby, CT
July 23, 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, Mr. Gerckens, Mr. Sill, Mr. DiMartino, Mr. Anroman, Mr. DiCenso, and Mr. Olenoski. Ms. Monaco was absent.

4. Additions, Deletions, Corrections and Adoption of Agenda

Mr. Gerckens motioned to make the following changes:

- Delete 8.3.1 and 11.4
- Re-label 9.13.3 to 9.13.2; 9.13.4 to 9.13.3; and 9.13.5 to 9.13.4.
- Move 9.13.2 to New Business 11.7 and move 11.2 to 8.2.10
- Add executive session and label it 13.
- Move 9.13.6 to 13.1 Tax Appeals
- Add the following under 13.1
 - 13.1.1 AJP Holdings - 265 Roosevelt Drive
 - 13.1.2 AJP Holdings -265 Roosevelt Drive
 - 13.1.3 Bassier-Kaufman, et al
 - 13.1.4 Bassier Kaufman of Derby ,LLC -Sodom Lane
 - 13.1.5 Derby Dan, LLC 65 - Elizabeth Street.
 - 13.1.6 Derby Manor Associates, LLC -33 Roosevelt Drive
 - 13.1.7 Giordano, Angelo -196 Elizabeth Street
 - 13.1.8 Opuszynski, Charles Trust - 552 New Haven Avenue
 - 13.1.9 Opuszynski, Jean -600 New Haven Avenue
 - 13.1.10 Cela Realty, LLC -199 Caroline Street
- Move item 12.2 to 13.2
- Item 13 Adjournment will become item 14.

Mr. Sill seconded and the motion carried.

5. Public Portion

Richard Dzieken 17 Krakow Street - Stated that on Saturday, at the Veteran Center, 100% of donations received will be going to Home for the Heroes.

6. Approval of Minutes

6.1. Special meeting: May 27, 2015

Mr. Gerckens motioned to approve with correction to page two; “modes” should state “models” and the heading should read “special” meeting not “regular”. Mr. DiMartino seconded and the motion carried.

6.2. Regular meeting: May 28, 2015

Mr. Sill motioned to approve the minutes, Mr. Anroman seconded and the motion carried.

6.3. Regular meeting – June 25, 2015

A resolution and absentee votes need to be added to the minutes. Mr. Sill motioned to table, Mr. DiMartino seconded and the motion carried.

7. Administrative and Appointments

7.1 Refund of excess taxes paid through July 9, 2015 - \$493.67 as recommended by Denise Cesaroni, CCMC, Tax Collector

Mr. Sill motioned to approve the refund of the excess taxes in the amount of \$493.67. Ms. DeGennaro seconded and the motion carried.

8. Sub-Committee Reports

8.1. Blight Committee

8.1.1. Recommend to the full board of Aldermen to direct Corporation Counsel and the Building Official to address safety concerns by cleaning the property, knocking down the remaining structure, and placing a lien on 67 Minerva Street.

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

8.1.2. Recommend to the full Board of Aldermen that the owner(s) of 226 Hawthorne Avenue be notified of the agreement in place to remedy the conditions of their property and to not exceed past the deadline of September 30, 2015.

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

8.1.3. Recommend to the full Board of Aldermen that 48 Mountain Street and 64-68 Smith Street be added to the blight list.

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

8.1.4. Recommend to the full Board of Aldermen that 33 East Ninth Street, 49 Emmett Avenue, and 81 Grove Avenue be removed from the blight list.

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

8.1.5. Recommend to the full Board of Aldermen that the Building Official contact the owner of 187-189 Derby Avenue by Certified Mail to adhere to the agreement that was made with the city.

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

8.1.6. Recommend to the full Board of Aldermen that 182 Derby Avenue be demolished as soon as possible.

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

8.2. Community Relations

8.2.1. Forward the request for the use of the Derby Green by the Derby Elks Lodge on Saturday, August 8, 2015 and Saturday, September 4, 2015 from 6:30 PM to 10:30 PM for a country line dancing event to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. Olenoski seconded. Ms. DeGennaro asked that they contact the police department for coverage. The change to the motion was approved by Mr. Gerckens and Mr. Olenoski and the motion carried.

8.2.2. Forward the request to park a box truck in front of T.E.A.M. for a Nutrition Program covering 24 selected families on the 2nd and 4th Thursdays of each month beginning July 23, 2015 and ending on February 11, 2016 between the hours of 10:00 AM and 12:00 PM to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. DiCenso seconded and the motion carried.

8.2.3. Forward the request to place signs advertising the annual St. Jude Labor Day festival at the locations noted on the request, with the exception of the Derby Green, to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. Sill seconded and the motion carried.

8.2.4. Forward the Bluff Street Bridge Rehabilitation Project to the full Board of Aldermen for discussion and possible action.

Mr. Gerckens stated that they were presented with four options to repair the Bluff Street Bridge. One is to completely restructure the bridge, two – removing the bridge, three -redoing the deck only, and four - milling and resurfacing.

A public session would be held at a later once more information has been received.

8.2.5. Move to approve vendor permit request from Trinity Solar.

Motion to approve by Mr. Gerckens and Mr. Olenoski seconded. Ms. DeGennaro feels there should be some time guidelines since this is for a solicitor. She also wanted to know if there were going to be multiple people involved. Mr. Welch stated that the permit would be for him only per the ordinance. Mr. Garofalo stated that the company is aware of that. Mr. Iacuone asked that the following hours be added to the motion “Mon – Sat 9am - 6 pm”. Mr. Gerckens and Mr. Olenoski accepted the addition to the motion and the motion carried.

8.2.6. Forward the request to place signs advertising the Annual St. Joseph Parish picnic at the locations noted on the request to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. Olenoski seconded and the motion carried.

8.2.7. Forward the request from Center State Theater to post a temporary sign on the Derby Avenue fence in front of St. Michael Church for the youth production of Peter Pan to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. Olenoski seconded and the motion carried.

8.2.8. Forward the request from Alliance for Lupus Research to use the Derby Greenway on Saturday, September 5, 2015 from 8:30 AM until 10:30 AM for a Walk-A-Thon as long as the date is clear with the city clerk and also subject to proof of insurance and notification to the Derby Police and Ambulance Corps to the full Board of Aldermen with the recommendation to approve.

Motion to approve by Mr. Gerckens, Mr. DiCenso seconded and the motion carried. Ms. DeGennaro stated that the letter stated until 11 AM. The motion correction was accepted by Mr. Gerckens and Mr. DiCenso and carried.

8.2.9. Forward the request from the Paugassett Hose Hook and Ladder Co. to waive the fee for the picnic grove for their annual outing on August 30, 2015 from 9:00 AM to 6:00 PM.

Motion to approve by Mr. Gerckens, Mr. Olenoski seconded and the motion carried.

8.2.10. Approve vendor license permit for Joe's Dogs at 12 Main Street, Derby, CT.

Motion to approve by Mr. Gerckens, Mr. Sill seconded and the motion carried.

~~8.3. Operations & Procedures~~

~~8.3.1. Request for salary increase from Registrar of Voters. Discussion and possible action.~~

8.4. Road Bond

8.4.1. To recommend approval for payment of invoice #061615 from F. Pepe Construction, LLC in the amount of \$2,635.00 to the full Board of Aldermen.

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

8.4.2. To recommend approval for payment of invoice dated June 29, 2015 from F. Pepe Construction, LLC in the amount of \$14,650.00 to the full Board of Aldermen.

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

8.4.3. To recommend approval for partial payment of invoice #1784 from The Grasso Companies, LLC in the amount of \$123,180.93 to the full Board of Aldermen with the balance of the invoice (if work is deemed complete) presented to the full Board of Aldermen meeting on July 23, 2015 for payment.

Mr. Sill motioned to approve full payment in the amount of, \$299,939.63, seconded by Mr. Olenoski and the motion carried.

9. Department Reports

9.1. Board of Education

No representative present.

9.2. Cultural Commission

No representative present.

Ms. DeGennaro asked about the finance report again. Mr. Gerckens stated that he did speak with them last month and asked them to attend. He spoke with them again this morning and stated they were expected to be at the meeting with the financials as requested.

9.3. Public Works

Mr. DiCenso thanked Mr. DeFala for all his work around the city.

Mr. DiCenso asked about the Storm Ambulance gas report; he felt it was high. Mr. DeFala stated that the numbers were correct.

9.4. Building Department

Ms. DeGennaro asked about the building fee increase. She received the documentation he sent, but she wanted the fees broken down so people would know what the state fee is. Mr. Sarmiento stated that he does provide people with that information so they know where their fees are going. He said they are also looking into a cashiers system so they can have more itemized records.

9.5. Facilities Inspectors

Ms. DeGennaro said she doesn't have a list of what is on the blight list and who's on the working list. Mr. Cota explained the documentation they have contains more detail than they would need. He said the other list is forwarded to sub-committee. He didn't realize that it wasn't forwarded to the full Board. Ms. DeGennaro would like the list with addressed forwarded every month to the full Board. Mr. Olenoski asked if they could email the file as well.

9.6. Fire Marshal

Nothing was discussed.

9.7. Fire Department

Nothing was discussed.

9.8. Office of Emergency Management

No representative was present.

9.9. Parking Authority

A report will be forwarded at the next meeting.

9.10. Police Department

Mr. Gerckens congratulated the Derby Police and surrounding police departments for their work this past week.

9.11. Water Pollution Control Authority

Nothing was discussed.

9.12. Finance Director

Nothing was discussed.

9.13. Corporation Counsel Update

9.13.1. City Carting

Nothing was discussed.

9.13.2. Motion for Relief regarding Genesis Holdings – 89 Minerva Street

Mr. DiCenso asked about Genesis. Mr. Welch stated that they owe taxes, but are in bankruptcy. He has a meeting in August.

9.13.3. Motion for Relief regarding Genesis Holdings – 43 Anson Street

9.13.4. Notice to lienholders of blighted properties

Nothing was discussed.

~~9.13.5. Tax appeals for executive session.~~

9.14. Storm Ambulance Corp

Nothing was discussed.

9.15. Parks and Recreation

Nothing was discussed.

9.16. Revolving Loan Fund

Mr. DiMartino asked about United Cigar. Mayor Dugatto stated they have been making regular payments, but are late on the June payment.

10. Other Committee Reports

10.1. O'Sullivan Island Committee

No meeting was held.

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. Adopt Resolution authorizing Mayor Dugatto and Chair of Water Pollution Control Authority to jointly sign any documents in order to obtain a Clean Water Fund Grant as presented.

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

Be it resolved that it is in the best interest of the City of Derby, Water Pollution Control Authority to enter into contracts with the Department of Energy & Environmental Protection.

In furtherance of this resolution, Anita Dugatto, the Mayor of the City of Derby and Carolyn Duhaime, the Chairman of the Water Pollution Control Authority are duly authorized to enter into and sign said contracts on the behalf of the City of Derby, Water Pollution Control Authority.

Anita Dugatto, the Mayor of the City of Derby and Carolyn Duhaime, the Chairman of the Water Pollution Control Authority are further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

Be it further resolved that said authorization for all contracts and other documents referred to herein shall be executed by joint and dual signature of Anita Dugatto, the Mayor of the City of Derby and Carolyn Duhaime, the Chairman of the Water Pollution Control Authority.

The City Clerk is authorized to impress the seal of the City of Derby on any such document, amendment, rescission or revision.

I, Marc J. Garofalo, the Clerk of the City of Derby, do hereby certify this to be a true copy of the resolution duly adopted at the Board of Aldermen meeting on July 23, 2015 and that it has not been rescinded, amended or altered in any way, and that it remains in full force and effect.

~~11.2. Approve vendor license permit for Joe's Dogs at 12 Main Street, Derby, CT.~~

11.3. Move to order appraisals for City owned properties located at 96-98 Oliva Street, 38 Anson Street, and 112 Elizabeth Street (Sterling Opera House).

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

~~11.4. Move to authorize Mayor Anita Dugatto to sign any and all documents to effectuate a contract with Unemployment Tax Management Corporation in order to reduce unemployment expenses of the City of Derby at the cost of \$520.00 per quarter year.~~

11.5. Approve appointment to Rose Marie Pertoso to the Water Pollution Control Authority.

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

11.6. Approve request from Polish Falcon's Nest #208 to post a temporary sign on the Derby Avenue fence in front of St. Michael's Church from July 30, 2015 until August 16, 2015 for their annual tag sale on Saturday, August 15, 2015.

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

~~11.7. Contract regarding Derby Greenway Phase III with Haks for consideration by the Board.~~

12. Old Business

12.1. DerbyCares Update. Discussion.

There is no updated.

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

13. Executive Session

13.1. Tax Appeals

13.1.1. AJP Holdings 265 Roosevelt Drive

13.1.2. AJP Holdings 265 Roosevelt Drive

13.1.3. Basser-Kaufman, et al

13.1.4. Basser Kaufman of Derby LLC Sodom Lane

13.1.5. Derby Dan, LLC 65 Elizabeth Street.

13.1.6. Derby Manor Associates, LLC 33 Roosevelt Drive

13.1.7. Giordano, Angelo 196 Elizabeth Street

13.1.8. Opuszynski, Charles – Trust 552 New Haven Avenue

13.1.9. Opuszynski, Jean 600 New Haven Avenue

13.1.10. Cela Realty, LLC 199 Caroline Street

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

Mr. Sill motioned to enter into executive session after a short recess and invite Attorney Teodosio and Attorney Welch. Mr. Olenoski seconded and the motion carried at 7:56 PM.

The meeting reopened to the public at 8:40 PM.

Mr. Gerckens stated that there was no action regarding Derby Feed.

Mr. Gerckens motioned to approve settlement agreement for the following: list 166 for 600 New Haven Avenue, list 2494 for 552 New Avenue, list 5885 for Sodom lane, list 2805 for 65 Elizabeth Street, list 3528 for 196 Elizabeth, list 1405 for 199 Caroline Street, and list 3223 for 33 Roosevelt Drive. Mr. Sill seconded and the motion carried.

14. Adjournment

Mr. Sill motioned to adjourn at 8:44 PM. Mr. Anroman seconded and the motion carried.

Respectfully submitted,

Terri Kuskowski

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