

Board of Aldermen/Alderwomen

Barbara L. DeGennaro
Anita Dugatto
Sarah Widomski*

Brian Coppolo
Gino DiGiovanni
Ronald M. Sill

Robert Hyder
Charles Sampson
Kevin Sharkey

Special Meeting Monday February 27, 2023 Minutes.

RECEIVED
TOWN/CITY CLERK
DERBY, CT
2023 FEB 28 PM 3:40
Marc J. Garofalo, M.A.

1. Mayor Dziekan called the meeting to order at 6:36 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call

Members Present (7) – Barbara DeGennaro, Sarah Widomski, Gino DiGiovanni, Ronald Sill, Robert Hyder, Charles Sampson, Kevin Sharkey.

Members Absent (2) – Anita Dugatto, Brian Coppolo.

4. Public Portion – No one asked to speak.
5. Public Hearing in accordance with Section 21 of the Derby City Charter concerning the lease of the Derby landfill, Parcel No. 25-5-1, to a qualified bidder for a twenty (20) year term for purposes of installing a Solar Energy Generating Facility, 1 Mw Solar installation System for purposes of generating revenue for the City of Derby.

Ronald Sill moved to open the public hearing. Gino DiGiovanni seconded the motion.

Barbara DeGennaro asked if the public hearing was properly noticed pursuant to Section 21 of the Charter and Section 7-163e of the Connecticut General Statutes.

Mayor Dziekan asked Corporation Counsel Vincent Marino to answer the question. Attorney Marino asked Town Clerk Marc Garofalo if the public hearing was properly noticed.

Town Clerk Garofalo indicated that the RFP was posted to the website on Tuesday February 21, 2023 with a closing date of Friday February 24, 2023 at 12:00 p.m.

Town Clerk Garofalo indicated that the meeting was posted on Friday February 24, 2023 at 4:50 pm. Attorney Marino confirmed that it would constitute a proper posting under FOI.

Attorney Marino indicated that Section 21 only refers to Section 7-163e of the CT General Statutes and that there are no other local requirements.

Attorney Marino state that the statute requires Notice of the hearing shall be published in a newspaper having a general circulation in such municipality where the real property that is the subject of the hearing is located at least twice, at intervals of not less than two days, the first not more than fifteen days or less than ten days and the last not less than two days before the date set for the hearing. The municipality shall also post a sign conspicuously on the real property that is the subject of the public hearing.

He noted that this should be standard for every time we do disposition of land under this Charter section because it refers to the Statute.

Attorney Marino asked the Town Clerk to confirm that the public hearing was only posted to the website. Town Clerk Garofalo confirmed this as the agenda was provided to him on Friday February 24, 2023.

Town Clerk Garofalo indicated that after the February 9, 2023 meeting, the Chief of Staff asked him to determine from the Board if Wednesday February 22, 2023 or Thursday February 23, 2023 would better for a meeting. But because the RFP did not close until Friday February 24, 2023, the Town Clerk was asked to determine from the Board if Monday February 27, 2023 or Tuesday February 28, 2023 would be better. It was determined that Monday February 27, 2023 was the best day. The agenda was provided to the Town Clerk on Friday February 24, 2023.

Ronald Sill asked what the deadline on this matter was. Roger Salway indicated that the deadline is March 14, 2023.

Barbara DeGennaro asked whose responsibility is it to put it out to the newspaper. Who specifically? Is it the Mayor's Office? Is it the Economic Development Director?

Attorney Marino stated that we don't necessarily need to be pointing fingers as this isn't the first time, we have done one of these public hearings under this Charter section.

Attorney Marino indicated that the public hearing can't proceed tonight as the notice was not published in the newspaper.

It was decided that the public hearing will be held at the Regular Meeting of the Board of Aldermen/Alderwomen on March 9, 2023.

Attorney Marino will prepare and send the Town Clerk a notice of public hearing to be published in either the CT Post or New Haven Register according to Section 7-163e of the CT General Statutes.

Town Clerk Garofalo stated he does what he is asked to do as it relates to City business, and he did so on this matter.

Attorney Marino reiterated that is why no one is pointing any fingers because this is not the first one, we have ever done in the City's history and that we should have always been doing publication notices because presumedly we have done it right in the past. So, it's about getting it done right.

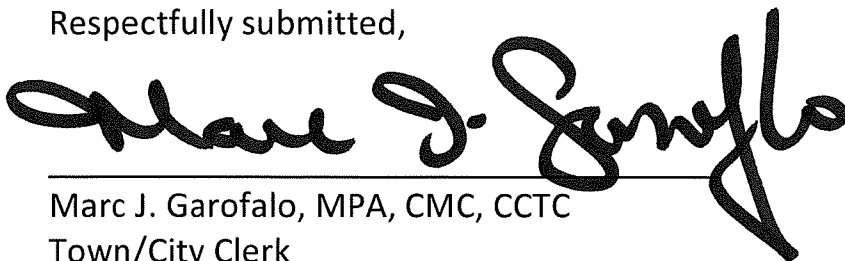
No action on the motion.

6. To consider and act on awarding the lease of the Derby landfill, Parcel No. 25-5-1, to a qualified bidder for a twenty (20) year term for purposes of installing a Solar Energy Generating Facility, 1 Mw Solar installation System for purposes of generating revenue for the City of Derby.

No action on this matter.

7. Ronald Sill moved to adjourn the meeting at 6:49 pm. Kevin Sharkey seconded the motion. There was no objection, and the meeting was adjourned.

Respectfully submitted,



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

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