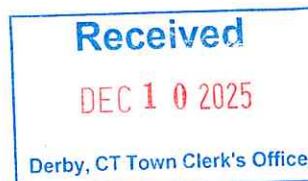


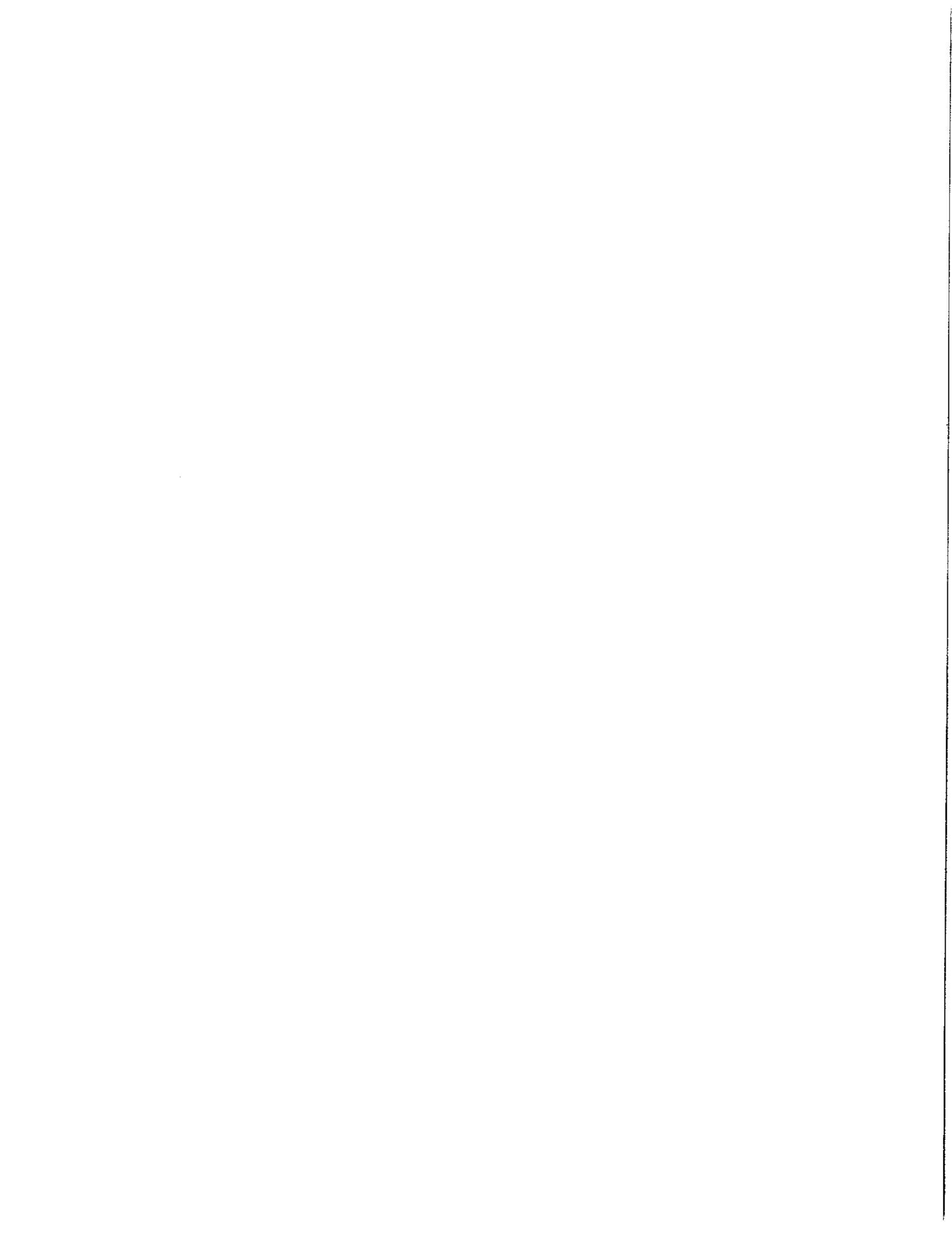
6.2.1

DECEMBER 2025 REFUNDS
TO BE APPROVED

NAME	REQUESTOR	ADDRESS	DESCRIPTION	BILL NUMBER	TYPE	REASON	AMOUNT
AMENDOLA NICHOLAS R 14-16 COTTAGE STREET LLC	TAXPAYER	908 NOVELTY DR, GREER, SC 29651-2039 301 ALFRED MCCAMMON RD, MARYVILLE, TN 37804 195 RICHARDS ST, WEST		50319 2023-03-50319	MV	OVERPAYMENT	(\$571.62)
ELZOUL GERALDINE	TAXPAYER	HAVEN, CT 06516 374 HAWTHORNE AVE, DERBY, CT 06418-1047	80452	2023-04-80452	MVS	OVERPAYMENT	(\$72.45)
GERCKENS PATSY A	TAXPAYER	65 HILLCREST AVE, DERBY, CT 06418-2232	53368	2024-03-53368	MV	OVERPAYMENT	(\$143.10)
GERCKENS SARA M	TAXPAYER	RYAN LLC, P.O BOX 22059, NASHVILLE, TN 37202 225 CAROLINE ST APT 1,	53369	2024-03-53369	MV	OVERPAYMENT	(\$15.16)
NISSAN INFINITY LT LLC	LEASING COMPANY	DERBY, CT 06418-1954	VARIOUS	2023-03-VARIOUS & 2024-03-VARIOUS	MV	OVERPAYMENT	(\$4,088.41)
RIVERA-MACHICOTE NITZA	TAXPAYER	525 FELLOWSHIP RD, ST 330, MT LAUREL, NJ 08054-3415 19 PEACHTREE LN, SHELTON, CT 06484	57559	2023-03-57559	MV	OVERPAYMENT	(\$12.17)
TOYOTA LEASE TRUST	LEASING COMPANY	190 COOK LN, BEACON FALLS, CT 06403	2931	2024-03-VARIOUS	MV	OVERPAYMENT	(\$2,755.15)
25SUMMITAVE LLC MARCZAK HELEN (L U) PASTUSZEK PIOTR & AGNIESZKA MARTINEZ OROZCO SEBASTIAN	TAXPAYER	233 DERBY AVE UNIT 513, DERBY, CT 06418	2052 5156	2025-17-2052 2025-17-5156	SU CF	OVERPAYMENT	(\$17.38) (\$514.00) (\$43.19)
							(\$8,452.90)



6.2.1



2026 Regular Meeting Schedule Full Board of Aldermen/Alderwomen

All meetings will be held in the via Zoom and/or at Derby City Hall, 1 Elizabeth Street, Derby, CT at 7:00 p.m.

January 8, 2026

February 12, 2026

March 12, 2026

April 9, 2026

May 14, 2026

June 11, 2026

July 9, 2026

August 13, 2026

September 10, 2026

October 8, 2026

November 12, 2026

December 10, 2026

January 14, 2027

Join Zoom Meeting with your computer by clicking on link
<https://uso2web.zoom.us/j/89300919973>

Meeting ID: 893 0091 9973

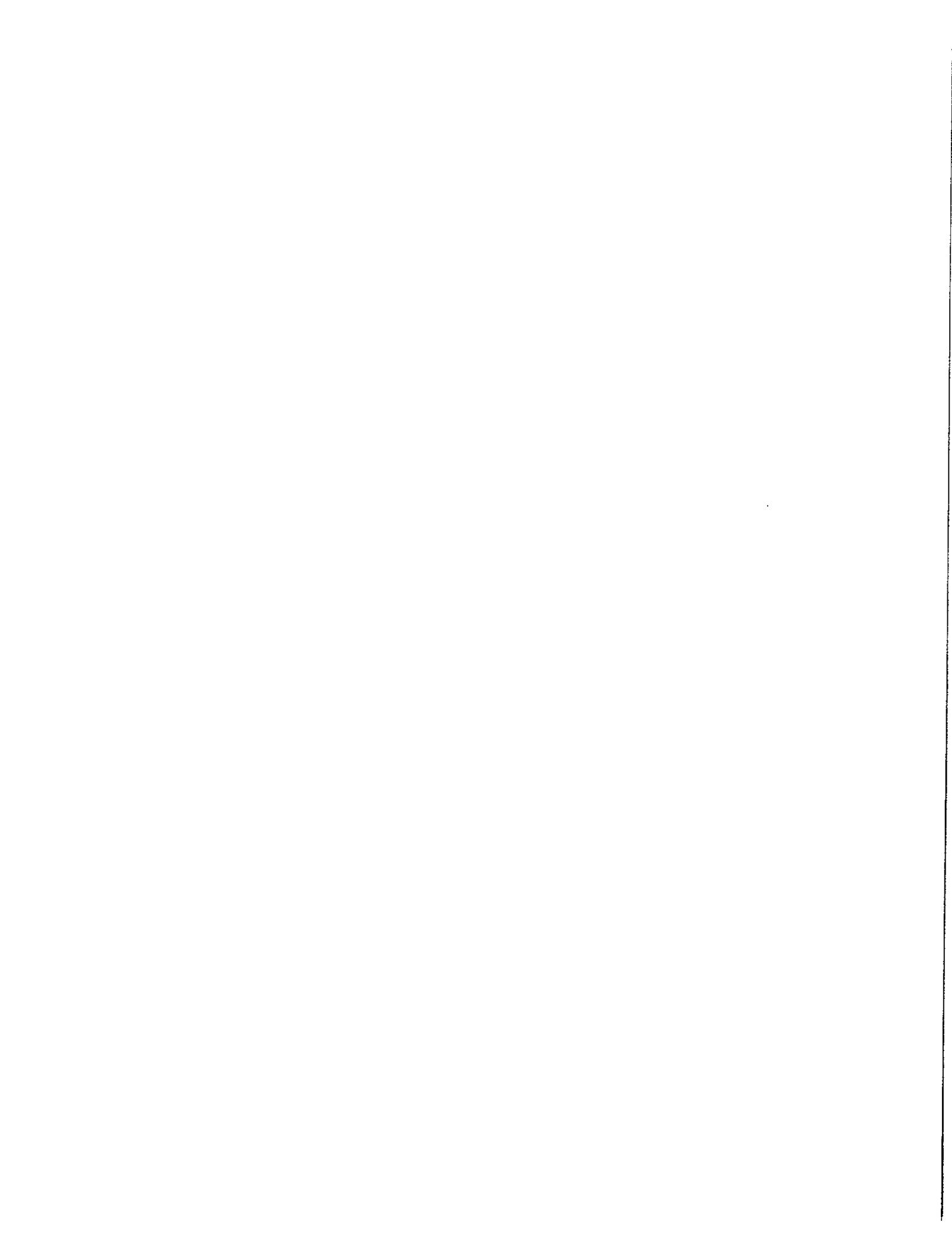
Dial by your location from your telephone: +1 929 205 6099

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DEC 10 2025

Derby, CT Town Clerk's Office



ORDINANCE ESTABLISHING MUNICIPAL PENALTIES FOR
UNLAWFUL CANNABIS SALES

Section 1. Purpose and Authority

1.1. The purpose of this ordinance is to protect public health, safety, and welfare by deterring and sanctioning the illegal sale of cannabis and cannabis products within the City of Derby (hereinafter the "City").

1.2. This ordinance is adopted pursuant to the powers of the City under the Connecticut Constitution, Connecticut General Statutes, and in light of state law changes enacted by Public Act 25-166 concerning regulation, enforcement, and penalties relating to cannabis, hemp, and related products. (See Public Act 25-166.)

1.3. This ordinance is intended to complement, not conflict with, state-level regulation, licensing, enforcement, and penalties under Connecticut law, and shall be construed in a manner consistent with state law including Public Act 25-166, and any implementing regulations promulgated by the State.

Section 2. Definitions

As used in this ordinance, the following terms shall have the meanings indicated:

- a) **"Cannabis"**, **"cannabis product"**, **"cannabis establishment"**, and related terms shall have the meanings as provided in Connecticut state law, including but not limited to Chapter 420h, and applicable definitions in Public Act 25-166 and related statutes/regulations.
- b) **"Unlawful cannabis sale"** means the sale, offer for sale, distribution, or delivery of cannabis or cannabis products in a manner not authorized by Connecticut law (whether to an unlicensed person, by a person not licensed or registered, outside of authorized locations, or in violation of age, labeling, packaging, or quantity restrictions).
- c) **"Business entity"** means any individual, partnership, corporation, limited liability company, firm, association, or other legal entity engaged in business within the City of Derby.
- d) **"Person"** includes an individual and a business entity.
- e) **"Violation"** means an act or omission by a business entity that constitutes an unlawful cannabis sale under state law or this ordinance.

f) “**City enforcement officer**” means any person authorized by the City to enforce city ordinances.

Section 3. Prohibited Conduct

3.1. No business entity in the City of Derby shall engage in an unlawful cannabis sale as defined above.

3.2. No business entity shall allow cannabis sales on its premises unless the entity holds all required state licenses, registrations, and authorizations, and is in full compliance with applicable state law and regulation.

3.3. No business entity shall assist, facilitate, or conspire in any way in unlawful cannabis sales.

3.4. The City may treat each separate sale or transaction as a separate violation for purposes of penalty assessment.

Section 4. Investigation, Notice, and Hearing Procedures

4.1. City enforcement officers may investigate complaints or evidence of unlawful cannabis sales within the city. In conducting an investigation, officers may inspect the premises, request documentation, and gather evidence consistent with constitutional limitations.

4.2. If the City believes a violation has occurred, the City shall issue a written Notice of Violation to the business entity, which shall include:

- a. A description of the alleged violation(s), including date(s), time(s), and factual details;
- b. The proposed penalty;
- c. An opportunity for a hearing before a designated hearing officer to contest the violation or penalty;
- d. The deadline by which the hearing must be requested (not less than 10 calendar days from the date of notice);
- e. That failure to request a hearing constitutes waiver of the hearing and an admission of the violation for purposes of penalty imposition.

4.3. If a hearing is requested in writing by the deadline, the City shall schedule a hearing within a reasonable time (not more than 30 days from request, unless extended by mutual agreement). The business entity shall have the right to present evidence, cross-examine witnesses, and be represented by counsel.

4.4. After the hearing, the hearing officer shall issue a written decision, with findings of fact and conclusion as to whether a violation occurred and the appropriate penalty.

4.5. If no hearing is requested, the notice becomes final and enforceable after the expiration of the response period.

Section 5. Fines and Penalties

5.1 Civil Penalty.

Any business entity found to have violated any provision of this ordinance shall be subject to a civil fine of two-hundred fifty dollars (\$250) for each offense. Each separate act of unlawful cannabis sale, or each day that a violation continues, shall constitute a distinct and separate offense subject to a separate fine.

5.2 Hearing and Enforcement Procedure.

No fine shall be imposed until the business entity has been provided with written notice of the violation and afforded an opportunity for a hearing in accordance with the procedures set forth in Connecticut General Statutes § 7-152c, or any successor statute.

5.3 Additional Remedies.

In addition to the imposition of fines, the City may:

- a. seek injunctive relief to prohibit continued unlawful cannabis sales;
- b. suspend or revoke any municipal permits or licenses held by the violating business; and
- c. refer the violation to the Connecticut Department of Consumer Protection or the Office of the Attorney General for any action authorized under Public Act 25-166 or other applicable state law.

5.4 Non-Exclusivity.

The penalties provided in this section are cumulative and not exclusive. Imposition of a municipal fine shall not preclude the State of Connecticut or any other enforcement authority from pursuing additional penalties, civil actions, or criminal proceedings as permitted by law.

Section 6. Severability; Conflict with State Law

6.1. If any provision of this ordinance is held invalid or unconstitutional, the remainder of the ordinance shall continue in full force and effect.

6.2. If any provision conflicts with state law, the state law shall supersede to the limited extent of the conflict, and the remaining portions of this ordinance shall remain in effect.

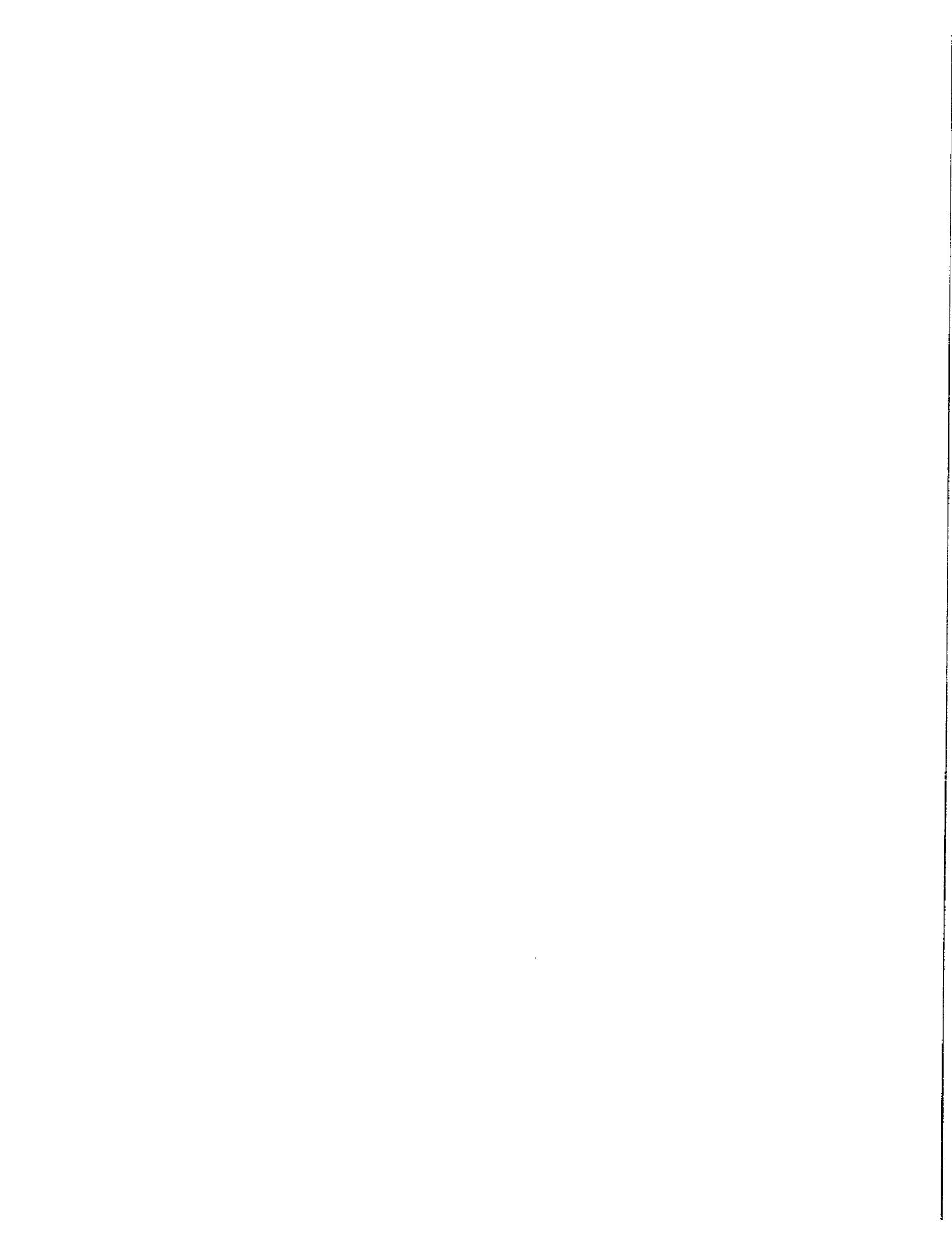
Section 7. Effective Date

This ordinance will take effect as authorized by law after adoption and publication in accordance with the City of Derby's Charter.

Received

DEC 10 2025

Derby, CT Town Clerk's Office



CITY OF DERBY ORDINANCE REGULATING
MOTORIZED RECREATIONAL VEHICLES

Authority

This ordinance is adopted pursuant to the home rule powers of the City of Derby and is intended to operate in accordance with Connecticut Public Act 25-80 and related state laws. To the extent any provision of this ordinance conflicts with state law, the state law shall prevail. The ordinance incorporates required procedural protections, seizure/forfeiture rules, and lienholder rights consistent with applicable Connecticut statutes.

Section 1. Definitions

All-Terrain Vehicle - by law, an all-terrain vehicle is a self-propelled vehicle designed to travel over unimproved terrain which has been determined by the Commissioner of the Department of Motor Vehicles to be unsuitable for operation on public roads, and is ineligible for registration (CGS 14-379).

Dirt Bike - is a two wheeled Motorized Recreational Vehicle designed to travel over unimproved terrain and not designed to travel on a highway, as defined on Connecticut General Statutes 14-1. "Dirt bike" does not include an All-Terrain Vehicle as defined in Connecticut General Statutes 14-379, or a Motor-Driven Cycle, as defined in Connecticut General Statutes 14-1.

EPAMD - shall mean any electric personal mobility device that is self-balancing, has two (2) non-tandem wheels, is designed to transport one (1) person, and has an electric propulsion system that produces an average power output of no more than 750 watts.

Mini-Motorcycle - "mini-motorcycle" is a vehicle that (1) has no more than three wheels in contact with the ground; (2) has a manufactured seat height of less than 26 inches, measured at the lowest point on top of the seat cushion without the rider; and (3) is propelled by an engine having a piston displacement of less than 50 cubic centimeters (CGS 14-289).

Motorized Recreational Vehicle - shall mean a wheeled vehicle with a motor, intended to be ridden by one (1) or more persons and shall include All Terrain Vehicles, Dirt Bikes, and Mini-motorcycles.

Street Takeover - shall mean taking over a portion of a public highway or parking area by blocking or impeding the regular flow of traffic with intent to cause disorder or create a nuisance for other users of such highways or parking areas.

Motorized Recreational vehicle shall not be deemed to include any of the following:

- (1) Any registered "motorcycle" as defined in the Connecticut General Statutes 14-1.
- (2) Any registered "motor vehicle" as defined ~~in~~ Connecticut General Statutes 14-1.
- (3) Any moped that meets Federal Department of Transportation guidelines for use on streets and is approved by the State of Connecticut Department of Motor Vehicles for use on streets, provided, however, the moped is operated pursuant to all applicable state laws, rules and regulations and all City of Derby Ordinances.
- (4) Any wheelchair or similar mobility assisting device utilized by a person with a physical disability or whose ambulatory mobility has been impaired due to age or physical impairment.
- (5) Any self-propelled snowplow, snow blower, or lawn mower when used for the purpose for which it was designed and operated not to exceed (4) miles per hour;
- (6) Any vehicle owned or leased by the City of Derby;
- (7) Any EPAMD as defined herein;
- (8) Any bicycle or trail bike without a motor;
- (9) Any golf cart;
- (10) Any agricultural equipment such as tractor and farm implements;
- (11) Any construction machinery; and
- (12) Any vehicle that is used solely for the amusement or as a novelty display item, and is operated during a parade or any other special event that is properly permitted and approved by the City of Derby.

Section 2. Prohibited Operation

1. Streets, sidewalks, public property.

- a. No person shall operate a motorized recreational vehicle on any street, sidewalk, or public property in Derby.
- b. No owner shall knowingly permit such operation in violation of (a).

2. Passenger prohibition.

No person may ride as a passenger on a motorized recreational vehicle if doing so violates item 2.1 above, and no owner shall permit such passenger.

3. Private property use without permission.

- a. If the operator or passenger does not own the property, written permission from the property owner is required before operation.
- b. No owner shall permit operation without such consent.

4. Noise compliance.

Any operation on private property, with permission, must comply with Derby's noise ordinance. Excessive noise is prohibited.

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Derby, CT Town Clerk's Office

5. EPAMD operation.

- a. EPAMDs may be used on designated bike lanes, sidewalks, or crosswalks at speeds **not** exceeding 5 miles per hour.
- b. Where no bike lane or sidewalk exists, operation is allowed on the far-right side of the street, subject to local traffic rules.
- c. Operators must yield to pedestrians and mobility devices and comply with all Connecticut laws and Derby's traffic regulations.

6. Street Takeover

It shall be unlawful for any person or group of persons to organize, participate in, or gather with the intent to observe and actually observing a street takeover as defined herein.

Section 3. Penalties

1. Violations of motorized recreational vehicle rules (Sections 2.1, 2.3).

- a. Any person who operates any Motorized Recreational Vehicle in violation of Section 2 above, shall be fined as described below:
 - o First violation: \$1,000
 - o Second violation: \$1,500
 - o Third or subsequent: \$2,000



2. Passenger violations (age 16 or older).

Any person aged sixteen (16) or older who rides as a passenger on any Motorized Recreational Vehicle in violation of Section 2 above, or any owner of a Motorized Recreational Vehicle who knowingly permits a passenger to ride his/her Motorized Vehicle in violation of Section 2 above shall be fined two hundred fifty dollars (\$250.00).

3. EPAMD violations.

Any person who operates an EPAMD in violation of Section 2 above or is the owner of an EPAMD who knowingly permits its operation in violation of Section 2 above that had been previously issued one (1) warning as the result of previous violation of this article, shall be fined two hundred and fifty dollars (\$250.00).

Section 4. Seizure of Motorized Recreational Vehicles; Disposal

- a. Any person who operates a Motorized Recreational Vehicle in violation of Section 2 above or is the owner of any vehicle who knowingly permits its operation in a street takeover as defined above, will be subject to seizure of said vehicle (s) pursuant to Connecticut General Statutes 54-33g, which allows for seizure of property. A police

officer who observes any Motorized Recreational Vehicle being operated in violation of Section 2 or any vehicle being operated in a street takeover may detain such person for purposes of enforcing the provisions of this ordinance and may remove or tow such Motorized Recreational Vehicle or other vehicle to a secure location for impoundment pending a hearing pursuant to Section 5 below. Before the owner of any such impounded property may remove the vehicle from the vehicle pound, he/she shall furnish to the operator such pound or such other person as the Chief of Police shall designate evidence of registration and ownership, shall sign a receipt for such property and shall pay any fine imposed pursuant to this section, the cost of towing, the cost of any related charges, any overdue property taxes on such vehicle, plus the cost of storage in excess of the first twenty-four (24) hours after seizure. The operator of such pound shall refuse the release of any such property lawfully seized that the Chief of Police has authorized to hold as evidence in a criminal investigation or proceeding. Such operator shall obtain written permission from the Chief of Police on any form or document prescribed by the Chief of Police prior to the release of such property held for evidence. The vehicle shall be deemed forfeited to the City if the owner or the lienholder fails to pay all fines and related charges within six months of impoundment. The City of Derby shall not be held liable for any damage to or loss of property seized in accordance with this section.

- b. Any such Motorized Recreational Vehicle that is not claimed by its owner under the terms of this section for a period of six months after seizure or in the case of a vehicle being held as evidence not claimed by its owner within six months of the cessation of such investigation or disposition of such criminal proceeding, whichever is later, may be disposed of at the discretion of the Chief of Police after serving notice in the same manner as that required for the disposal of abandoned vehicles under Connecticut General Statutes 14-150(e), except in the case that a vehicle that is not registered, such notice shall not require mailing to person's whose names are registered with the state Department of Motor Vehicles.

Section 5. Hearing Before Forfeiture

1. Hearing Officer.

The City shall appoint a Hearing Officer to conduct forfeiture hearings, in coordination with the Chief of Police.

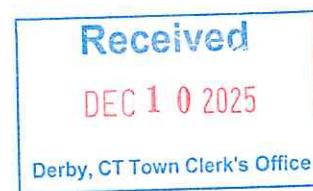
2. Notice & hearing request.

Within 30 days of seizure, notice must be sent to the owner and any known lienholder. A written request for a hearing must be filed (by certified mail or hand delivery) within 30 days, with proof of ownership or lien interest.

3. Scheduling & notice.

The hearing must occur within 30 days of the request (unless extended for cause). At least 10 days' notice of date/time/location must be given.

4. Procedures.



- o The police incident report is *prima facie* evidence of a violation.
- o Owner/lienholder may cross-examine, present evidence, be represented by counsel.
- o Recording is allowed at party expense.

5. Forfeiture criteria.

The Hearing Officer may order forfeiture if probable cause is found that:

- a. The vehicle was used in violation of this ordinance or Connecticut law; or
- b. It was operated with reckless disregard for safety or property.

Any Motorized Recreational Vehicle ordered forfeited shall be sold at public auction or destroyed by the City of Derby. If sold, the proceeds of such sale shall be deposited into the general fund of the City of Derby.

6. Lienholder rights.

Forfeiture shall not violate rights of bona fide lienholders.

7. Decision & abandonment.

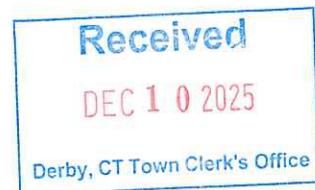
The Hearing Officer shall issue a written decision ordering either forfeiture or return, unless the vehicle must remain as evidence. If no hearing is requested in 30 days, the vehicle is deemed abandoned and disposed of under applicable law.

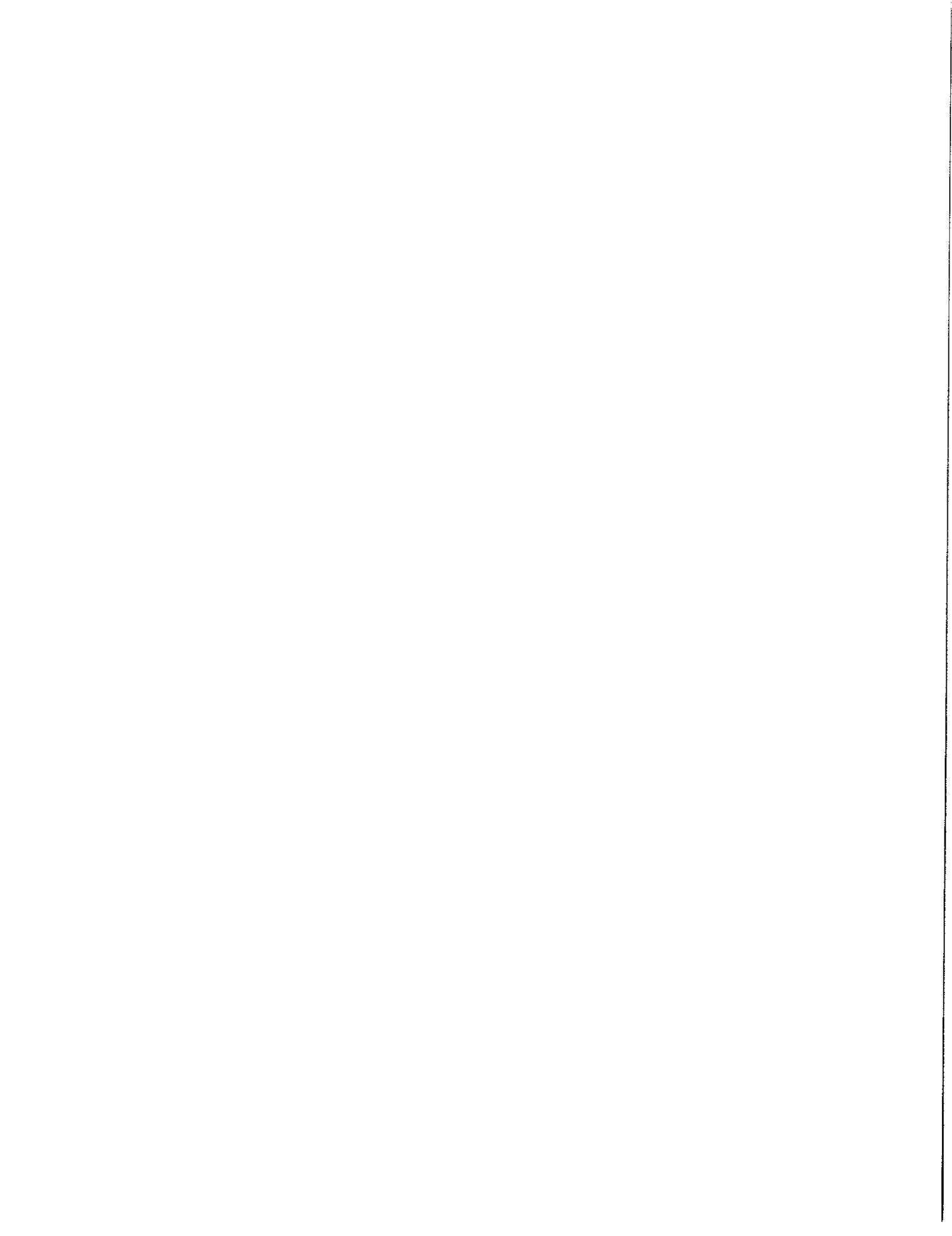
Section 6. State Law Compliance Chmse

1. If any part of this ordinance conflicts with Public Act 25-80 or other controlling state law, the state law controls.
2. This ordinance includes procedural safeguards, notice, lienholder protection, and forfeiture processes required by statute.
3. The City shall review and amend this ordinance as needed to remain consistent with updates to state law.

Section 7. Effective Date

This ordinance will take effect as authorized by law after adoption and publication in accordance with the City of Derby's Charter.





§ XXX-X Purpose.

The intention of this chapter is to provide a hearing procedure for review of parking violations within the City of Derby.

§ XXX-X Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PARKING VIOLATION

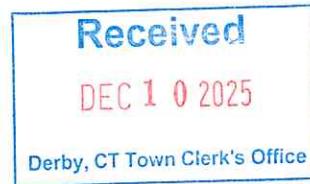
Any ticket issued by a police officer or of the City of Derby for a violation of parking statutes, laws, ordinances or regulations.

PARKING VIOLATION HEARING OFFICER

An elector of the City of Derby, other than policemen or persons who issue parking tickets or work in the Police Department, appointed by the Mayor to conduct the hearings authorized by Connecticut General Statutes Section 7-152b.

TERM OF OFFICE

The term shall be at the discretion of the Mayor.

**§ XXX-X Hearing procedure.**

A. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.

B. Notice; hearing; fines.

(1) The City of Derby may, at any time within 12 months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any alleged violation under any ordinance adopted pursuant to Section 7-148 or Sections 14-305 to 14-308, inclusive, send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle, by first class mail to the address according to the registration records of the Department of Motor Vehicles. Such notice shall inform the operator or owner of the allegations against such person and the amount of the fines, penalties, costs or fees due; that such person may contest liability before a parking violations hearing officer by delivering in person or by mail written notice within 10 days of the date thereof; that if there is no such demand for a hearing, an assessment and judgment shall be entered against the operator or owner; and that such judgment may issue without further notice. Whenever a violation of such an ordinance occurs, proof of the registration number of the motor vehicle involved shall be *prima facie* evidence in all proceedings provided for in this section that

8.S

the owner of such vehicle was the operator thereof, provided that the limitations on the liability of a lessee under Section 14-107 shall apply.

(2) If the person who is sent notice pursuant to Subsection B(l) wishes to admit liability for any alleged violation, the person may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to in person or by mail to an official designated by the City. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within 10 days of the date of the first notice provided for in Subsection **B(1)** shall be deemed to have admitted liability, and the designated City official shall certify such person's failure to respond to the hearing officer as such person did not choose to contest the violation citation. The hearing officer shall thereupon cause to have entered and assessed the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in Subsection **B(4)** of this section.

(3) Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than 15 days nor more than 30 days from the date of the mailing of notice, provided that the hearing officer shall grant, upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by a policeman or other issuing officer shall be filed and retained by the City, be deemed a business record within the scope of Section 52-180 and be evidence of the facts contained therein. The presence of the policeman or issuing officer shall be required at the hearing if such person so requests. A person wishing to contest such liability shall appear at the hearing and may present evidence to that effect. A designated City official, other than the hearing officer, may present evidence on behalf of the City. If such person fails to appear, the hearing officer may enter an assessment by default against such person upon finding of proper notice and liability under the applicable statutes or ordinances. The hearing officer may accept from such person copies of police reports, Motor Vehicle Department documents and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce the decision at the end of the hearing. Upon determination that the person is not liable, the hearing Officer shall dismiss the matter and enter such determination in writing accordingly. Upon determination that the person is liable for the violation, the hearing

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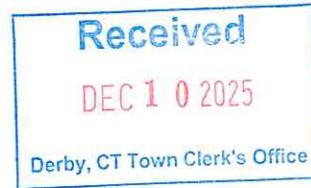
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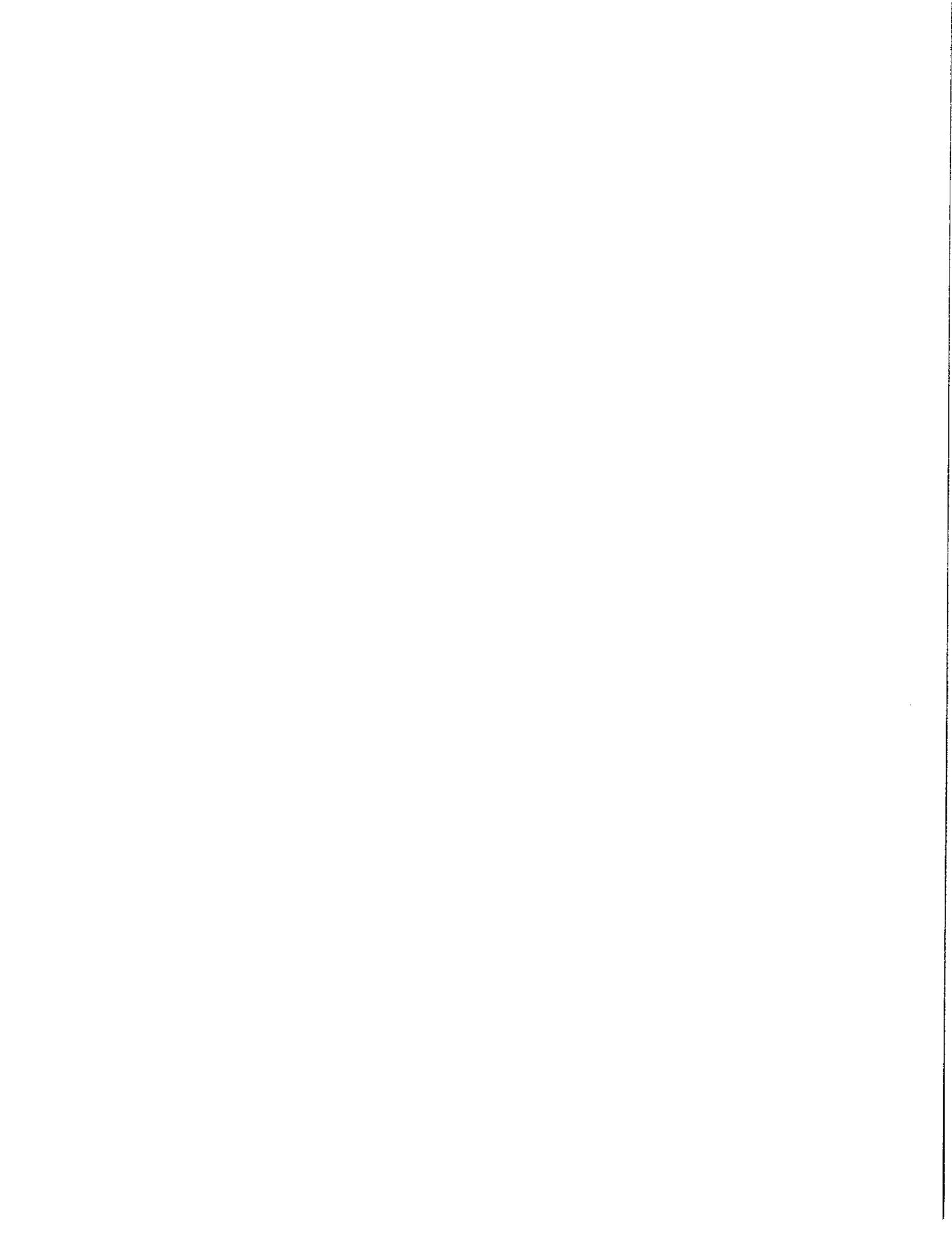
officer shall forthwith cause to have entered and assessed the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town.

(4) If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the person found liable and shall file, not less than 30 days nor more than 12 months after such mailing, a certified copy of the notice of assessment with the Clerk of the Superior Court for the geographical area in which the Town is located, together with the applicable entry fee. The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs, against such person in favor of the City. Notwithstanding any other provision of the General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person.

§ 103-4 Judicial review.

A person against whom an assessment has been entered pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for a small claims case pursuant to Section 52-259, in the Superior Court for the geographical area in which the Town is located, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Superior Court.





Section XXX.X Procedure and Penalty for Violation of Parking Regulations

A. When there is a violation of this article by a person, a member of the Police Department shall attach to the vehicle in violation a notice to the owner or operator thereof that such vehicle has been parked in violation of the provisions of this article and directing such owner or operator to report to the officer on duty in the Police Department in regard to such violation. Each such owner or operator shall, within 10 days of the time when such notice was attached to his vehicle either pay to such desk officer, as a penalty for and in full satisfaction of such violation, the amounts set forth below or request an informal hearing with a police department enforcement representative regarding his/her liability for violation of this chapter of the Code. Failure to either pay or to resolve the issue at the informal hearing shall result in collection pursuant to the Citation process as set forth in the Code.

(1) Group I, penalty: \$25.

(a) No-parking zone.

(b) Restricted zone.

(c) Within 25 feet of corner.

(d) Facing wrong way.

(e) Double parking.

(f) More than time limit.

(g) Overnight parking.

(h) Too far from curb.

(i) Obstructing sidewalk.

(j) Obstructing crosswalk.

(k) Obstructing driveway.

(l) Bus stop.

(m) No-parking, postal zone.

(n) Sticker-required zone.

(2) Group II, penalty: \$50.

(a) Fire zone.

- (b) Obstructing fire hydrant.
- (c) Alternate-side-of-the-street parking.
- (d) Parking a properly registered inoperable motor vehicle on Town streets or on Town property for more than 24 hours.
- (e) Parking a properly registered and operational motor vehicle on Town streets or on Town property for more than four days when such owner does not reside on that street.
- (f) Snow Emergency.

(3) Group III, penalty: \$100.

(a) Handicapped parking zone.

(b) Obstructing handicapped curb cuts.

B. The owner of the vehicle found to be in violation shall be responsible for all violations charged. The failure of such owner to make such payment as provided within the ten-day period shall make him liable to an additional penalty of double the original fee. If payment is not made within 15 days, then the owner shall be liable for an additional penalty of \$25 plus court costs, attorneys' fees and any other costs of collection.

8.7

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
STATE OF CONNECTICUT
(AN EQUAL OPPORTUNITY EMPLOYER)
CERTIFIED RESOLUTION OF THE GOVERNING BODY

I, Joseph DiMartino, Mayor, certify that below is a true and correct copy of a

(Name of Official)

(Title of Official)

resolution duly adopted by The City of Derby

(Name of the Applicant)

at a meeting of its Board of Aldermen & Alderwomen

(Governing Body)

duly convened on _____ and which has not been rescinded or modified in

(Meeting Date)

any way whatsoever and is at present in full force and effect.

(Signature and Title of Official)

SEAL

WHEREAS, pursuant to _____,

(State Statutory Reference)

the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the City of Derby _____ make an application to the State for

(Applicant)

\$ 250,000

in order to undertake the Fountain Lake Industrial Park Planning Project

(Name and Phase of Project)

and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE

Board of Aldermen & Alderwomen

(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by

(State Statutory Reference)

2. That the filing of an application for State financial assistance by

The City of Derby

(Applicant)

in an amount not to exceed \$ 250,000

is hereby approved and that

8.7

Mayor Joseph DiMastino

(Title and Name of Authorized Official)

is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of

The City of Derby

(Name of Applicant)

Scope of Work

Derby Fountain Lake Industrial Park Concept Plan

Project Overview

The City of Derby seeks funding to develop a concept plan for a municipal industrial park on approximately 30 acres of city-owned land. The project aims to design infrastructure to support up to 12 future manufacturing building lots, anchored by a proposed half-mile access road.

Tasks & Deliverables

Task 1: Site Survey and Boundary Mapping

- Conduct boundary, topographic, and existing condition surveys of the 24-acre site.
- Deliverables: CAD base mapping and GIS layers.

Timeline: Month 1–2

Cost Estimate: \$20,000

Task 2: Environmental Assessment (Phase I/II)

- Perform a Phase I Environmental Site Assessment (ESA).
- Conduct Phase II testing if warranted by Phase I findings.

Timeline: Month 2–3

Cost Estimate: \$7,500–\$25,000

Task 3: Geotechnical Investigation

- Conduct subsurface soil testing to assess suitability for roadway and building foundations.
- Deliverables: Geotechnical report and soil data.

Timeline: Month 3

Cost Estimate: \$15,000

Task 4: Conceptual Site Planning & Lot Layout

- Prepare a concept plan showing road alignment, utility corridors, and proposed lot layout.
- Include stormwater management zones, buffers, and open space.

Timeline: Month 4–5

Cost Estimate: \$30,000

Task 5: Preliminary Engineering & Cost Estimation

- Develop preliminary road and utility engineering plans.
- Prepare Class C cost estimate for full build-out.

Timeline: Month 5–6

Cost Estimate: \$35,000

Task 6: Market Feasibility & Economic Impact Study

- Analyze market demand for manufacturing space.
- Estimate potential job creation, tax revenue, and economic benefit.

Timeline: Month 5–6

Cost Estimate: \$25,000

Task 7: Stakeholder & Public Engagement

- Conduct meetings with city officials, residents, regional partners, and potential end-users.
- Solicit feedback and incorporate into final plan.

Timeline: Ongoing, Month 3–6

Cost Estimate: \$8,000

Task 8: Final Concept Plan Report

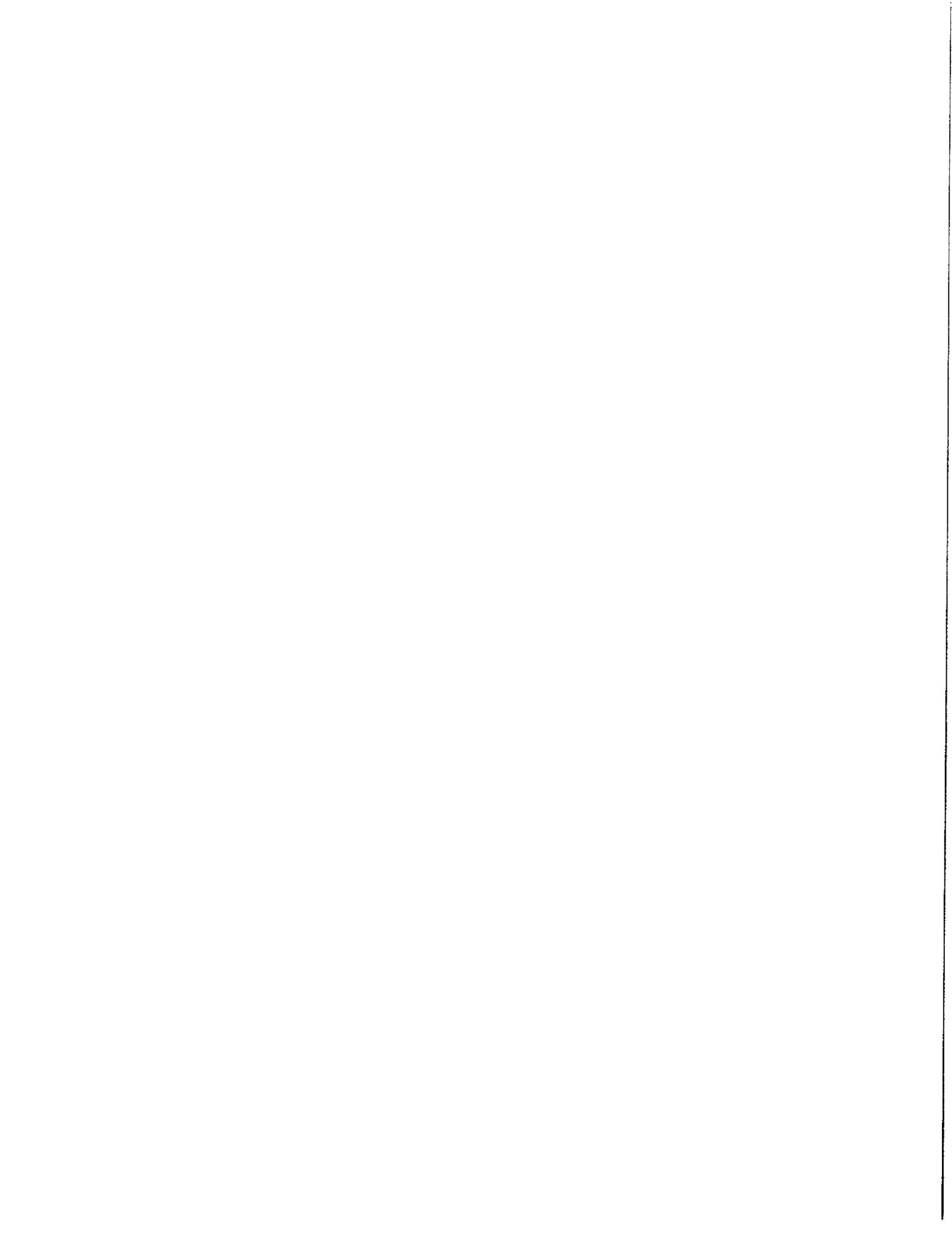
- Compile all findings into a Final Concept Plan report.
- Include phasing recommendations, infrastructure needs, environmental summary, and next steps for implementation.

Timeline: Month 6

Cost Estimate: Included in previous tasks

Overall Timeline: 6 Months

Total Estimated Budget: \$140,000 – \$180,000





PROJECT FEASIBILITY ESTIMATE - BIRMINGHAM BOULEVARD EXTENSION

PROJECT NAME: Fountain Lake Industrial Park Development
 PROJECT NUMBER: 20168 LOCATION: Derby, CT
 DATE OF ESTIMATE: 12/3/2025

8.7

Proposed New Roadway	Length (LF)
	Total Length 2,100

Development Cost Estimate

	Area (SF)	Depth (INCH)	Depth (FT)	Earth Excavation (CY)	Rock Excavation (CY)	Borrow (CY)	Formation of Subgrade (SY)	Process Aggregate (CY)	HMA S0.5 INCH (TON)	HMA S1.0 INCH (TON)	Material for Tack Coat (GAL)	Unit Cost	Total Cost
Earth Excavation	28	14	1.17	1.21								\$ 26.62	\$ 32.21
Rock Excavation	28	4	0.33		0.35							\$ 100.94	\$ 34.89
Borrow	28	8	0.67			0.69						\$ 21.65	\$ 14.97
Formation of Subgrade	28						3.11					\$ 3.00	\$ 9.33
Process Aggregate	28	10	0.83					0.86				\$ 55.00	\$ 47.53
HMA S0.5 INCH	28	2	0.17						0.36			\$ 145.00	\$ 51.88
HMA S1.0 INCH	28	3	0.25							0.54		\$ 145.00	\$ 77.82
Material for Tack Coat	28										0.31	\$ 9.00	\$ 2.80
Additional On-Site Pay Items (All-Inclusive estimate per LF)													
Curbing Concrete				\$55/LF		2 Sides							\$ 271.43
												\$ 110.00	\$ 110.00
													\$ 381.43

Total Roadway Development Cost Per LF \$ 381.43

Total Roadway Development Cost \$ 800,995

Earthwork and Drainage Items

Mass Earthwork	4' fill	6500 Cubic Yards	\$15										\$ 97,500
Drainage Structures		28 Each	\$5,500										\$ 154,000
Drainage Sed Systems		2 Each	\$100,000										\$ 200,000
Drainage Pipe		2600 Linear Feet	\$150										\$ 390,000

Total Base Development Cost \$ 1,642,495

OTHER COSTS (following CTDOT Cost Estimating Guidelines)

Minor Items - say 15%	\$ 246,374
Contingencies - say 20%	\$ 328,499
Incidentals - say 15%	\$ 246,374
Subtotal	\$ 821,248 \$ 2,463,743
Inflation cost say 5% over 2 years	\$ 252,534

Total Site Development Cost \$ 2,716,276

Utility Infrastructure Connection Cost Estimate

Birmingham Blvd, Ansonia

Pump Station	Sanitary Sewer	Water Main	Unit Cost	Total Cost
1			\$250K	\$ 250,000
	2,100		\$ 160.00	\$ 336,000
		2,100	\$ 160.00	\$ 336,000

Water and Sanitary Sewer Birmingham Blvd Ext., Ansonia Connection Total \$ 922,000

Total Project Cost \$ 3,639,000

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Municipal Certification of Eligibility for Discretionary State Funding

(This form to be completed by municipality)

Name of Discretionary Grant Funding Program: **Community Investment Fund 2030**

Name of Municipality & Town Code: 037 Derby (hereinafter referred to as "Town/City")

In accordance with C.G.S. § 8-23, as amended by Public Act 15-95, any municipality that has not adopted a plan of conservation and development (POCD) within the past ten years is ineligible for discretionary state funding unless they submit a "Notice of Expired POCD" to the OPM Secretary and to the Commissioners of Transportation, Energy and Environmental Protection, and Community and Economic Development, **and** they request and receive a waiver from the prohibition on a grant-by-grant basis from the OPM Secretary

In accordance with C.G.S. § 8-23(a)(1), the Town/City has adopted a POCD within the last ten years; the adopted plan expires 5/24/2026.

The Town/City has **not** adopted a POCD within the last ten years as required by C.G.S. § 8-23(a)(1) and:

In accordance with C.G.S. § 8-23(a)(2), the Town/City has submitted a "Notice of Expired POCD" to the OPM Secretary and the Commissioners of Transportation, Energy and Environmental Protection, and Economic and Community Development that explains why such plan was not adopted within the required ten year period (copy attached).

AND

In accordance with C.G.S. § 8-23(b), the Town/City has submitted a "Waiver Request Letter" to the OPM Secretary requesting a waiver of the discretionary state funding prohibition for this grant application (copy attached).

I attest that the aforementioned information is accurate and complete and that I am the representative of the Town/City who is authorized to execute this certification.

Mayor Joseph DiMartino

Signature: _____

11/21/2025

037 Derby