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2885 Main Street
Stratford, CT 06614
T 203 378-9595



C 203 260-2121
F 203 378-7765
E ben@protolawfirm.com

April 20, 2026

Mayor Joseph DiMartino
City of Derby
1 Elizabeth Street
Derby, CT 06418

C/O Pamela Happy

RE: Derby Apartment Investment, Inc., Trolley Pointe
Tax Abatement

Dear Ms. Happy:

I represent Derby Apartment Investment, Inc. (DAI), the owner of Trolley Pointe Apartments at 90 Main Street, Derby, CT.

As you are aware, at the Derby Board of Aldermen/Alderwomen (BOA), on February 9, 2023, approved DAI's incentive tax abatement application for the above-referenced property. (Copy of the BOA minutes attached).

I am writing to formally request that the issue of assigning the approved tax abatement be placed on the agenda for the Board of Aldermen subcommittee responsible for approving the requested assignment.

As indicated above, the tax abatement in question was previously approved by the Derby BOA. Assigning the tax abatement to a qualified buyer will send a strong signal that Derby is open for economic development, particularly along South Main Street.

DAI has invested \$20 million in Derby during times when other developers were looking at other towns. They are prepared to continue to invest in Derby and look forward to the City working collaboratively with DAI, with both parties understanding the unique development and economic challenges of this area.

We must work with developers to generate tax revenue for a region that has experienced steady decline for over 6 decades.

Thank you for your consideration.

Sincerely,

Benjamin Proto
Benjamin S. Proto, Jr.

Enc

Joe Salerni

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RECEIVED
TOWN/CITY CLERK
DERBY, CT

2023 FEB 27 PM 3:12

Board of Aldermen/Alderwomen

Barbara L. DeGennaro
Anita Dugatto
Sarah Widomski*

Brian Coppolo
Gino DiGiovanni
Ronald M. Sill

Robert Hyder
Charles Sampson, MPA
Kevin Sharkey

Regular Meeting – Thursday, February 9, 2023 – 7:00 PM Minutes

1. Mayor Dziekan called the meeting to order at 7:09 PM.
2. Pledge of Allegiance
3. Roll Call

Present: Barbara DeGennaro, Sarah Widomski, Brian Coppolo, Gino DiGiovanni, Ronald Sill, Charles Sampson, Kevin Sharkey

Absent: Anita Dugatto, Robert Hyder

4. Additions, Deletions, Corrections, and Adoption of the Agenda - None
5. Public Portion –

Jennifer DesRoches, 184 Seymour Avenue – Ms. DesRoches expressed her concern about including the BOAT members being included in the Finance Director's job description and salary.

Elizabeth Lally, 172 Emmett Avenue – Ms. Lally expressed her concerns about the parking on the streets and the signage about parking in Derby.

6. Special Orders – None
7. Presentations

7.1 Transfer Station Solar Farm Presentation – Citrine Power – Cela Sinay-Bernie

Discussion: Mr. Salway started the presentation on the transfer station solar farm. Ms. Cela Sinay-Bernie went in depth with the presentation and explained. She stated they have until March 14th to bid in the auction. Ms. DeGennaro asked Ms. Cela Sinay-Bernie how close is what is being proposed to the town line of Woodbridge? Ms. Cela Sinay-Bernie stated she believed it was a 100 foot setback, but they can set it more because they have space. She added, they are far from Woodbridge, about 15-20 acres.

MOTION: Mr. DiGiovanni moved to empower the Mayor to sign any leases or forms for the development and construction of the Transfer Station Solar Farm and to hold a public hearing. Mr. Sampson seconded the motion. **Motion Withdrawn.**

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Discussion(continued): Ms. Widomski asked about the revenue from the existing solar farm panels, and Mayor Dziekan stated they have been looking for that. Mr. Mayhew stated they are getting credits on the bill from the existing solar farm panels. Ms. Widomski asked if the project from 10 years ago ever went out to bid? Mayor Dziekan answered he does not know. Attorney Marino stated they will have to hold a public hearing before entering into the lease, so the consent can be given but the city can't enter into it until the public hearing because that will be against the charter. Attorney Marino stated they can schedule a public hearing tonight and follow the charter. He added, "technically you would have to send it to an 8-24," but then had to look back into his emails and stated "let's do it right, not do it fast." Mr. Sill asked if we had a public hearing, it can get voted on that night. Attorney Marino answered, "exactly." Attorney Marino stated according to section 21 of the charter, all grants of real estate must be approved by the BOA and awarded to the highest bidder. Ms. DeGennaro stated this would need to go out to bid. Attorney Marino stated, "what you do is you set the terms; this is what we did with the Water Authority, you set the RFP the same way we did for the Water Authority and this bidder will be the sole bidder because they are going to be the only ones that are eligible, like the Water Authority. Because of the way your charter is, these are hoops that we have to do."

MOTION (2): Mr. Sampson moved to refer this item to the Planning and Zoning Committee and for the mayor to call a special meeting hopefully on the 28th of February. Mr. DiGiovanni seconded the motion. There was no further discussion and the **motion carried unanimously.**

7.2 Fire Marshall Office Reorganization – Dave Marcarelli

Discussion: Ms. DeGennaro stated the existing ordinance that was sent is not the existing one, it was amended in January 24, 2013. She added, some of this was not correct. Mr. Marcarelli gave a presentation. He presented the CT General Status Chapter 541 Title 29-306 & 29-305, compliance with the state statutes, the current organization, the proposed organization, and the budgetary impact in a PowerPoint presentation.

MOTION: Ms. Widomski moved to postpone item 7.2 Fire Marshall Office Reorganization to March 14th. Mr. Sill seconded the motion to postpone. There was no further discussion and the **motion carried unanimously.**

7.3 Economic Development Commission – Roger Salway

Discussion: Mr. Salway gave a presentation on the proposed draft Economic Development Commission Ordinance, which included 7 sections: establishment, purpose, commissioners; membership, appointment, terms, vacancies, powers and duties, and effective date. After the board talked about changes to some of the sections, Attorney Marino stated he has updated section 3, to read: appointed by the Mayor, and approved by the Board of Aldermen/Alderswomen.

MOTION: Mr. DiGiovanni moved to create the economic development commission. Mr. Sampson seconded the motion. There was no further discussion and the **motion failed. (Five affirmative votes needed to pass an ordinance)**

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Roll Call Vote:

Barbara DeGennaro – No
Sarah Widomski – Abstain
Brian Coppola – No
Gino DiGiovanni – Yes

Ronald Sill - Yes
Charles Sampson - Yes
Kevin Sharkey – Yes

8. Unfinished Business

8.1 Approval of Minutes

8.1.1 Board of Aldermen/Alderwomen – Special In-Person Meeting (6-27-22)

MOTION: Mr. Sampson moved to postpone the Board of Aldermen/Alderwomen – Special In-Person Meeting (6-27-22) minutes. Ms. Widomski seconded the motion to postpone. There was no further discussion and the **motion to postpone carried unanimously.**

8.1.2 Board of Aldermen/Alderwomen – Regular Meeting (1-12-23)

MOTION: Mr. Sill moved to approve the Board of Aldermen/Alderwomen – Regular Meeting (1-12-23) minutes. Mr. DiGiovanni seconded the motion. There was no further discussion and the **motion carried unanimously.**

8.2 Human Resources Director Compensation

MOTION: Mr. Sampson moved to approve the compensation package for the Human Resources Director outlined in the offer of employment letter. Mr. DiGiovanni seconded the motion. **Motion Failed.**

Discussion: Ms. DeGennaro stated the position doesn't exist, so they would have to create the position before any compensation. She added, the person we have right now is a shared service. Attorney Marino stated the board approved the job description with 8 hours a week, that was going to be based on a shared service with Shelton. Mr. Mayhew and Mayor Dziekan stated no, they didn't agree on the shared service with Shelton part, it was a job description for Derby. Ms. Widomski asked if they would have to create a full-time job in an ordinance? Attorney Marino answered no because the board created a job description with a number of hours. He added, if they approve this, it will go from part time to full time. Ms. Widomski asked if this goes through, is this not getting posted and taking who is in the position now? Mayor Dziekan answered yes. Attorney Marino stated they have someone in place working for Derby and she is working well, so there would be no reason to go out to post because they want to retain her. He added, if she left, then you would post. Ms. Widomski expressed her concerns about some of the language of the offer letter. Ms. DeGennaro asked who drafted the offer letter? Mr. Mayhew stated he drafted the offer letter. Attorney Marino asked if there are any questions about the offer letter to send them over to him.

MOTION: Ms. Widomski moved to postpone item 8.2 Human Resources Director Compensation. Mr. Sill seconded the motion. There was no further discussion and the **motion carried with a vote of 6 Yes votes and 1 No vote (Mr. Sampson)**

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9. New Business

9.1.1 Tax Refunds

MOTION: Mr. Sill moved to approve the tax refund of \$10,713.67. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried with 6 Yes votes and 1 Abstain vote (Ms. DeGennaro)**

9.1.2 Finance Director Job Description

MOTION: Mr. Sampson moved to accept the finance director job description. Mr. DiGiovanni seconded the motion. **Motion Failed**

Discussion: Ms. Widomski stated Ms. DesRoches wanted the BOAT to be apart of this item, so she would like to have them look at it before.

MOTION: Ms. Widomski moved to postpone item 9.1.2 – Finance Director Job Description. Mr. Coppolo seconded the motion to postpone. There was no further discussion and the **motion to postpone carried with a vote of 6 Yes votes and 1 No vote (Mr. Sampson)**

9.1.3 Finance Director Recommended Compensation

MOTION: Mr. Sill moved to postpone item 9.1.3 – Finance Director Recommended Compensation. Ms. Widomski seconded the motion to postpone. There was no further discussion and the **motion to postpone carried unanimously.**

9.1.4 Sidewalk Reimbursement for Natale Biscotto, 22 Stephen Street

MOTION: Ms. DeGennaro moved to approve the sidewalk reimbursement of \$960.00 for Natale Biscotto, 22 Stephen Street. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried unanimously.**

9.1.5 Derby Apartments Investments LLC – Tax Incentive Program Application

Discussion: Mr. Salway gave a presentation on the \$16 million dollar investment for the Derby Apartments Investments LLC and the tax incentive program application. Mr. Sampson noted the board should look at this ordinance again down the line. Ms. Widomski stated she received this information yesterday so she has not been able to take a look at this and asked the mayor if he recommends this? Mayor Dziekan answered absolutely, yes.

MOTION: Mr. Sampson moved to approve the Derby Apartments Investments LLC tax incentive program application. Mr. DiGiovanni seconded the motion. There was no further discussion and the **motion carried with 5 Yes votes, 1 Opposed vote (Ms. DeGennaro), 1 Abstain vote (Ms. Widomski).**

Roll Call Vote:

Ms. DeGennaro – No

Ms. Widomski – Abstain

Mr. Coppolo – Yes

Mr. DiGiovanni – Yes

Mr. Sill – Yes

Mr. Sampson – Yes

Mr. Sharkey – Yes

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City of Derby
Tax Incentive Program Application

Date of Application 2/8/2023

Name of Person/Entity Submitting Application: Derby Apartment Investments, LLC

Mailing Address: 19 Peach Tree Lane
Shelton, CT 06484

Property location in Derby for which Tax Abatement is requested:

90 Main Street

Phone Number: 203-732-6268

FAX Number: _____

Email Address: j.salemme@luxyride.com

Do you own or lease this property? own

If you lease, please list property owner and address: _____

Type of Project: (please check one)

☒ New Construction

☐ Rehabilitation

Type of Project: (check all that apply)

☐ Office ☐ Retail ☐ Manufacturing ☐ Warehouse, Storage Distribution

☐ Multilevel Parking Associated with Mass Transit ☐ Information Technology

☐ Recreation ☐ Transportation ☒ Other Apartment Building

Adopted October 11, 2018

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Project Commencement Date: March, 2023

Full Time: ☒

Part Time: ☐

Estimated Value of Improvements: 16 million

Estimated Value of Personal Property to be located at Project Site: Unknown

Current Assessment of Property: 278,250

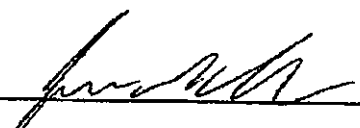
Projected Assessment (Application Purposes Only):

Advancement to Grand List: Unknown

Provide a brief description of your project including:

Estimated cost of improvements, impact on employment (new jobs created as well as existing jobs retained), fiscal impacts, timeframe, or any other information you feel is necessary.

105 unit apartment + office space (For Tenants Only)
16 million cost of development.
Some of these tenants will be working from home
and utilize the office amenities
Tenants will pay personal property taxes (Auto) and
will support local businesses

Applicant's Signature & Title: 

Joseph Salemme, Member + Owner

Property Owner's Signature (if not the applicant):

Signature, Economic Development Director: Roger A. Salway

Signature, Mayor, City of Derby: Paul A. Zerk

Adopted October 11, 2018

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10. **Adjournment**

MOTION: Mr. Sill moved to adjourn the meeting at 9:10 PM. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried unanimously.**

Respectfully submitted,

Jordyn Toffey

Jordyn Toffey
Assistant Town/City Clerk

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