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2022 MAY -4 PM 2:48

## Board of Aldermen/Alderwomen

Barbara L. DeGennaro

Anita Dugatto

Sarah Widomski

Joseph L. DiMartino \*

Camille Grande Kurtyka

Ronald M. Sill

Jim DiMartino

Robert Hyder

Charles Sampson

### Regular Meeting - 7:00 p.m. – Thursday November 18, 2021 Minutes

1. Mayor Dziekan called the meeting to order at 7:05 PM.
2. Pledge of Allegiance
3. Roll Call

**Present:** Barbara DeGennaro, Sarah Widomski, Joseph DiMartino, Camille Kurtyka, Ronald Sill, Jim DiMartino, Robert Hyder, Charles Sampson

**Absent:** Anita Dugatto

4. Additions, Deletions, Corrections and Adoption of the Agenda.

**MOTION:** Mr. DiMartino moved to add Item 11.2 in Executive Session – City Hall Union Negotiations and corrected Item 9.2 to – Mayor's Working Hours. Mr. Sill seconded the motion. There was no further discussion and the **motion carried** unanimously.

5. Public Portion

Jim DiMartino, 63 Sherwood Avenue – Mr. DiMartino thanked everyone for allowing him to serve this great city as an Alderman. He thanked Mayor Dziekan and congratulated him on his re-election. He also thanked his brother, Joe DiMartino, Barbara DeGennaro, Charles Sampson, Ron Sill, and the rest of the Board. He gave a shout out to Mr. Baklik and thanked him for all his hard work. He explained he will continue to come to meetings and be apart of helping the city of Derby.

Joseph DiMartino, 8 ½ A Talmadge Street – Mr. DiMartino said it was a pleasure serving with the board and appreciated the help they all have given him for the past two years as President. Mr. DiMartino stated it was great serving with his brother, Jim. Mr. DiMartino thanked the residents in the 2<sup>nd</sup> Ward for trusting them to be their Alderman since 2009. He also thanked everyone who voted for him this past election and he looks forward to staying involved.

Camille Kurtyka, 46 Mohawk Avenue – Mrs. Kurtyka thanked everyone for her first term as an Alderwoman.

Tom Lionetti, 79 Sunset Drive – Mr. Lionetti questioned Item 9.2 – Mayor's Working Hours. He explained he does not understand how the mayor can have set hours. He explained if people are worried about the mayor not being there, they should call the secretary and make an appointment.

Aniello Malerba, 41 Lakeview Terrace – Mr. Malerba encouraged the board to not be ‘forced’ or ‘bullied’ into a decision until all options are explored about the Senior Center. He added, regarding the Mayor’s Hours Item, he encouraged the board that some action be taken on this item, and as they wait for the FOI request to be fulfilled, he asked the mayor to disclose how many hours per week he spends working in Bethany on “Derby’s Taxpayer Dime.”

Barbara DeGennaro, 51 Paugasset Road – Ms. DeGennaro stated with regards to the consideration of the merger of our Derby Senior Center Items 11 and 12 on tonight’s agenda, she would like to offer the following at this time. She addressed her concerns about the political propaganda newspaper dated October 8, 2021, called the Derby Times, specifically the article about the Derby Senior Center. She also addressed her concerns about the comments Mayor Cassetti, of Ansonia, and his administration made. She thanked Jim DiMartino, Joe DiMartino, and Camille Kurtyka for their service to the city.

## **6. Department Head Reports**

### **6.1 Finance Director**

#### **6.1.1 Update on Audit and Outstanding Audit Findings**

**Discussion:** Ms. Herasimowicz explained she found growth in the fund balance. She also explained there is a problem hiring the Deputy, so she is trying to keep up with the work with the temps. She added, at this point she wants to place some policies in the city, especially when you get federal grants with high expectations in future audits. Ms. DeGennaro asked is NVCOG is administrating/over-seeing other towns ARPA funds? Ms. Herasimowicz explained she doesn’t know and that is why she must meet with them. Ms. DeGennaro addressed the Covid money, the disbursements in late May, and there is no name, just check numbers. Ms. Herasimowicz explained that is the ledger. She added the reason for the very vague description, is the reimbursable expenditures through the whole budget and the systems doesn’t show much. She also said she has the invoices in a folder if anyone would like to review them.

### **6.2 Police Department**

**Discussion:** Ms. Widomski asked about the crossing guard situation at Irving School and what can be done in the future to prevent action only being taken after things are posted on social media pages. She added she spoke to the concerned mother, and she explained she contacted City Hall and the Police Department with no response. She would love to see the Police come up with an action plan on what else can be done at that intersection at Irving. Mayor Dziekan explained he forwarded the information of the concerned citizen to the police department. Ms. Widomski asked if he let the person know that it is being taken care of. Mayor Dziekan explained he forwards the concern to the right department, and they will contact the citizen. Mr. Hyder asked if an officer will be there until a crossing guard will be hired? Mayor Dziekan said absolutely.

### **6.3 Fire Marshal**

**Discussion:** Mayor Dziekan stated the house fire from last week’s investigation is still going on. Mr. Sill asked Mr. Hawks about the arrest warrant on Derby Avenue, and if it got taken care of? Mr. Hawks explained he applied for it, and it went to the state attorney, but the previous building inspector gave the citizen permission to put the stuff there, the state won’t prosecute it criminally. Being that it is a violation of fire code, our Corporation Counsel will have to go civil.

#### 6.4 Fire Department

**Discussion:** Mayor Dziekan thanked all the fire department volunteers for the fire that happened last week. Mr. Parker explained they are a professional volunteer unit.

#### 6.5 Office of Emergency Management – No Discussion

#### 6.6 Storm Ambulance Corps

**Discussion:** Mr. Mezzapelle explained he is excited to see the new bid for a new ambulance, but unfortunately due to the current times the billed time for a new ambulance now is approximately a year. He explained this past week the only ambulance that has been in service had a major mechanical failure and has been out of service since last Friday. He added they are currently borrowing an ambulance from Ansonia until they can have the repairs finished. He explained he does not know if that one truck will last until that one-year mark when they can see a new truck come in. He said they have been looking into a short-term solution of purchasing a used ambulance for a price of \$50,000, which is in great shape and has low miles on it. He explained due to the extra cost of repairs of their vehicles, their own cash flow has been very limited, and they are trying to see if these purchases would be covered under ARPA funding for both the new and used ambulance. Mr. DiMartino asked Mr. Mezzapelle if we pay Ansonia for their ambulance, they are letting us use right now? Mr. Mezzapelle answered they are paying \$50 per call. They originally wanted to charge us \$600 a day to borrow the truck, but this is our only option to stay in service. Mr. Hyder asked is there an estimated time the repairs will be done on the existing vehicle and if we were to approve the ARPA funds for the used vehicle, how quickly can we get that one into service? Mr. Mezzapelle said they are hoping the repairs will be done by the end of the day tomorrow. He explained if the used ambulance gets approved tonight, they can have it in service within a couple of weeks. Mr. Sampson explained there is nothing on the agenda tonight regarding the expense of the ARPA funds.

**MOTION:** Mr. Sampson moved to currently suspend section 6, reopen section 4 – Additions, Deletions, Corrections and Adoption of the Agenda, and add to the agenda, 9.4.1 in regard to a \$50,000 expense from the ARPA funds for the purchase of Storm Ambulance Corps used ambulance. Mr. Hyder seconded the motion. There was no further discussion and the **motion carried** unanimously.

#### 6.7 Board of Education – No Discussion

#### 6.8 Public Works

**Discussion:** Mr. Hyder asked Mr. Armeno about the weeds at Witek Park, and if it can be taken care of in the Spring because they are growing quick. Mr. Armeno explained he hasn't found a machine yet but will find something by Springtime. Ms. Widomski recommended Mr. Armeno to find out what happened last time. Mr. Sampson asked if he could contact Ansonia and get the third assistant chief the fob for the gas tank they are still currently using.

#### 6.9 Water Pollution Control Authority – No Discussion

#### 6.10 Building Department – No Discussion

#### 6.11 Facilities Inspectors – No Discussion

#### 6.12 Parking Division – No Discussion

#### 6.13 Revolving Loan Fund – No Discussion

#### 6.14 Chief of Staff – No Discussion

#### 6.15 Economic Development Liaison – No Discussion

#### **6.16 Treasurer Report – No Discussion**

#### **6.17 Corporation Counsel – Including Planning and Zoning, Labor Counsel, and Outside Counsel**

**Discussion:** Mr. Sill stated the firm and its information provided to this board is 'deplorable' over the past year. He added he would love to know the status of the junkyard in Derby. Mr. Kokenos explained if anyone would want to know anything they can reach out to him. He explained if there are other specific issues, anyone can bring it up now so they can get taken care of. Mr. Sill explained for a couple of months the board was receiving reports from the firm with the city and now for the past 2-3 months they do not get them again. He explained on anything they are spending money on for this city, the people should know what is being spent on. Mr. Kokenos explained the reports are non-confidential on updates on tax collector, foreclosures, sewer liens, which the change in those items are very minimal from month to month. Mr. Kokenos asked what specifically does the board want in the reports? Mr. Sill answered what Corporation Counsel is working on for the city and getting paid for, nothing detailed. Mayor Dziekan asked Mr. Kokenos if they should send the bills they send to finance to the board because that has a list of everything Corporation Counsel is doing. Mr. Kokenos explained he has a computer program that can provide the cases to the board. He added to make sure to reach out to the mayor or himself with any larger issue and they would put it in Executive Session. Mr. Sill explained he needs to know what they are working on and what the city is spending. Mr. Dziekan explained he will submit the bills that show what they are working on, so they will see hour by hour what they are paying and put it in the packet. Ms. DeGennaro explained a year and a half ago she asked for this information, so if the board gets the bills that is what they are looking for. Mr. Kokenos explained in addition, he will write a list of what the firm is doing.

#### **6.18 Parks and Recreation**

**Discussion:** Mr. Sampson explained several months ago the board asked for the reports for the Payden Field House, and only got one and asked why haven't they received those reports? He asked the mayor's office to speak to the commissioner on this matter.

#### **6.19 Cultural Commission – No Discussion**

#### **6.20 Website Report of tickets for the month**

**Discussion:** Mr. Sampson thanked Mr. Garofalo for getting all the information he can on the website.

#### **6.21 Athletic Complex Building Committee**

**Discussion:** Mr. Hyder explained to his understanding the hole in the track has been repaired. Mr. Sampson stated he has been using the Derby Greenway and they need to do some work over there now too and will be in contact with Mr. Armeno.

#### **6.22 Field House and Baseball Field Building Committee – No Discussion**

#### **6.23 Infrastructure Committee**

**Discussion:** Mr. Sill asked if Infrastructure Committee has been meeting? Mr. Baklik answered they have been losing members but have been participating on meetings with WPCA. Ms. DeGennaro said they will put it on the Agenda for the Operations and Procedures Committee.

#### **6.24 Johnson Control Project Update – No Discussion**

#### **6.25 Senior Center – No Discussion**

## **7. Administrative & Appointments**

### **7.1 Approval of Minutes**

7.1.1 No Action Items this month

### **7.2 Refund of Taxes**

#### **7.2.1 Monthly Tax Refunds**

**MOTION:** Mr. Sampson moved to approve tax refunds in the amount to \$8,545.01 dated November 9, 2021. Ms. Widomski seconded the motion. There was no further discussion and the **motion carried** unanimously.

### **7.3 Appointments to Boards and Commissions**

7.3.1 No Action Items this Month

## **8. Committee Reports**

### **8.1 Blight Committee**

#### **8.1.1 Add Properties to the Blight List**

Move to add the following properties to the Blight List:

103 Hawkins Street

73 Mount Pleasant Street

**Discussion:** Ms. DeGennaro explained she does not believe the Blight Subcommittee has met, so she does not understand how this came to the full board agenda. She explained this would have to go back to Subcommittee and then come to the full board.

#### **8.1.2 Remove Properties from the Blight List**

Move to remove the following properties from the Blight List

370 David Humphreys Road

80 Stelmack Road

**MOTION:** Ms. DeGennaro moved to table Item 8.1.1 and 8.1.2 and refer to the Blight Committee. Mr. Sill seconded the motion to table. There was no further discussion and the **motion carried** unanimously.

**See Page 9 – Matter was readdressed in Item 12.**

### **8.2 Community Relations / Road Bond Committee**

8.2.1 No Action Items this Month

### **8.3 Operations & Procedures**

8.3.1 No Action Items this Month

## 9. New Business

### 9.1 Resolution – Hazard Mitigation Plan Update 2021-2026

**MOTION:** Mr. DiMartino moved to adopt a resolution to update the 2021-2026 Hazard Mitigation Plan of the Naugatuck Valley Council of Governments. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried** unanimously.

**Discussion:** Mr. Sampson stated this resolution, which came with several items Derby would have to address, some estimated to cost 0-\$25,000, spoke about funding from the federal government and other agencies to offset some of these costs. He asked if NVCOG would be the one who is handling any type of grant money through this resolution. Mr. Baklik answered yes, in order to be eligible for set funds you would need to adopt the plan, and that is what we are doing tonight. Mr. Baklik stated there is regional plan and a Derby specific plan.

9.1

CERTIFICATE OF ADOPTION  
DERBY BOARD OF ALDERMEN/ALDERWOMEN

**A RESOLUTION ADOPTING THE NAUGATUCK VALLEY COUNCIL OF GOVERNMENTS  
HAZARD MITIGATION PLAN UPDATE, 2021-2026**

WHEREAS, the City of Derby has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (e.g. *flooding, high wind, thunderstorms, winter storms, earthquakes, draughts, dam failure, and wildfires*), resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Derby Board of Aldermen/Alderwomen approved the previous version of the Plan in 2012; and

WHEREAS, the City of Derby and the Naugatuck Valley Council of Governments developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for the Hazard Mitigation Plan Update, 2021-2026 under the requirements of 44 CFR 201.6; and

WHEREAS, public and committee meetings were held and public input was sought in 2020 and 2021 regarding the development and review of the Hazard Mitigation Plan Update, 2021-2026; and

WHEREAS, the Plan specifically addresses hazard mitigation strategies and Plan maintenance procedure for Derby; and

WHEREAS, the Plan recommends several hazard mitigation actions/projects that will provide mitigation for specific natural hazards that impact Derby, with the effect of protecting people and property from loss associated with those hazards; and

WHEREAS, adoption of this Plan will make Derby eligible for funding to alleviate the impacts of future hazards; now therefore be it

RESOLVED by the Board of Aldermen/Alderwomen:

1. The Plan is hereby adopted as an official plan of the City of Derby;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Board of Aldermen/Alderwomen.

Adopted this \_\_\_\_ day of \_\_\_\_, 2021 by the Board of Aldermen/Alderwomen of Derby, Connecticut

\_\_\_\_\_  
Mayor

IN WITNESS WHEREOF, the undersigned has affixed his/her signature and the corporate seal of Derby this \_\_\_\_ day of \_\_\_\_, 2021.

\_\_\_\_\_  
Town Clerk

## 9.2 Mayor's Working Hours – No Action.

**Discussion:** Mr. DiMartino explained the board is looking to set some set hours for the mayor, that he is in the office everyday working for the residents. Mr. Sampson explained he understands where this is going, but the mayor can't be in the building your there from city hall hours, because the mayor must be flexible and has unexpected events that come up. He added, if someone wants to meet with the mayor, they should call the office and make an appointment to meet.

## 9.3 In Person and Hybrid Meeting

Discussion and Possible Action on policy to re-start in person and hybrid meetings in compliance with COVID-19 regulations and CT General Statutes.

**Discussion:** Mayor Dziekan explained Mr. Garofalo has been working on getting the equipment for the in person and hybrid meetings. Mr. Garofalo explained they are in the process of getting the quotes. Mr. Sampson explained Covid expenditures must be done prior to December 31<sup>st</sup>. Mr. Garofalo explained he is trying to get a proposal for the board next month. He added, we would have to get the equipment ordered and then set up. He said there are state rules and statutes as it relates to hybrid meetings and how that must be handled so the best way to do it is get the right equipment. Ms. DeGennaro asked if Ms. Herasimowicz had the exact requirements for the Covid spending? Mayor Dziekan answered he will look into that.

**MOTION:** Mr. Sampson moved to table Item 9.3 to next month, where hopefully the board will have documentation and can act on the expenditures to make this happen. Mr. Sill seconded the motion. There was no further discussion and the **motion carried** unanimously.

## 9.4 Purchase of New Ambulance for Storm Ambulance Corps – Award Bid

Discussion and Possible Action to award bid for New Ambulance for Storm Ambulance Corps.

**MOTION:** Mr. Sampson moved to award bid for a new ambulance for storm ambulance corps. Mrs. Kurtyka seconded the motion. There was no further discussion and the **motion carried** unanimously.

**Discussion:** Ms. DeGennaro asked what is the actual price of the new ambulance and who is the bid being awarded to? Mr. Mezzapelle answered approximately \$254,000, which is only \$4,000 over from what we estimated, and it would be a single bid that came back from Eastford Fire Rescue. Ms. DeGennaro asked about the authority to pay with the ARPA funds, or will we wait on that until we get a contract back? Mr. Baklik explained we are buying this outright, and we got confirmation, written legal information from Attorney Marino, as well as confirmation from Congresswoman DeLauro's office this week. Mr. Garofalo explained this motion is just to award the bid, and then will have to come back because Attorney Marino is putting together something together for action in the future.

### 9.4.1 \$50,000 for the Purchase of a Used Ambulance for Storm Ambulance Corps – Using ARPA

**MOTION:** Mr. Sampson moved to encumber \$50,000 from the ARPA funding for the Storm Ambulance Corps to purchase a used ambulance in the interim pending the contract coming before this board. Mr. Hyder seconded the motion. There was no further discussion and the **motion carried** unanimously.

**Discussion:** Mr. Sampson explained to purchase the ambulance, they will set aside \$50,000, but the board needs to see legal contract regarding the ambulance itself and the payment of it. He advised Mr. Mezzapelle to meet with Attorney Kokenos or Attorney Marino to make sure the documents are in order so they can approve the actual purchase. Ms. DeGennaro asked when they buy the new ambulance, what happens when the one we have it fixed and then when the new ones, that will be three ambulances. Mr. Mezzapelle explained when the new one comes in, they will be evaluating the condition of the one they currently have, and then maybe sell it, but can't do anything until they see the new one come in. Mr. Sill asked what year the one we have now is? Mr. Mezzapelle answered a 2015 with not a lot of miles. Mr. Sampson explained when the third one comes in, they can utilize that as a trade in value, like they did with one of the old ones. Mr. DiMartino asked where the used ambulance is coming from? Mr. Mezzapelle explained it was a trade in from New Canaan to Eastford. Ms. Widomski explained she thinks they need to be careful going forward about bringing 'night of' use of ARPA funds to a board meeting without any consideration in advance or any information in advance of the meeting, especially with big numbers.

#### **9.5 Corona Virus Relief Funds – Approval of Use of Funds**

Discussion and Possible Action on use of Corona Virus Relief Fund requests.

**Discussion:** Mr. Sampson asked what else are they trying to spend it on? Mr. Baklik explained it was put on the agenda to have a process in place moving forward, with a form for ARPA requests to be submitted 30-60 days in advance and go to a certain subcommittee. Mr. Garofalo explained it is in the City's interest to have a process, that is like capital planning. He added, everyone should submit their requests so it can be evaluated on its face value. Mr. Sampson explained he knows from experience that other towns had each department head come before them with their proposals of the use of ARPA funds, and then the boards determined the criteria, what would be funded. He added, he agreed there should be a process, to have a sheet that people can put the information on, send it to finance, and then as a group have a special meeting with the department heads and what they deem as necessary that fall under the ARPA funding. Ms. DeGennaro added, along with the requirements that it can be spent on. Ms. DeGennaro asked, do we know if we are going to get these funds every year? Mr. Garofalo explained it is very vague, and it will be something we have to take 'one step at a time.' Ms. DeGennaro brought up the washer machines on the Fire Department, and if the funds can be used for that. Mr. Sampson asked the mayor to ask Ms. Herasimowicz to find out more information for this board. Mr. Baklik explained the requirements will be sent in an email.

## **10. Old Business**

### **10.1 No Action Items this Month**

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## **11. Executive Session.**

**11.1 Proposed Regional Senior Center with Ansonia – Strategy and Negotiations**

**11.2 City Hall Union – Strategy and Negotiations**

**MOTION:** Mr. Sill moved to enter Executive Session at 8:46 PM with Ms. Sonsini (*for addressing Item 11.1 and then will leave after*), Mr. Baklik, and Attorney Buturla. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried** unanimously.

**MOTION:** Ms. DeGennaro moved to enter Regular Session at 10:12 PM. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried** unanimously.

## **12. Regular Session Action from Executive Session**

**12.1 Proposed Regional Senior Center with Ansonia – No Action.**

**MOTION:** Mr. DiMartino moved to go back to Item 8.1.2. Mr. Sampson seconded the motion. There was no further discussion and the **motion carried** unanimously.

### **8.1.2 Remove Properties from the Blight List**

Move to remove the following properties from the Blight List

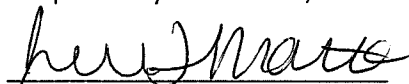
80 Stelmack Road

**MOTION:** Mr. DiMartino moved to remove 80 Stelmack Road from the Blight List. Mr. Sill seconded the motion. There was no further discussion and the **motion carried** unanimously.

## **13. Adjournment**

**MOTION:** Mr. DiMartino moved to adjourn at 10:14 PM. Mr. Sill seconded the motion. There was no further discussion and the **motion carried** unanimously.

Respectfully submitted,



Jordyn DiMartino  
Administrative Clerk

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