

**DERBY BOARD OF ALDERMEN/ALDERWOMEN REGULAR MEETING**

**THURSDAY, DECEMBER 12, 2019**

**JOAN WILLIAMSON ALDERMANIC CHAMBERS**

**MINUTES**

The Honorable Richard Dziekan, Mayor of the City of Derby called the Regular Meeting to order at 7:00 p.m. Mayor Dziekan asked President Joseph L. DiMartino to commence the pledge of allegiance to the flag.

**Roll Call**

Present: Joseph L. DiMartino, President, Barbara L. DeGennaro, Sarah Widomski, Camille Grande Kurtyka, Ronald M. Sill, Jim DiMartino, Robert Hyder, Charles Sampson

Absent: Thomas Donofrio

Also Present: Andrew Baklik, Chief of Staff, Carmen DiCenso, Economic Development Liaison, Dr. Matthew Conway, Superintendent of Schools, Keith A. McLiverty, Finance Director, Chief Gerald Narowski, Derby Police Department, Philip A. Hawks, Fire Marshal, Edward Armeno, Director – Derby Public Works, Andy Cota, Facilities Inspector, Christine Sonsini, Derby Senior Center, Nicole Cignoli, Director, Derby Public Library, Marc J. Garofalo, Town & City Clerk, Vincent Marino, Corporation Counsel (arrived at 7:51 p.m.)

**ADDITIONS, DELETIONS, CORRECTIONS AND ADOPTION OF THE AGENDA**

Mr. Joseph DiMartino said there are two corrections – 7.3.1 it states Parks and Recreation Commission and it should be Parks and Recreation Committee and 9.7 the total amount should be \$315.40 not \$314.68. Mayor Dziekan said the only correction he has is under 7.3 the only individual that needs to be appointed is Sal Frosceno – the other individuals are reappointments.

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to adopt the agenda with the noted corrections. **Motion carried.**

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**PUBLIC PORTION**

Mayor Dziekan asked if anyone would like to address the board.

Sal Coppola – 941 Garden Road, Orange, CT and my voting address is 77 Atwater Avenue, Derby, CT

I want to comment on my report last week as the Finance Director (inaudible). That was inserted there at that time after the election process regarding a lot of information and misinformation published regarding the Mayor, Carmen DiCenso, Keith and myself so I wanted to clarify something. I was aware of something – I never disclosed it to the aldermen and I felt I had to do that to maintain our integrity. (Inaudible) told me that it was already taken care of, but my coming forward had to be done. Thank you.

Lisa Brailey, 7 Grandview Boulevard, Derby, CT

I'm just curious about the plywood door over on the shop next to Likoba. It's been plywood for endless months and I'm curious as to whether there's any control in terms of blight and I think that something ought to be done about it. You have a place that's trying to look nice (inaudible) and I would love to see if somebody could step in and tell them not to have plywood.

Mayor Dziekan said it will be addressed under the Building Department/Facilities Inspectors.

Brian Mezzepelle

I just want to bring up an issue that occurs every year at this time and it is getting the firehouses plowed. (Could not hear Mr. Mezzepelle on the tape) He said that Public Works told them that they would come at the end after the other buildings are taken care of. Mr. Mezzepelle voiced his concerns about this and noted that they are the first responders and it is imperative that the firehouses should be a priority.

Marc J. Garofalo, 95 Academy Hill Road, Derby, CT

I rise to ask this board to acknowledge for the record for a moment to remember one of our former Mayors on the tenth year of his passing today, Richard Grande, who served as Mayor honorably and with integrity for six years and as aldermen from the 3<sup>rd</sup> ward and as a member of the Board of Apportionment and Taxation. It is only fitting as his beloved sister is participating in her first full meeting tonight and it was in fact ten years ago today. So, I would ask that we remember his memory – two highlights from his time as Mayor one is the Derby Police Station at 125 Water Street and the other is the gazebo on the Derby Green.

Mayor Dziekan asked everyone to rise to observe a Moment of Silence for Mayor Richard Grande.

Mr. Jim DiMartino stated that he and his brother Joe had the pleasure of being Mayor Grande's neighbor for many years on Belleview Drive.

Mayor Dziekan asked three more times if anyone else wished to address the board. Hearing no requests, the public portion was closed.

#### **DEPARTMENT HEAD REPORTS**

**Finance Director** – Mr. McLiverty informed the board that he would be supplying a report each month regarding findings, schedules, etc. No questions were raised.

**Police Department** – Chief Narowski apologized to the board stating that he sent the report out to the old contact list. Mr. Sill told Chief Narowski that he received a call from a Sodom Lane resident regarding the trucks going into Walmart. Chief Narowski said there is really nothing that can be done but we can always investigate any complaints through the Local Traffic Authority.

**Fire Marshal** – No questions.

**Fire Department** – Mayor Dziekan stated that Fire Commissioner Gary Parker could not make the meeting due to a family situation.

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**Office of Emergency Management** – No questions.

**Storm Ambulance Corps** – No questions.

**Board of Education** – Mayor Dziekan informed those present that the City received the Silver Hammer Award from the Greater Valley Chamber of Commerce for the J. R. Payden Field House. Dr. Conway said each year this is given to a major construction project that benefits the Valley. Mayor Dziekan said the award should be displayed and everyone was in favor of having it at the field house.

**Public Works** – Mr. Armeno said he will look into the plowing at the fire houses tomorrow. Ms. DeGennaro said this was also discussed last year, noting that the Police Department and Fire Houses should be priorities. Mr. Hyder questioned the removal of snow from the football field and asked if we are getting reimbursed from Ansonia. Mr. Armeno said he doesn't think that we're going to get reimbursed and said it was done during the workday – there was no overtime.

**Water Pollution Control Authority** – No questions.

**Building Department** – Ms. DeGennaro said she spoke to Carlo Sarmiento before the meeting about the inspections for the work performed by Johnson Controls. She asked Mr. Sarmiento to provide his inspection sheets on the work performed by Johnson Controls from the inception of the project to date.

**Facilities Inspectors** – Mr. Cota said no report was prepared as they are currently auditing all the files in their office. He will have an up to date report for the next meeting.

**Parking Division** – No questions.

**Revolving Loan Fund** – Ms. Finn informed the board that the communication from Corporation Counsel's Office is attached to the report regarding the Benanto loan and recommended that this item be referred to the Operations & Procedures Committee for further review.

**Chief of Staff** – Ms. DeGennaro commented on the shuffling around of certain offices in City Hall. She said some years back there was an issue in the Tax Collectors Office with alleged funds missing and the City did a total revamping of the offices in order to have a secure location. It is her understanding that the WPCA office has been moved and may not be in a secure location. Mr. Baklik said there are plans for windows to be installed and protocols for money to be received in place.

Ms. DeGennaro said there are also two employees leaving – one retiring and one has gotten another job. She wasn't sure how many people know about that and believes the board should have been informed. Mayor Dziekan said one position has already been posted. Mr. Baklik informed the board that they just received the retirement notice yesterday. Mr. Sill said he feels that there just needs to be a better line of communication.

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**Economic Development Liaison** – Mr. DiCenso informed the board that the Derby Housing Authority will be closing their offices on W. Fourth Street as of January 15, 2020 and will be moving into City Hall in the janitorial suite on the lower level.

**Treasurer Report** – Mr. Joseph DiMartino asked if Walter Mayhew, the newly elected City Treasurer, was notified of the meeting. Mr. McLiverty said Mr. Mayhew gave a response of what he will and won't attend and noted that Mr. Mayhew was at City Hall today.

**Corporation Counsel** – including Planning & Zoning, Labor Counsel & Outside Counsel. Corporation Counsel was not present at this point in the meeting.

**Parks and Recreation** – No questions.

**Cultural Commission** – Mayor Dziekan noted that the Cultural Commission are doing a great job and he would like to commend them. Mr. Sampson said he would like to see a financial report.

**Website Report of tickets for the month** – No questions.

**Athletic Complex Building Committee** – Dr. Conway said there are a couple of things that need to be wrapped up on the baseball field and said the committee will be meeting on Dec. 19<sup>th</sup>.

**Field House and Baseball Field Building Committee** – Same as above.

**Infrastructure Committee including Johnson Control Project Update** – Mr. McLiverty said the Roosevelt Drive pump station is wrapping up and then Factory Street is the next big project.

**Senior Center** – Ms. Sonsini said the event with Likoba Boutique went very well. Mayor Dziekan noted that Likoba Boutique presented the Senior Center with a check. He told Ms. Sonsini to keep up the good work.

#### **ADMINISTRATIVE & APPOINTMENTS**

**A MOTION** was made by Mr. Sampson with a second by Mr. Sill to approve the minutes of the November 14, 2019 meeting. **Motion carried.**

**A MOTION** was made by Mr. Sill with a second by Mr. Sampson to approve the minutes of the November 29, 2019 meeting. **Motion carried.**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sampson to approve the minutes of the December 7, 2019 meeting. **Motion carried.**

#### **Refund of Taxes**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sampson to approve the tax refunds in the amount of \$2,223.56 dated December 3, 2019. **Motion carried.**

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

**A MOTION** was made by Mr. Jim DiMartino with a second by Mr. Joseph DiMartino to approve the appointment of Salvatore Froscono to the Parks and Recreation Commission effective immediately to fill vacancy created by the resignation of James Benanto, expires on August 31, 2020. **Motion carried.**

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Sampson to approve the appointments of John Bittmann, James Butler, Beverly Moran and Ron Sill to the Parks and Recreation Commission effectively immediately and expires on August 31, 2022. **Motion carried.**

### ***Regular Meeting Schedules***

- o Full Board of Aldermen/Alderwomen – 2<sup>nd</sup> Thursday of the Month – 7:00 p.m.
- o Blight Committee – 4<sup>th</sup> Thursday of the Month – 6:00 p.m.
- o Community Relations Committee – 4<sup>th</sup> Thursday of the Month – 6:00 p.m.
- o Road Bond Committee – 4<sup>th</sup> Thursday of the Month – 6:00 p.m.
- o Operations and Procedures Committee – 4<sup>th</sup> Thursday of the Month – ~~6:00 p.m.~~ 5:15 p.m.

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sampson to adopt the 2020 Regular Meeting Schedules for the full Board and its Committees and conduct all the meetings at Derby City Hall, 1 Elizabeth Street, Derby, CT 06418.

### **DISCUSSION ON MOTION**

Ms. DeGennaro said she would like to entertain moving the subcommittee meetings to Tuesday night. Some board members said they would not be able to make Tuesday evenings. Mr. Sill said it's good to have all the meetings on the same night noting that Corporation Counsel is here. Ms. DeGennaro said she would ask that her meeting begin at 5:15 p.m. – not 6:00 p.m. Mr. Garofalo noted for the record that the Board of Aldermen/Alderwomen and the committees meeting dates change during the months of November and December due to holidays.

**MOTION CARRIED.**

### ***2019-2021 Standing Rule Resolution***

**A MOTION** was made by Mr. Sill with a second by Mr. Sampson to adopt the resolution entitled "Standing Rule on Department Head Reports and Attendance at Monthly Meeting" dated December 12, 2019 and incorporate its entire text into the permanent record of this meeting. **Motion carried. Board of Aldermen/Alderwomen 2019-2021 Standing Rule Resolution attached to minutes.**

### ***Waiver of Section 14 of the Charter of the City of Derby***

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### **Christopher Carloni**

**A MOTION** was made by Mr. Sampson with a second by Mr. Jim DiMartino to waive Section 14 of the Charter of the City of Derby so that Christopher Carloni may serve as a Member of the Board of Apportionment and Taxation and as a Derby Water Pollution Control Authority Employee. **Motion carried.**

### **Salvatore Frosceno**

**A MOTION** was made by Mr. Sampson with a second by Mr. Joseph DiMartino to waive Section 14 of the Charter of the City of Derby so that Salvatore Frosceno may serve as a Member of the Parks and Recreation Committee and as a Derby Police Department Police Officer. **Motion carried.**

### **Committee Reports**

#### **Blight Committee**

No action items this month

#### **Community Relations**

Travel Channel Use of the Sterling Opera House

Request of Travel Channel to use the Sterling Opera House in February 2020 for up to three days to film a segment for public viewing. Discussion and Possible Action. **NO ACTION TAKEN.**

#### **Operations & Procedures**

No action items this month

#### **Road Bond Project**

**A MOTION** was made by Mr. Sill with a second by Mr. Sampson to authorize payment of Invoice #4542 in the amount of \$34,531.21 to Walsh Fence, LLC for replacement of railings and posts on the Derby Greenway.

#### **DISCUSSION ON MOTION**

Ms. DeGennaro asked how the remainder of the bill will be paid. Ms. Finn said there is still money left in Road Bond for the next invoice and then the remaining amount due will be paid out of Town Aid as previously approved.

#### **MOTION CARRIED**

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#### **New Business**

##### ***Resolution – Application for Solar Panel Grant***

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to adopt the following resolution: "that the City of Derby Board of Aldermen/Alderwomen authorizes the Derby Board of Education to apply to the Commissioner of Administrative Services and to accept or reject a grant for the *Solar Panel Installation at the Middle School, Bradley Elementary School, and Irving Elementary School.*" *It is expressly stated that Solar Panels shall not be installed on the Derby Middle School Roof.*

#### **DISCUSSION ON MOTION**

Mr. Sampson said the Board of Education goes out for numerous grants during the year, applies for them and gets them and never comes before this board for approval – why are we now being asked for approval. Dr. Conway said this is a City project and the Board of Education's only involvement is that it is a school building and the only body that can apply through DAS (Department of Administrative Services) for the reimbursement for a school is the Board of Education. Dr. Conway said the DAS wouldn't accept an application request from the City for it, so Patty Finn has been assisting us through this process.

## **MOTION CARRIED**

### **Resolution – Establish Building Committee for Solar Panel Grant**

**A MOTION** was made by Mr. Sampson with a second by Mr. Joseph DiMartino to adopt the following resolution: "that the Derby Board of Education, Plant & Facility Subcommittee is hereby established as the building committee with regard to the Solar Panel Installation at the Middle School, Bradley Elementary School, and Irving Elementary School." It is expressly stated that Solar Panels shall not be installed on the Derby Middle School Roof. **Motion carried.**

### **Resolution – Authorize Drawings and Specifications for Solar Panel Installation**

**A MOTION** was made by Mr. Jim DiMartino with a second by Mr. Sampson to adopt the following resolution: "that the City of Derby Board of Aldermen/Alderwomen hereby authorizes at least the preparation of schematic drawings and outline specifications for the Solar Panel Installation at the Middle School, Bradley Elementary School, and Irving Elementary School." It is expressly stated that Solar Panels shall not be installed on the Derby Middle School Roof. **Motion carried.**

### **Resolution – Extending Life of Ansonia Derby Temporary Regional School Study Committee**

**A MOTION** was made by Mr. Sill with a second by Mr. Hyder to adopt the following resolution: "that the City of Derby Board of Aldermen/Alderwomen pursuant to Section 10-30 et. Seq. of the Connecticut General Statutes, hereby extends the life of the Ansonia Derby Temporary Regional School Study Committee for a period of two years until February 6, 2022. Original adoption date February 6, 2018. Original expiration date of February 6, 2020." **Motion carried.**

### **Accept Donation from Likoba Boutique for Derby Senior Center**

**A MOTION** was made by Mr. Sampson with a second by Mr. Jim DiMartino to accept \$1,500.00 donation from Likoba Boutique from proceeds of November 16, 2019 fundraiser to the Derby Senior Center for their use. **Motion carried.**

### **Decommissioning of Air Hockey Table at Derby Senior Center**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to authorize the decommissioning and disposition of the Air Hockey Table at the Derby Senior Center either by donation to a Valley Non-Profit Organization that serve the youth of Derby or by sale to the highest bidder in a public forum.

## **DISCUSSION ON MOTION**

Mr. Sampson asked if there is some monetary threshold in the Ordinance, noting it is ridiculous to act on something so insignificant. Mr. Garofalo suggested one of the subcommittees consider a resolution to establish a monetary amount. Mr. Sampson said he would explore it.

## **MOTION CARRIED**

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### **Refund Permit Fees for Certain City Projects**

**A MOTION** was made by with a second by to refund partial amount of Building Permit Fees in the amount of \$172.60 on Permit #12334 and \$142.80 on Permit #12420 for a total of \$314.68 to McKenney Mechanical for work performed at Derby City Hall and Derby Public Library.

### **DISCUSSION ON MOTION**

It was noted that there is a discrepancy in the amount due. The number was transposed for Permit #12420 – it should be \$142.08 and not \$142.80. It should also be changed in the corrections made to the agenda.

### **MOTION CARRIED**

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### **Old Business**

No action items this month

### **Executive Session**

- Collective Bargaining Agreement with City Hall Union – Negotiations
- Collective Bargaining Agreement with Derby Public Library Union – Negotiations
- Sale of Parcel 12-5 3 of the Derby Assessor's Maps on Roosevelt Drive – Sale of Real Estate
- Workers' Compensation Claim from Police Department – Discussion of Revised Settlement

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sampson to go into Executive Session at 8:08 p.m. inviting Vincent Marino, Andrew Baklik, Carmen DiCenso and Keith McLiverty. **Motion carried.**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sampson to come out of Executive Session and return to Regular Session at 8:23 p.m. **Motion carried.**

### **Regular Session Action from Executive Session**

- **Collective Bargaining Agreement with City Hall Union**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to approve the Collective Bargaining Agreement with the City Hall Union. **Ms. Widomski recused. Motion carried.**

- **Collective Bargaining Agreement with Derby Public Library Union – Discussion & Possible Action**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to approve the Collective Bargaining Agreement with the Derby Public Library Union. **Motion carried.**

- **Sale of Parcel 12-5 3 of the Derby Assessor's Maps on Roosevelt Drive – Discussion & Possible Action**

**A MOTION** was made by Mr. Joseph DiMartino with a second by Mr. Sill to approve the sale of Parcel 12-5 3 of the Derby Assessor's Maps on Roosevelt Drive for \$2,650.00. **Motion carried.**

For the record there was one bid received and the City will be selling the parcel to the sole bidder.



- **Workers' Compensation Claim from Police Department – Discussion & Possible Action**

**A MOTION** was made by Mr. Joseph DiMartino with a second by to authorize a progress payment in the amount of \$44,023.20 to Jerry Narowski towards the Workers' Comp Voluntary Agreement between the City of Derby and Jerry Narowski in the amount of \$88,046.40. **Motion carried.**

**ADJOURNMENT**

**A MOTION** was made by Mr. Sill with a second by Mr. Hyder to adjourn the Regular Meeting at 8:28 p.m. **Motion carried.**

Respectfully submitted,



Patty Finn  
Recording Secretary

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN/ALDERWOMEN AT THEIR NEXT REGULARLY SCHEDULED MEETING.**

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# City of Derby, Connecticut

One Elizabeth Street - 06418



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

Telephone - 203.736.1462  
FAX - 203.736.1479

Email - [townclerk@derbyct.gov](mailto:townclerk@derbyct.gov)  
Website - [www.derbyct.gov](http://www.derbyct.gov)

To: All Department Heads

From: Marc J. Garofalo, MPA, CCTC, Town/City Clerk

Date: December 13, 2019

Re: Board of Aldermen/Alderwomen Standing Rule on Monthly Department Reports

On December 12, 2019 the Board of Aldermen/Alderwoman adopted a standing policy regarding the submission of monthly department reports for their regular meetings.

The policy is attached for your review.

I have also attached a schedule of dates for 2020.

I will also send you a calendar invite in Outlook for your use.

Please contact me if you have any questions or clarifications. Thank you.

#

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# City of Derby, Connecticut

One Elizabeth Street - 06418



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

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[www.derbyct.gov](http://www.derbyct.gov)

Regular Meeting Date	Submission of Report by:	Reporting Period
January 9, 2020	December 31, 2019	December 2019
February 13, 2020	February 5, 2020	January 2020
March 12, 2020	March 4, 2020	February 2020
April 9, 2020	April 1, 2020	March 2020
May 14, 2020	May 6, 2020	April 2020
June 11, 2020	June 3, 2020	May 2020
July 9, 2020	July 1, 2020	June 2020
August 13, 2020	August 5, 2020	July 2020
September 10, 2020	September 2, 2020	August 2020
October 8, 2020	September 30, 2020	September 2020
November 12, 2020	November 4, 2020	October 2020
December 10, 2020	December 2, 2020	November 2020
January 14, 2021	January 6, 2021	December 2020

**Please submit ONE copy of each item by email to [townclerk@derbyct.gov](mailto:townclerk@derbyct.gov).**

Please note the due date for January 2020 is December 31, 2019 and the due date for October 2020 is September 30, 2020.

Please do not make copies for all of the Board members.

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We will do that when we prepare the entire package.

Thank you.

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# City of Derby

Board of Aldermen/Alderwomen

## Resolution

### **"Standing Rule on Department Head Reports and Attendance at Monthly Meeting"**

December 12, 2019

#### **Be it hereby resolved by the Board of Aldermen/Alderwomen of the City of Derby:**

- A. The following department head reports shall be submitted to the Town/City Clerk, via email, on or before the 8th day preceding the regular meetings of the Board and will contain the previous month's news and department activity:
1. Board of Education - written report containing bullet points of accomplishments and concerns
  2. Cultural Commission - written report containing debits and credits to bank statement
  3. Public Works - use existing format
  4. Building Department- written report including: date, time, types of, and location of each inspection
  5. Facilities Inspectors - use existing format
  6. Fire Marshal - use existing format
  7. Fire Department - written report with bullet points that includes the number of calls
  8. Office of Emergency Management -written report containing bullet points
  9. Parking Division - financial reports and maintenance reports
  10. Police Department- use existing format
  11. Water Pollution Control Authority - written report containing bullet points
  12. Chief of Staff- written report containing bullet points
  13. Corporation Counsel - emailed report, available for verbal discussion at BOA meeting
  14. Storm Ambulance Corp- written report with bullet points that includes the number of calls
  15. Parks and Recreation Director - written report containing bullet points
  16. Revolving Loan Fund - use existing format
  17. Counsel to Planning and Zoning Commission- written report quarterly or as needed
  18. Website Report of tickets for the month -written report
  19. Finance Director- written report
  20. Economic Development Liaison – written report
  21. City Treasurer – written report
  22. Athletic Complex Building Committee – Verbal Report until project is completed.
  23. Field House and Baseball Field Building Committee – Verbal Report until project is completed
  24. Infrastructure Committee – Written Report
  25. Johnson Control Energy Project – Written Report until project is completed
  26. Senior Center Director

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#### **Be it further resolved the following:**

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- B. The above listed Department Heads shall attend the Regular Monthly Meeting of the Board of Aldermen/Alderwomen and be prepared to answer questions regarding their department report and activity; and
- C. The Department Head Reports will be placed at the beginning of the Agenda of the monthly meeting of the Board of Aldermen/Alderwomen.