



Board of Aldermen/Alderwomen

Barbara L. DeGennaro
Thomas Donofrio
Sarah Widomski

Joseph L. DiMartino*
Camille Grande Kurtyka
Ronald M. Sill

Jim DiMartino
Robert Hyder
Charles Sampson

Board of Alderman/ Alderwomen Regular Meeting

October 8, 2020 – 7:00 pm

Online Meeting Via Zoom Log-in Information

Meeting ID: 89300919973

1. Call to Order

Mayor Dziekan called the meeting to order at 7:05 PM.

2. Pledge of Allegiance

Mayor Dziekan led the Pledge of Allegiance.

3. Roll Call

Mayor Dziekan requested roll call.

The Board of Alderman/Alderwomen present were Joseph L. DiMartino, Thomas Donofrio, Camille Grande Kurtyka, Robert Hyder, Sarah Widomski, Ronald M. Sill, Jim DiMartino and Charles Sampson.

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

None

5. **Public Portion**

Tom Lionetti – 79 Sunset Drive – would like to speak about agenda item 8.3.3 Attendant Position and the rate of pay for that job description. Mr. Lionetti stated the janitor's duties are far more than the attendants and doesn't think the rate of pay should be the same for both positions. He asks the board to consider this when making a decision on this job description and rate of pay for the Attendants Position. Also he would like to speak on the easement. He is against it and advises the board to vote the easement down.

Brian Mezzapelle – Chief of the Fire Ambulance Corp- If this question can be answered later in the meeting as to when Capital Planning is looking to meet and make any decision for this fiscal year. He knows he currently has an ambulance out of service that needs to be replaced. A lot of people have worked on a plan to save money on fire and EMS apparatus going forward and haven't gotten any response from anyone as to when this is going to happen. He would like to know even if there isn't going to be any type of capital plan happening going forward to please just let him know. Mayor Dziekan responded that he would have Keith McLiverty contact him directly regarding this matter.

Karen Kemmesies - 25 John Street would like to speak on the new business the Coe Lane Easement. She spoke at Planning and Zoning and was told it was an 824 not an application before for the city so Planning and zoning did not have too many details but did make some positive modifications. Her concerns looking at the updated maps and easement new the language of the easement still specifies the original half acre and that has to be corrected. Her real concerns are that it gives Ansonia forever the rights to the land. She thought the purpose of writing the easement was more so for the construction of the road and she would like to see something written to have it so there are limitations for the City of Ansonia going on beyond the time frame of when this was originally constructed. She expressed that Ansonia had meetings with their Wetland Agency's and Zoning Agency's for 6 months and never notified the City of Derby of their actions. She understands that there

was a working relationship with the Mayor and this is probably why there was not a substantial amount of communication. Her fear is that they are writing a document that is permanent and that the city might not always have a good relationship with Ansonia and this easement is going to be permanent and we should be more careful in the way that we are giving away our land. She requests to make corrections to this and look twice on how this is being constructed and to think about making it smaller in size considering this road is going to be bigger and wider than John Street. Maybe it doesn't have to be so grand for an emergency access road and by reducing it by 2 ft can save 750 sq ft of area thus reducing the amount of water flowing on that impervious surface. These are all her concerns. She knows Mr. Lionetti does not want to see this happen at all, but the purpose of maintaining Witek Park she would not like to see it flowing in that too but if the engineers indicate it is a necessary evil, let's do it the right way, saving Witek Park we are making sure we have an ongoing relationship with the City of Ansonia and we have an equal footing and that the numbers are correct.

6. Department Head Reports

6.1 Finance Director - Nothing was discussed

6.2 Police Department

Chief Narowski would like to echo the sentiments of the Ambulance Corp. the Police Commission met this month and they also inquired about the Capital Plan is it moving forward or not and he would like to ask the board to address the question. Chief Narowski sent an email today, and would like to make sure the board members are in receipt of that email which explains in the minutes, in the meeting of the Police Commission, the potential burden to the city based on that Public Act in the amount of between \$315,000 – \$450,000 over the next 60 months and wants all of the board members to be aware of this and that they are working on this to try to reduce that burden and to do what's best for the city.

6.3 Fire Marshal - Nothing was discussed

6.4 Fire Department

Gary Parker spoke regarding the status of Truck 15, the only ladder truck in the city. While doing routine maintenance it was discovered

to have substantial rust. Truck 15 is out of service for 2-3 weeks now. They have been in contact with the manufacturer Pierce and local dealership Firematic. The engineers are coming up with a plan for repair. It will be a substantial expense and will be out of commission for weeks not months.

6.5 Office of Emergency Management - Nothing was discussed

6.6 Storm Ambulance - Nothing was discussed

6.7 Board of Education

Mr. Donofrio asked Dr. Conway if when the kids go out for gym to use the field, is it closed to the public because it should be. Dr. Conway did say it should be and they had signs made up to indicate that. Mr. Donofrio asked if there was a lacrosse team as he had seen a group planning lacrosse on the field. Dr. Conway indicated there is not a lacrosse team. Mr. Donofrio will save his question for Parks and Rec.

6.8 Public Works

Mr. Jim DiMartino asked Mr. Armeno about a fire hydrant at the bottom of Marshall Lane, close to a telephone pole right, near that there is a fire hydrant that you can't see because there is so much growth. It is city property and needs to be cleared out since it is not visible. Mr. Armeno will have it taken care of. Mr. Donofrio asked about on Sodom Lane by Hops just past the entrance they have a field to the right of the building when it rains there is some runoff and the drain is clogged and has to be addressed. Mr. Armeno will address it.

6.9 Water Pollution Control Authority - Nothing was discussed

6.10 Building Department - Nothing was discussed

6.11 Facilities Inspectors - Nothing was discussed

6.12 Parking Division - Nothing was discussed

6.13 Revolving Loan Fund - Nothing was discussed

6.14 Chief of Staff

Ms. DeGennaro asked how are we paying employees with Covid-19 or who are exposed to individuals that have Covid-19. Mr. Baklik expressed there hasn't been a lot of this issue but depending on the situation there is different ways in which to pay them. There are provisions in place to utilize Workers Compensations, Family Medical Leave and or to pay people as usual and are referring to Corporation Counsel depending on the situation.

6.15 Economic Development Liaison - Nothing was discussed

6.16 Treasurer Report - Nothing was discussed

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

Attorney Marino is in the process of putting a spreadsheet together of Blighted Properties and will have that report in the near future. He would then refer to the Blight Sub Committee on how to proceed on matters and that would be the appropriate place to start.

6.18 Parks and Recreation

Ms. DeGennaro likes the report on the Field House and she is happy to have it. Mr. O’Connell addressed the questions regarding the lacrosse people playing on the field. Mr. O’Connell said that Derby teams and sports come first. He doesn’t intend on throwing people off that are recreational in nature as long as nothing else is happening with Derby at the time. He also feels as long as they are not doing anything that warrants him throwing them off, he doesn’t intend to do so. Attorney Marino weighed in on the liability of having other people outside of Derby using the field recreationally. Attorney Marino stated it would be no different than the liability on any other Derby property. Mr. Sampson asked if he put together an excel spreadsheet would the office have the capability to do the report that Mr. Sampson has started so that the board will have a better idea of who is using the facilities.

6.19 Cultural Commission– Nothing was discussed

6.20 Website Report of tickets for the month

Ms. DeGennaro asked if these are being answered. Mr. Garofalo stated the tickets are being generated to the appropriate department and department head and that they should be addressing them.

6.21 Athletic Complex Building Committee– Nothing was discussed

6.22 Field House and Baseball Field Building Committee– Nothing was discussed

6.23 Infrastructure Committee– Nothing was discussed

Mayor Dziekan asked Mr. McLiverty questions on the Capital Plan. Mr. McLiverty said the meeting will be the last week in October. Meeting next week on the Athletic Complex to wrap up one open item with the remaining scope of work.

6.24 Johnson Control Project Update

Mr. Sampson asked for an update as there has not been one given to the board in a while. Mr. Baklik in process of the design of the solar panels once that's complete it will go to the Facilities Sub Committee who is serving as the Building Committee for the project, and then BOE will have to sign off and it will go to the state for sign off and then that part of the project will proceed and the majority of that project is done.

6.25 Senior Center– Nothing was discussed

7. Administrative & Appointments

7.1 Approval of Minutes

7.1.1 Move to approve minutes of Regular Meeting – August 13, 2020

Mr. Sill made a motion to approve the minutes of Regular Meeting August 13, 2020. Mr. Sampson seconded the motion. Motion carried.

7.1.2 Move to approve minutes of Special Meeting – August 19, 2020-Table-Not Available

7.1.3 Move to approve minutes of Special Meeting – August 27, 2020

Ms. Kurtyka made a motion to approve minutes of Special Meeting August 27, 2020. Mr. Joseph DiMartino seconded the motion. Motion carried. Ms. DeGennaro abstained.

7.1.4 Move to approve minutes of Special Meeting – September 1, 2020-Table-Not Available

7.1.5 Move to approve minutes of Regular Meeting – September 10, 2020-Table-Not Available

7.1.6 Move to approve minutes of Special Meeting – September 14, 2020

Mr. Sampson made a motion to approve minutes of Special Meeting September 14, 2020. Mr. Joseph DiMartino seconded. Motion carried.

7.2 Refund of Taxes

7.2.1 Move approve Tax Refunds in the amount of \$1,451.23 dated October 6, 2020

Mr. Joseph DiMartino made a motion to approve the tax refunds in the amount of \$1,451.23 dated October 6, 2020. Mr. Sill seconded the motion. Motion carried.

7.3 Appointments to Boards and Commissions
No Action Items this Month

8. Committee Reports

8.1 Blight Committee

8.1.1 Add Properties to the Blight List

Move to add these properties to the Blight List:

344 Sentinel Hill Road
14 Indian Avenue
17-25 Crescent Street
395 Hawthorne Avenue
49-53 Cottage Street
58 Marshall Lane

Mr. Donofrio made a motion to add these properties to the Blight List;

*344 Sentinel Hill Road
14 Indian Avenue
17-25 Crescent Street
395 Hawthorne Avenue
49-53 Cottage Street
58 Marshall Lane*

Mr. Joseph DiMartino seconded the motion. Ms. DeGennaro wanted to add regarding 17-25 Crescent Street, she received a call from a resident and wanted to let the Blight office know that there are many broken windows and possibility of squatters living there. Chief Narowski will check into this. Attorney Marino suggested the Building Inspector should contact the homeowner. Motion carried.

8.1.2 Remove Properties from the Blight List

Move to remove these properties from the Blight List:

210-212 Derby Avenue

231 Hawkins Street

Mr. Donofrio made a motion to remove 210-212 Derby Avenue and 231 Hawkins Streets from the Blight List. Ms. Widomski seconded the motion. Motion carried.

8.1.3 Remove Blight Liens

Move to remove Blight Liens on 231 Hawkins Street

Mr. Donofrio made a motion to remove Blight Liens on 231 Hawkins Street. Ms. Kurtyka seconded the motion. Motion carried.

8.2 Community Relations

8.2.1 East Derby Green – Founder’s Common – Academy Hill Road

Mr. Joseph DiMartino made a motion to remove the concrete base, fill the land back with loom and seed. Mr. Sill seconded. Mr. Hyder would like to add that the board should not be weighing in on this, public works should remove this, it was done without authorization.

Mr. Joseph DiMartino amended his motion to have Public Works to remove the concrete base, put loom down and seed. Mr. Sill seconded the motion. Motion carried.

8.2.2 346 Derby Avenue – Code and Zoning Enforcement

Discussion and Possible Action regarding compliance with Housing, Building, Fire, and Zoning Codes.

Mr. Sill asked the Building Official to check into this to see if a permit was applied for and get a report back for next month. Mr. Donofrio asked if Mr. Baklik could get some information from the Building Inspector as to what is going on and report back at next month’s meeting.

8.3 Operations & Procedures

8.3.1 Repeal Boat Ramp Ordinance

Move to Repeal of City of Derby Code, Chapter 186, Vehicle and Traffic, Article IX “Boat Ramp” and “Boat Ramp Trailer Permit”, Sections 186-58 through Section 186-61.

Ms. DeGennaro made a motion to Repeal of City of Derby Code, Chapter 186, Vehicle and Traffic, Article IX “Boat Ramp” and “Boat Ramp Trailer Permit”, Sections 186-58 through Section 186-61. Mr. Sampson seconded the motion. Motion carried.

8.3.2 Resolution to Adopt an Ordinance Pursuant to Conn. Gen. Statutes Sec. 12-63c(d) Regarding Grand List Filings

Move to adopt Resolution adopting an ordinance pursuant to to Conn. Gen. Statutes Sec. 12-63c(d) waiving the penalty for late filings for grand lists with deadlines that occur during the pendency of the Covid-19 pandemic emergency declarations.

Ms. DeGennaro made a motion to adopt Resolution adopting an ordinance pursuant to to Conn. Gen. Statutes Sec. 12-63c(d) waiving the penalty for late filings for grand lists with deadlines that occur during the pendency of the Covid-19 pandemic emergency declarations. Ms. Widomski seconded the motion. Motion carried.

8.3.3 Establish Attendant Position for Ryan Complex/DeFilippo Field/Payden Park

Move to adopt the proposed job position creation for “Attendant” at the JR Payden Fieldhouse, Payden Park basketball field and DeFilippo Field/Ryan Athletic Complex.

Ms. DeGennaro explained that this job descriptions was created last year at the time that custodian positions were created at Operations and Procedures. The Sub Committee of O&P have designated the hourly rate \$15.50 of based on previous estimates from Parks and Recreation and the hourly wages for minimum wage. The position will work up to 20 hours per week for all attendants.

Ms. DeGennaro made a motion to adopt the proposed job position creation for "Attendant" at the JR Payden Fieldhouse, Payden Park basketball field and DeFilippo Field/Ryan Athletic Complex as presented. Mr. Sampson seconded the motion. Motion carried.

Mr. Sampson added that this position is not a typical 9-5 job. It involves weekend and night hours and making sure the facility is opened and closed during those hours, given that he feels the pay rate is for this position is fair and reasonable price.

8.3.4 Salary for Zoning Enforcement Officer /Inland-Wetlands Officer

Move to approve the Salary for City of Derby Zoning Enforcement Officer and Inland-Wetland Officer, City of Derby Code, Chapter 32, Officers and Employees, Article XXI "Municipal Building Official" 32-73 et seq. Discussion and Possible Action.

Ms. DeGennaro made a motion to approve the Salary for City of Derby Zoning Enforcement Officer and Inland-Wetland Officer, City of Derby Code, Chapter 32, Officers and Employees, Article XXI "Municipal Building Official" 32-73 et seq at \$25,364.00. Ms. Widomski seconded the motion. Motion carried.

Ms. DeGennaro asked Mr. McLiverty is there anything else needed to separate the line item for the Tax Board. Mr. McLiverty explained he would take what is adopted tonight and go to the Tax Board, withdraw or reduce the current Building Official's line in the budget by the amount for the two new positions and then once that position is filled it would be paid in accordance with what is adopted. Mr. McLiverty stated what is adopted tonight becomes effective whatever date is put on it. He explained that once someone is hired they would be paid out of the new line. Ms. DeGennaro said the effective date would be when the person is hired and the Building Official will be whatever date is put on it.

8.3.5 Salary for City of Derby Building Official

Move to approve Salary for City of Derby Building Official, City of Derby Code, Chapter 32, Officers and Employees, Article XXI “Municipal Building Official” 32-73 et seq. Discussion and Possible Action.

Ms. DeGennaro made a motion to set the salary for the full-time position of the City of Derby Building Official, pursuant to Section 32-73 et seq .of the City of Derby Code, at \$60,000 effective October 9, 2020. Mr. Sill seconded the motion.

Mr. Sampson wanted to add that setting salaries that are not competitive means we are not going to get qualified candidates. Mr. Sampson thinks \$60,000 is too low for this position. He would like to see it set to at least \$70,000. He would like to keep the Building Official we have but if he decides not to stay, he hopes to get a competent Building Official for what we pay around here. Mayor Dziekan echo’s what Mr. Sampson is saying. He feels we need someone very competent and hopes the board will consider the number he originally submitted for this position. Mr. Hyder also added that you get what you pay for and he too hopes to retain the current Building Official.

Mayor Dziekan requested roll call:

Ms. DeGennaro – Yes

Mr. Dononfrio – Yes

Ms. Widomski – Yes

Mr. Joseph DiMartino –Yes

Ms. Kurtyka – Yes

Mr. Sill - Yes

Mr. Jim DiMartino – Yes

Mr. Hyder – No

Mr. Sampson – No

7 in favor 2 against. Motion carried.

9. New Business

9.1 Easement in Favor of the City of Ansonia on Coe Lane

Discussion and Possible Action on Requested Easement

Attorney Marino presented and explained the document regarding the easement on Coe Lane. Ms. DeGennaro stated she was not reading the document as Attorney Marino is presenting. Also, Ms. DeGennaro wanted to state that she received the document this afternoon the day of the meeting. Lastly, she added that the area numbers of the easement were not the same. Mr. Baklik referred to Donald Smith Jr., Engineer for Ansonia, on the project. He spoke regarding the area numbers of the easement and clarified that those numbers were revised. Attorney Marino would like to make sure that the numbers that were revised were the same as what the current language is in document presented tonight. Ms. DeGennaro and Mr. Sampson read the document the same way and would like the language revised before approved. Donald Smith Jr. spoke in length with board members regarding why the easement is needed and the purpose of the project.

Mr. DiMartino made a motion to table this until October 22, 2020 Sub Committee meeting night. Mr. Donofrio seconded the motion. Motion carried.

A brief break was taken at 8:40 PM

Mayor Dziekan called the meeting back to order at 8:44PM

10. Old Business

10.1 No Action Items This Month

11. Executive Session

11.1 67-71 Minerva Street and 147 Caroline Street- Sale of City Property – Evaluate RFPs

Mr. DiMartino made a motion to go into executive session and invite Carmen DiCenso, Mayor Dziekan, Andrew Baklik, Keith McLiverty, Marc Garofalo at 8:45.

Mayor Dziekan called the meeting back to order from executive session at 9:08PM

Mr. Donofrio made a motion to call the meeting back to order at 9:08PM, seconded by Mr. DiMartino. Motion carried.

12. Regular Session Action from Executive Session

12.1 67-71 Minerva Street and 147 Caroline Street

Discussion and Possible Action

Ms. DeGennaro made a motion to authorize the Negotiating Committee consisting of Carmen DiCenso, Andrew Baklik, Mayor Dziekan, Corporation Counsel, Vincent Marino, NVCOG, Alderman Ronald Sill, Keith McLiverty to engage in discussions and negotiations with Cedar Village Development Company regarding the development of 67-71 Minerva Street and 147 Caroline Street. Mr. Donofrio seconded the motion. Motion carried.

13. Adjournment

Mr. Sill made a motion to adjourn the meeting at 9:11 PM. Motion seconded by Ms. Kurtyka. Motion carried.

Respectfully Submitted,

Meg Martins