

**CITY OF ANSONIA  
BOARD OF ALDERMEN*****Regular Meeting – January 12, 2010***

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***Call to Order***

The Regular Meeting of the Ansonia Board of Aldermen was called to order at 7 p.m. by Aldermanic President Stephen Blume. All those present rose and pledged allegiance to the Flag of the United States of America, led by the 2009 Ansonia Copper 12 and Under National Champion Cheerleaders.

***Moment of Silence***

A moment of silence was observed in honor of former Alderman Arthur Anglace, who had recently passed away.

***Public Recognition***

Mayor Della Volpe read aloud and presented the following Certificate of Recognition to the 2009 Ansonia Copper 12 and Under National Champion Cheerleaders.

It gives me a great deal of pleasure to express to all members of the 2009 Ansonia Copper 12 and under National Champion Cheerleaders, on behalf of the Board of Aldermen and all the citizens of Ansonia, our sincere congratulations on your national championship.

This has been an exciting and successful season and we are proud of the recognition you have earned and the fine publicity you have brought to our community by your accomplishments.

We are pleased to publicly commend the Ansonia Coppers squad, Coach Patricia Crisante and her dedicated staff for your fine efforts, and to extend this token of the affection and admiration with which you are regarded in this City.

IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the City to be affixed on this 12th day of January, 2010.

He stated, once you put that uniform on, it says "Ansonia." You're not only representing yourselves, your team, and your parents, but you're representing the City. You did such a tremendous job on behalf of the City of Ansonia in Florida and we're extremely proud of you. Congratulations.

State Representative Linda Gentile stated, I would like to congratulate you on your win; you have made us all very proud. When I was a younger woman, I was a Pop Warner Cheerleader coach so I know the hard work that goes into it. I appreciate all your commitment and hard work. Congratulations.

Representative Gentile presented Coach Crisante and each Cheerleader Official Citations from the State of Connecticut General Assembly.

### ***Roll Call***

The secretary called the roll:

Edward Adamowski, D1-absent  
Robert Duffus, D1 - present  
Jason Bender, D2 - present  
James Fainer, D2 - absent  
Joseph Jeanette, D3- present  
John Marini, R3- present  
Robert Beall, D4 - present

Jerome Fainer, D4 - absent  
Spero Jordanides, D5 - present  
Pasquale Pietrangelo, D5 - present  
Scott Nihill, D6 - present  
Gene Sharkey, D6 - present  
Tara Kolakowski, D7- present  
Stephen Blume, D7 - present

President Blume declared a quorum of 11 present, 3 absent.

### ***Consideration of Previous Minutes***

Alderman Sharkey MOVED to accept the minutes of the Organizational Meeting of December 8, 2009 and Regular Meeting of December 8, 2009 if found to be correct; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

### ***Public Session***

Tim O'Reilly  
President, Ansonia Football Program

I had a problem; I came here a little while ago about it, about money and stuff with the football program and the Recreation Committee. Mr. Miller gave me a detailed outline of an end-of-year financial report he needed. I did exactly what the man asked. December 1<sup>st</sup> they had the Recreation meeting; he said he wouldn't pay any bills until this financial report was done, which I didn't know anything about until the day before the Recreation meeting. So I did it, handed it in, he paid the bills I gave him, but now again he's saying that my financial report is not what he needs, so he's not going to pay any of the bills again. It took me two years to get the companies we deal with on a net 30 basis so that we can actually get the product and then pay them later. Now we're going to be back to the point where we have to pay these people before we get anything because of the difficult process it is under his report or whatever he's looking for. So, it has been handed in, he paid the bills, the second wave of bills he will not pay because he said the report has never been handed in. So, I'm not sure how to go about it to get this stuff taken care of. The next Recreation meeting was supposed to be last week; everybody was sick so they canceled it until next month. I have bills that have to get paid.

President Blume stated, that's why we have a Rec Commission. It's unfortunate that they were sick, whatever; they couldn't have a quorum. But that's where it has to go. That's where it belongs - the Rec Commission.

Mayor Della Volpe stated, I'll talk to them tomorrow.

Mr. O'Reilly stated, thank you.

Richard Markette  
Owner, 17-19 Sixth Street

I bought the property about a year ago. When I purchased the property I was told there was a lead lien on it, issued by Naugatuck Valley Health District, and of course, there was. I spent a good deal of time dealing with that lien last year. Only to find out there was a WPCA lien on it also, so I spent some time dealing with that also. In the fall I realized there was a blight lien on the property also. I've worked with Mr. Blake for a proposal to resolve that. I ask that this forum, this group, look favorably upon my proposal with Mr. Blake. The property still needs much work. I still have to put kitchens in it, bathrooms, plumbing, painting, flooring, etc. I estimate those to be about \$90,000. I don't have the funds there to make any more payments than the \$10,000; it doesn't make sense for me whatsoever. But if that's what it takes to resolve the blight lien, I will certainly pay it [inaudible], so I ask that you look favorably upon my proposal with Mr. Blake. Thank you.

President Blume asked three times if any member of the public wished to address the Board. Being none, he declared the Public Session closed.

### ***Public Official Session***

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Mayor James Della Volpe

The snow season has started; we're into the middle of January. So far we've had 11 snow events; we've had 21 inches of snow and we've expended \$35,805 for the snow removal. That leaves us less than \$10,000 for overtime for the rest of the snow season. The Superintendent of Public Works will be going before the Board of Apportionment and Taxation requesting more money for overtime. In regard to the sand and salt material, we do have enough to finish out the winter season.

The Board of Aldermen will be starting their budget hearings next week. This is going to be a very difficult year. I sat in on the Governor's Panel for Deficit Mitigation with nine other mayors throughout the State and I heard from all of them. They have the same problems that the City of Ansonia does, and this is going to be a very difficult year, more so than last year. It'll be a lot of hard work, and the department heads are going to have to understand that they're not going to be able to get everything that they've requested.

We have received an additional \$800,000 from Congressman Rosa DeLauro in regard to the Riverwalk, which should be enough to finish the project. We'll be going out to bid in the spring, and hopefully it'll be completed by the fall.

Along with that we have the insurance money from the shredder fire. We're going to be tearing down the transfer station and will be putting up a new transfer station at the same time, along with the WPCA project that is moving along. We're going to have a whole new facelift at the Public Works Complex.

President Blume thanked Mayor Della Volpe.

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Corporation Counsel Blake

I have three items to be discussed in Executive Session.

I've already sent the Accidents and Claims to the insurance company. Just to update on the one with John Della Volpe - we received a lawsuit today, and I'll be sending that to the insurance carrier. That's a sewer backup and will be handled by WPCA but it's really under the City's insurance.

President Blume thanked Corporation Counsel Blake.

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Chief Kevin Hale, Ansonia Police Department

We've received some federal stimulus money for some additional crime enforcement. We've started a program that I wanted to start years ago - it's a crime unit. We put a number of units out; we put one out on Christmas Eve and actually stopped a robbery in progress. That was money well spent.

Also, soon we're going to be getting a program aimed at distracted drivers - I mean cell phones and other distractions - people driving with dogs in their laps, or eating a sandwich, or reading the newspaper. You can see them on the road - they're not attentive to what they're supposed to be doing and people are getting hurt. That's going to be coming soon.

Alderman Beall stated, I have a question about the special unit you have in place. This is separate from the 911, right? You don't call the 911 and they show up, right?

Chief Hale replied, they're extra. They're a separate unit from the regular patrol.

President Blume thanked Chief Hale.

***Committee Reports******Finance Committee - Alderman Gene Sharkey***

Alderman Sharkey MOVED to pay all bills if found to be correct; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

President Blume asked if any other Aldermen had a report. He stated, your Committee assignments were placed in your mailboxes; I'm sure everybody has them now.

***Municipal Reports / Annual Reports***

Alderman Sharkey MOVED to accept all municipal and annual reports, dispense with the reading and place them on file; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

***Tax Refunds***

Alderman Nihill MOVED to accept the report of the Tax Collector and pay the Tax Refunds for December, 2009 in the amount of \$ 1,512.63 if found to be correct; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

***Claims***

12-09-748 William Harkins  
12-09-749 Gary O'Keefe  
12-09-750 John Della Volpe  
01-10-751 Daniel Mainstruck  
01-10-752 Regina and Dario Marinelli

Alderman Bender MOVED to refer the claims to Corporation Counsel Blake and the Claims Committee; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

***Communications***

Alderman Sharkey MOVED to accept all of the communications, one late communication and one late resolution, dispense with the reading, and place them on file. If an Alderman wishes one read or acted upon, the communications will be brought up individually in their order on the agenda; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

***Public Session on Late Communication and Late Resolution***

President Blume opened the public session for comments on Late Communication #1 and on Late Resolution #1, both from President Blume regarding investigations and possible action into the transfer of water service and assets from the Birmingham Utilities Company to the South Central Regional Water Authority.

Ed Norman, 51 Grove Street

I am asking your support in pursuing this matter. I know the Board has been working on it for quite some time. We are getting raked over the coals with what we're paying for hydrant water on an annual basis versus surrounding towns, and even the City of New Haven. Ours is much higher and the actual resolution that came to us - "we won't raise your rates for 10 years," let me tell you, over 10 years at \$600,000 is \$6 million. I think we should continue to pursue it. Thank you.

President Blume asked if any other member of the public wished to speak. Being none, he declared the public session closed.

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**Communication #1**

From: Corporation Counsel Kevin Blake  
Re: 64-78 Pulaski Highway

To be discussed in Executive Session.

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**Communication #2**

From: Corporation Counsel Kevin Blake  
Re: White Hills Homes, Inc. v. City of Ansonia

To be discussed in Executive Session.

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**Communication #3**

From: Corporation Counsel Kevin Blake  
Re: 17-19 Sixth Street Forbearance Agreement

To be discussed in Executive Session.

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**Communication #4**

From: Attorney Brian J. Wanca  
Re: Junk Faxes

Corporation Counsel Blake stated, this item is for information only. I received an e-mail and I have to look into what it's going to cost us to join this lawsuit. We may end up paying more money than what we would gain from it.

***Resignation***

Alderman Nihill MOVED to accept, with regret, the resignation of Dennis Phipps from the Board of Police Commissioners and send him a letter of thanks for his service to the City; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

***Late Communications***

Late Communication #1

From: Aldermanic President Stephen Blume

Re: Investigation into the Transfer of Water Service and Assets from Birmingham Utilities Company to the South Central Regional Water Authority

See Late Resolution #1.

***Appointments*****CORPORATION COUNSEL**

Alderman Sharkey MOVED to reappoint Kevin M. Blake of 19 Birchwood Drive; term to expire 11-30-11; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

**GOVERNMENT LIAISON**

Alderman Beall MOVED to reappoint Elizabeth S. Lynch of 15 Colony Street; term to Expire 11-30-11; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

**BUILDING INSPECTOR**

Alderman Kolakowski MOVED to reappoint Nicholas Behun of 25 Prindle Avenue; term to Expire 11-30-11; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

**ELECTRICAL, PLUMBING & HEATING INSPECTOR**

Alderman Nihill MOVED to reappoint Robert J. Dunn of 51 Hubbell Avenue; term to Expire 11-30-11; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

**ANSONIA HOUSING AUTHORITY**

Alderman Beall MOVED to reappoint Flore Jett of 94 Olson Drive as Tenant Representative; term to Expire 10-31-14; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

SUPERINTENDENT OF VETERAN'S GRAVES

Alderman Kolakowski MOVED to reappoint James Giammario of 75 Central Street, Apt. #34; term to Expire 11-30-11; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

BOARD OF APPORTIONMENT AND TAXATION

Alderman Sharkey MOVED to appoint Gale M. Banks of 39 Elm Street (Galston replacement); term to Expire 12-31-12; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Lawrence S. Commune of 9 Dempsey Court; term to expire 12-31-12; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Beall MOVED to reappoint Frank Kohut of 6 Schumacher Drive; term to expire 12-31-12; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to reappoint Karl Williams of 2 Dogwood Drive; term to Expire 12-31-12; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

BOARD OF LIBRARY DIRECTORS

Alderman Kolakowski MOVED to reappoint Violet O'Donnell of 18 Finney Street Ext.; term to expire 12-31-12; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Beall MOVED to reappoint Louise Capozzi of 16 Greenfield Drive; term to Expire 12-31-12; SECONDED by Alderman Pietrangelo. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Kolakowski MOVED to reappoint Sue E. Behun of 25 Prindle Avenue; term to Expire 12-31-12; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

BOARD OF POLICE COMMISSIONERS/TRAFFIC AUTHORITY

Alderman Nihill MOVED to reappoint Bruce Robert Goldson, Sr. of 29 Glen Drive; term to expire 12-31-11; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to appoint Francis Tyszka of 18 Shortell Drive (Phipps replacement); term to Expire 12-31-10; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

BOARD OF PUBLIC WORKS

Alderman Beall MOVED to reappoint Karen Blake of 19 Birchwood Drive; term to Expire 12-31-11; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Richard H. McGowan of 16 Bartholomew Avenue; term to Expire 12-31-11; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

COMMISSION FOR ELDERLY SERVICES

Alderman Beall MOVED to reappoint Louis Bartolotta of 35 North Spring Street; term to expire 12-31-12; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Beall MOVED to reappoint Diane Stroman of 66 High Street; term to Expire 12-31-12; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

CONSERVATION COMMISSION

Alderman Kolakowski MOVED to reappoint Randolph Carroll of 40 Fourth Street #10; term to expire 06-12-13; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to reappoint Timothy Holman of 48 Elm Street; term to Expire 06-12-13; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

CULTURAL COMMISSION

Alderman Kolakowski MOVED to reappoint Florence Camilleri of 163 O'Neil's Court; term to expire 12-31-12; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Beall MOVED to reappoint Sandra Mendyk of 33 Ells Street; term to expire 12-31-12; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

HISTORICAL COMMISSION

Alderman Beall MOVED to reappoint Randolph Carroll of 40 Fourth Street #10; term to expire 11-30-11; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Thomas P. Clifford III of 10 South Westwood Rd.; term to Expire 11-30-11; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to reappoint Bartholomew R. Flaherty, III of 28 Pinecrest Avenue; term to expire 11-30-11; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

#### HISTORIC DISTRICT COMMISSION

Alderman Jeanette MOVED to reappoint Phyllis Judd of 80 Central Street; term to expire 12-31-14; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Nihill MOVED to reappoint Julia Maher of 24 Park Place; term to Expire 12-31-14; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 11-0.

#### PLANNING & ZONING COMMISSION

Alderman Sharkey MOVED to reappoint Bartholomew R. Flaherty, III of 28 Pinecrest Avenue; term to expire 12-31-14; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Jeffrey Lawlor of 12 Reverend Taylor Drive; term to expire 12-31-14; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

#### RECREATION COMMISSION

Alderman Jeanette MOVED to reappoint Alfonso Smith of One Hunter's Lane; term to expire 12-31-11; SECONDED by Alderman Pietrangelo. A voice vote was taken and the MOTION PASSED 10 Yes, 1 No (Kolakowski).

Alderman Jeanette MOVED to reappoint Steven M. Kichar, Jr. of 85 High Street; term to expire 12-31-11; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Duffus MOVED to reappoint Thomas E. Lynch of 15 Colony Street; term to expire 12-31-10; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Kolakowski MOVED to appoint Paul Mengold of 15 Hawley Drive (Darling replacement); term to Expire 12-31-11; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Jamie M. Puro of 12 Hull Street; term to expire 12-31-11; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to reappoint Lynda C. Williams of 2 Dogwood Drive; term to expire 12-31-10; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

#### RETIREMENT BOARD

Alderman Nihill MOVED to reappoint Madeline H. Bottone of 31 Webster Drive; term to expire 12-31-11; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Sharkey MOVED to reappoint Jeremiah Kennedy of 12 Jason Wright Drive (BOAT representative); term to Expire 12-31-11; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Nihill MOVED to reappoint Ronald Greski of 45 Morningside Drive; term to Expire 12-31-11; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Bender MOVED to appoint Robert Duffus of 349 North Main Street (BOA representative); term to Expire 12-31-11; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Kolakowski MOVED to reappoint Pasquale Pietrangelo of 88 Jackson Street (BOA representative); Term to expire 12-31-11; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Kolakowski MOVED to reappoint Lawrence S. Commune of 9 Dempsey Court (BOAT representative); term to Expire 12-31-11; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 11-0.

#### WATER POLLUTION CONTROL AUTHORITY

Alderman Sharkey MOVED to reappoint Henry Boladz of 16 Sobin Drive; term to expire 01-31-12; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 11-0.

Alderman Jeanette MOVED to reappoint Carl LaRovera of 229 Prospect Street; term to expire 01-31-12; SECONDED by Alderman Kolakowski. A voice vote was taken and the MOTION PASSED 11-0.

[Alderman Kolakowski left the meeting at this point, 10 present, 4 absent.]

**Resolutions**

**Resolution #1**

Re: Supplemental Regional Bonus Pool Block Grant Program

R E S O L U T I O N

All Aldermen of All Wards introduced the following Resolution:

WHEREAS, the federal Department of Energy is soliciting competitive grant proposals under the American Recovery and Reinvestment Act of 2009 for its Energy Efficiency Community Block Grant Program (EECBG); and

WHEREAS, the State of Connecticut Office of Policy and Management is conducting the Supplemental Regional Bonus Pool Block Grant Program under EECBG, and

WHEREAS, the Valley Council of Governments has elected to submit a regional competitive grant proposal on behalf of its member communities; and

WHEREAS, The City of Ansonia desires to affirm its commitment to this effort,

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Ansonia hereby authorizes James T. Della Volpe as the Chief Elected Official to execute any and all applications, documents and contracts for Supplemental Regional Bonus Pool Block Grant Program funds through the American Recovery and Reinvestment Act of 2009 as administered by the Connecticut Office of Policy and Management.

1. That it is cognizant of the conditions and prerequisites for the State Assistance imposed by CGS-Sec 4.66c.

Alderman Nihill MOVED to adopt Resolution #1; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 10-0.

**Resolution #2**

Re: Beaver Street and Ford Street Improvements

R E S O L U T I O N

All Aldermen of All Wards introduced the following Resolution:

**State Project No. 02-126  
Federal-Aid Project No. 1002(105)**

WHEREAS, that the Honorable James T. Della Volpe, Mayor, is hereby authorized to sign agreements on behalf of the City of Ansonia;

NOW, THEREFORE, BE IT RESOLVED that the Honorable James T. Della Volpe, Mayor, is hereby authorized to sign the agreement entitled:

"Agreement Between the State of Connecticut and the City of Ansonia For the Construction, Inspection and Maintenance of Beaver Street and Ford Street Improvements Utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009"

Alderman Sharkey MOVED to adopt Resolution #2; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 10-0.

### ***Late Resolution***

Late Resolution #1

Re:

Alderman Nihill

MOVED to adopt Late Resolution #1; SECONDED by Alderman Bender

A voice vote was taken and the MOTION PASSED 10-0.

### RESOLUTION

Aldermen Stephen Blume, Gene Sharkey and Joseph Jeanette of the Seventh, Sixth and Third Wards, respectively, introduced the following Resolution:

Whereas, the City of Ansonia is paying fire service rates to the South Central Regional Water Authority for protection of the people of the community that are significantly higher than other communities are paying in the Authority's service area; and

Whereas, it is believed that this situation was caused by the behavior and efforts of the leaders and directors of the former Birmingham Utilities Company (formerly the Ansonia-Derby Water Company) as it sought to acquire water companies in other parts of the state in order to increase its asset base in contemplation of the sale of the company; and

Whereas, the sale of the Birmingham Utilities Company to South Central created a severe disadvantage for the people and the volunteer Fire Department of Ansonia while creating financial windfalls for persons with close connections to Birmingham; and

Whereas, the people of the City of Ansonia deserve to know all of the facts concerning the details of why the sale of Birmingham to South Central caused a severe financial disadvantage to the people and Fire Department of Ansonia;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen of the City of Ansonia hereby requests Attorney General Richard Blumenthal and Consumer Counsel Mary Healey undertake formal investigations of the transaction between Birmingham and South Central as it relates to the exorbitant fire service rates being paid by the people of Ansonia.

A voice vote was taken and the MOTION PASSED 10-0.

### ***Unfinished Business***

None presented.

### ***New Business***

None presented.

### ***Executive Session***

At approximately 7:40 p.m., Alderman Sharkey MOVED to enter Executive Session to discuss the following items:

1. 64-78 Pulaski Highway
2. White Hills Homes, Inc. v. City of Ansonia
3. 17-19 Sixth Street Forbearance Agreement

And further, invited Mayor Della Volpe and Corporation Counsel Kevin Blake to remain in the Aldermanic Chambers; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 10-0.

### ***Return to Regular Session***

At approximately 7:57 p.m., Alderman Sharkey MOVED to return to regular session; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 10-0.

### ***Items from Executive Session***

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64-78 Pulaski Highway

Alderman Sharkey MOVED to TABLE; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

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2. White Hills Homes v. City of Ansonia

No action.

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17-19 Sixth Street Forbearance Agreement

Alderman Duffus moved to have the property owner go back to the title search company first to research the liens; SECONDED by Alderman Nihill.

Mr. Markette explained, the title search was done. When I bought the property it was very clear that there was a lead lien on it. The title search came back that there was a lien that was recorded. That was by us learned to be the lead lien. It turned out to be the blight lien also. So I'm not saying the blight lien was never recorded, it just wasn't picked up by anybody. The title company had it on there, but it wasn't clear that it was the blight lien.

Alderman Marini stated, what we're wondering is, these was a title company that was hired to do a search, correct?

Mr. Markette stated yes, but I don't have title insurance on that.

President Blume stated, oh, that's what we're asking.

Mr. Markette stated, I don't have title insurance. I'm an investor [inaudible]. I want to make it work; I want to make it a nice house on that street. [Inaudible].

Alderman Marini stated, I guess our question, or one thought we had was, we realize we did broach the question that you hired a company, and we thought that you had title insurance. This seems like you did it yourself. [Inaudible].

We're talking about a lead inspector who walked around with a little tester and probed the ground. I'm still dealing with that. I feel like I've been through the mill with this house. I'm running out of steam. Please, please accept my proposal. [Inaudible] please. I hired a title searcher, but he was just a title searcher. He put down that there was a lien on it, and I thought it was the lead lien. There is no title insurance. And I can't go back to any prior owner who was responsible for the damage because it was a foreclosure and that cuts off everybody. I want to make it into a nice place and enhance the neighborhood.

President Blume stated, we have a motion and a second to have Mr. Markette to back to the title company, but there is no title company.

Alderman Nihill stated, knowing this I will have to WITHDRAW my SECOND to the motion.

Alderman Duffus refused to withdraw the motion.

Alderman Duffus stated, the title searcher did find the blight lien and all the liens on the property. [Inaudible]. When you buy a house you hire an attorney and you go through the proper channels. You missed \$50,000 and now you come to us and you want us to take \$40,000 off of it?

Mr. Markette stated, I'm not a real estate lawyer. I represent indigent people in criminal actions. I buy properties because I like to invest money.

Alderman Duffus stated, you are an investor, and thank you for coming to Ansonia to do such. But it's hard in these economic times for us to simply just wash off \$40,000 because you, yourself made an error. [Multiple conversations going on at once - Inaudible].

Alderman Marini stated, the practicality is, the ball was dropped, there wasn't insurance in place. I think when the rubber meets the road, we have a compromise on the table. I think taking a look at situations, blight liens in general, it might be in the City's best interest to accept what's on the table.

Alderman Bender asked, it is in your plans to keep the property or are you just going to flip it?

Mr. Markette stated, I own several properties. My intent is to keep properties forever.

Alderman Bender stated, forever. Okay. I just don't want to see this given to you and you just flip it.

Mr. Markette stated, I absolutely will not do that. I will commit to owning that property for two years.

Alderman Sharkey asked, is there some way to have Mr. Markette commit on paper that he will hold onto the property for a certain amount of time? Once before we gave away a property for \$1 and the guy fixed the house and sold it immediately. We ended up looking stupid.

Mr. Markette agreed to commit to keep the property for a minimum of three years from when the C.O. is issued, on paper, and he will have to submit an affidavit to Corporation Counsel Blake.

Alderman Duffus refused to withdraw his motion. Being no second, President Blume declared the motion dead.

Corporation Counsel Blake stated, you have to make the payment in one payment, by the end of January.

Alderman Jeanette MOVED to accept Mr. Markette's offer with the stipulation that he will own the property for three years from the date of certificate of occupancy; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 9 Yes, 1 No (Duffus).

***Adjournment***

Alderman Nihill MOVED to adjourn; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

The meeting adjourned at approximately 8:10 p.m.

Respectfully submitted,

Patricia M. Bruder, Secretary  
Ansonia Board of Aldermen