



# CITY OF ANSONIA BOARD OF ALDERMEN

## *Regular Meeting – April 13, 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.

### *Moment of Silence*

A moment of silence was observed due to the passing of Fred G. Kolakowski, Sr., brother of Alderman Tara Kolakowski.

### *Roll Call*

The secretary called the roll:

Edward Adamowski, D1- present	Jerome Fainer, D4 - present
Robert Duffus, D1 - present (7:20)	Spero Jordanides, D5 - absent
Jason Bender, D2 - present	Pasquale Pietrangelo, D5 - absent
James Fainer, D2 -absent	Scott Nihill, D6 - present
Joseph Jeanette, D3- present	Gene Sharkey, D6 - present
John Marini, R3- present	Tara Kolakowski, D7- absent
Robert Beall, D4 - present	Stephen Blume, D7 - present

President Blume declared a quorum of 9 present, 5 absent.

### *Consideration of Previous Minutes*

Alderman Sharkey MOVED to accept the minutes of the Regular Meeting of March 9, 2010 if found to be correct; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 9-0.

### *Public Session*

Joan Radin, 198 Wakelee Avenue

On Good Friday, a great number of people in this town received that letter that I just passed around to you which talks about a lien on property. It doesn't have the name of the person; it doesn't have the amount they owe. It's from an attorney's office and it says "a lien will be placed on the property," they have to pay, they have a \$200 additional fee, a delinquent fee. The letter itself is very confusing. The reason I know about it, I didn't get one but one of my

customers called me and was very upset. First of all it was Good Friday. Secondly, everything was closed; the attorney's office, and City Hall. She didn't know what it was for. It says Water Pollution Control. She didn't know that she hadn't paid the bill; she didn't remember. I understand that we're supposed to know about our bills. Okay, this is one bill we get and possibly got put aside. She didn't get any reminder. We're not supposed to send reminders, but it might be a nice idea. It was Easter weekend. Most people are celebrating the holiday, whatever it is; Good Friday is a holy day for a lot of people. Her whole weekend was ruined and I'm sure a lot of other people that received this also. I know of three people that received it. The second person that received it told me that last year he paid \$900. I said gee, that's the amount that's on that letter, if you add up all those figures. So, we don't really know what he paid, but I'm going to ask him to check his bill. The other one I heard about was, it happened to be a customer of mine also, was a man who has problems. He is a very emotional person. He made eight phone calls to Mr. Androski's office trying to get someone to ask about it because he was a nervous wreck. He finally, on his eighth phone call, got a phone number he was supposed to call. When he called, it said there were too many messages on it and it couldn't take another one. He went down to City Hall on Monday; he owed \$300. He spent his whole Easter weekend very upset and practically - I mean the man is a good candidate for a nervous breakdown. I think it would have been a courtesy, instead of intimidating people the way this letter does, if the girls in the office down at the Water Pollution Control Authority send out a reminder before the thing is due. I know a lot of us are supposed to be right on top of things but we're not. I think it's very unfair to these people. I know if I didn't have my business and I wasn't working all the time and I got this letter at my house I would be very upset. And especially since it was Good Friday weekend.

The other thing I found out, and I would like you people to look into it, Mr. Androski is receiving benefits from the City in lieu of legal fees. I'm not sure if he's a consultant, the attorney for the Water Pollution Control Authority, I don't believe he's a City employee and I would like to find out why he is able to pay into the City insurance, not being an employee. I'm not an employee either. I do fill prescriptions and get a co-pay. In lieu of the co-pay I'd be happy to be on their insurance. I really would like that looked into. I think that next time, instead of sending out a letter like this to really intimidate and scare people, that we spend the .44 on a postcard as a reminder. I'm not sure how much it cost Mr. Androski to send out all these letters. I have to tell you also they had a meeting Wednesday, which I couldn't get to. They were very happy that 60 people came down and paid their bill. I'm sure those 60 people were very upset that whole weekend. As a courtesy I think it would be nice if we had the girls send out reminders. Thank you.

Eileen Krugel

This coming Saturday we have a City-wide cleanup that Acting Mayor Blume is posting. I just want to remind everybody that it's rain or shine, and we're meeting in Veteran's Park next to City Hall at 9 a.m.

Alderman Jeanette asked, what if it's pouring rain?

President Blume stated, if it's pouring rain, it will be canceled and rescheduled.

Ms. Krugel continued, the other thing I want to mention is, I have a communication in for a bid waiver request on the Fire Marshal's grant that he received. If you have any questions when you get to that point I'm here, you can ask me if you need to. I think it's pretty self-explanatory. Thank you.

Ann Smith, 18 Upland Terrace  
Friends of the Ansonia Nature Center

You have a Late Communication I want to call your attention to. This is a letter from Rich Wade, our president.

*To the honorable Board of Aldermen, this letter accompanies the report of a study conducted by Ken Finch, president of Green Hearts. It is a feasibility study of a nature-based preschool program at the Red Wing Pond House building at the Ansonia Nature and Recreation Center. This anxiously-awaited report was received on Friday night, April 10<sup>th</sup>, and was printed yesterday for our review. We are expecting phase 2, the business plan, as promised, this week or next week and will provide it to you. Again, we are respectfully requesting to meet with the Board and schedule your visit at the Red Wing Pond House. Of course, you are cordially invited to attend the open tour scheduled on Saturday, April 24, our Earth Day celebration, in the morning or afternoon.*

I hope you have time to read this, and the business plan will be coming shortly and help us to further our nature-based preschool program. Thank you.

Randolph Carroll, 40 Fourth Street

I understand that you're going to be cleaning parks. I hope you put Gatison Park on the list. It's pretty deplorable, especially down in back of the Community Center. Even the lady in charge of the Community Center has been raking, and it's a mess. Also, a couple of our condominium members are going to the Police Commission. I just want to make you aware that there are drug dealers back big time. A woman in my condo was picking up her 3<sup>rd</sup> grade daughter at the bus stop at the corner of Fourth Street and was asked if she wanted to buy acid. In the last couple of days now that it's getting good weather, there are a bunch of gentlemen on Fourth Street where we close the gate, you know where I'm talking about with the fire - that every day they're out there around 4 o'clock drinking on the sidewalk, being loud, and our problem is that they're throwing their empty booze bottles on our property. We are going to the Police Commissioners' meeting but I thought you would want to know what is happening in that neighborhood. Thank you.

Judy Nicolari, 167 Pulaski Highway

In coming here tonight, I learned that we are going to be discussing, but it's in Executive Session, the land on Pulaski Highway. I did just learn that we will be paying the first \$500,000 of the \$2 million purchase out of our reserve fund.

President Blume stated, no. We can't touch the reserve. Will affect our bond rating.

Ms. Nicolari continued, a couple of people were at the Board of Apportionment and Taxation meeting last night. Okay. I don't know why I heard it that way. Is this something that would go to referendum for the people of Ansonia to vote on?

President Blume replied, no, this doesn't have to.

Ms. Nicolari stated, it seems like whenever we're going to make a major purchase it seems to go to referendum and the people have a choice in this. I'm curious as to where the funds are going to come from.

President Blume stated, it probably won't happen. Things are very tight. We're just talking about it. I wish we had the money.

Director Donna Lindgren, Ansonia Nature and Recreation Center

I've just become aware that the annual Naugatuck River Kayak and Canoe Race is coming up, and I'm just wondering if anybody's up for that this year? I think it's the 8<sup>th</sup>, the day before Mother's Day.

Alderman Nihill stated, okay, I'll be up for it.

Ms. Lindgren stated, they're looking for people to represent the cities along the river. I'll probably do it again. 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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Acting Mayor Stephen Blume

The City of Ansonia Transfer Station's hours will be extended this coming Saturday, April 17<sup>th</sup>, from 8 to 3, as part of the 2<sup>nd</sup> Annual City-Wide Clean Up to commemorate Earth Day. If anyone has any questions, they can call Beth Lynch, Eileen Krugel or Mike Marganski.

WPCA - we have a public hearing at 6:45 p.m. May 5<sup>th</sup> here before the regular meeting on the rates for the new Sewage Treatment Plant.

Also, WPCA advertised for a superintendent of their Waste Pollution Control Facility with a Class 4 license. That is something that is needed to run this. The plant is 80 percent completed so it's time we start looking for somebody to manage it. That's been posted.

Tonight we'll be voting on six or seven new members to the Economic Development Commission. Alderman Marini will discuss this during Committee Reports. He was very active in this and we're on our way to rebuilding the Economic Development Commission.

Lisa Lowe & Associates has been chosen as consultants for our 2010 Small Cities Grant Application. We've gone several years without the Small Cities Grant. As you remember, we had to pay the State back the \$600,000 - which we did. Now we have the Small Cities again. She is a PhD and her company will represent the City.

The chicken coops are gone and the clean up is underway. I'm having gates put up there. There is still some trouble with the wetlands. They seem to be encroaching on the wetlands in that area. I'm having our engineer go up and flag the wetlands. Mike Schryver is going to install and put the gates back up that were up. We're going to try to set some new by-laws, new rules and regulations for this piece of land. It got a little bit out of hand.

The ATP and the Palmer building. We're waiting for the asphalt plants to open. We should be underway in May, hopefully done with this by June - we have to remove the contamination there. DEP will do a final signoff and hopefully we can continue with sale of the building. The contamination of the land held us up. It took a long time to get this resolved - I had to go to the Council of Governments twice - we had to get some extra money from them, which they gave us, and it looks like by June 1<sup>st</sup> this will be a go and we can sell this building.

The boot finder program for delinquent car taxes is being studied. Mr. Miller is handling that. We've met 4-5 times. There's a lot to do and we are going through this. There are an awful lot of delinquent car taxes owed. We'll report back to you when we have something final.

Alderman Sharkey MOVED to accept the report; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 9-0.

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Corporation Counsel Blake

We've received a lawsuit by the family of Jeanne Shuster who have property next to the industrial park. They've filed suit claiming the City took their land in terms of that access road. It just got filed, the return date is May 4<sup>th</sup>. I've sent it to the insurance carrier.

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There is also with respect to Ms. Nicolari, a few weeks ago, regarding small claims and [inaudible] Amusements who didn't pay at the Heritage Festival. We got a favorable [inaudible] and I'm now going to have to chase them down and find out if they're still in existence and probably put an attachment on one of their rides. I'll be doing that.

I'll be going to court with the property on Bartholomew. They had a couple of weeks to clean up or they will be fined by the judge. In that matter I went by the other day and it was considerably cleaner, but it still is not 100 percent. It is better than it was before.

Status on Peter Lovermi filed an injunction against the Police Department for not going forward with a sergeant's examination. Due to a conflict in my office I have forwarded it out to a labor counsel in Bridgeport. On Monday, May 3<sup>rd</sup> the judge will hear a motion to dismiss by the City. Depending on that decision, if the judge does not grant the motion to dismiss the trial will start.

There are several matters to discuss in Executive Session.

[Alderman Duffus arrived at this point - 7:20 p.m.]

President Blume thanked Corporation Counsel Blake.

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

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Lieutenant Wayne Williams, Ansonia Police Department

Chief Hale was unable to attend tonight.

The annual Awards Ceremony for us will be held on May 11<sup>th</sup>. Judge Flynn will be the speaker. He is from the Valley, he is the current Chief of the Appellate Court for the State of Connecticut.

We are starting to make preparations for the Memorial Day Parade. The route has changed due to the bridge closure on Maple Street. We're working on that now.

We are continuing a Radar Enforcement Grant that was granted to the Police Department. The officers have been out in select areas of town, and we'll actually have some patrols out tonight doing it.

The North End issues that were spoken about in the public session - we've already begun staffing extra patrols there and changing some patrol routes to get extra people in that neighborhood. This is the time of year it starts picking up there. Usually we address it in the early part of the spring.

Before you tonight is a communication for the destruction of a vehicle that is no longer useable.

Alderman Jerome Fainer asked, the light at Pershing and Clifton, is that ours or is it a State light?

Lieutenant Williams replied, I believe it's a State light. I know they've been working over there and having issues. What is the problem with it?

Alderman Fainer replied, it's flashing red all four ways. It can be a disaster down there with people trying to come out of Clifton Avenue and go left - forget it.

Lieutenant Williams stated, I will check into it and get back to you.

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

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Joseph Miller - Comptroller

You have my report in front of you.

On the Boot program - we're still working out the procedures.

We are looking into a procedure where taxpayers of the City of Ansonia will be able to pay their taxes through Internet with a small service fee that will go to the bank, not to the City. They can pay as many taxes that they owe - cars, real estate, personal property - all through the Internet. I'll follow up with details in the coming month or two. There will be a flyer going out with the tax bill that they will be able to do this.

President Blume thanked Mr. Miller.

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Randolph Carroll

You have a communication for a grant that we received for \$2,000 - the same grant that you approved [inaudible] new contractor came in \$200 under what Seccombe's was for the \$2,000 grant. I've raised the \$8,200 to restore Phase I of the fountain. So I don't lose this grant I need you guys to approve it so I can get a check cut and work can get started. The Friends are doing the other amount of it. I need this money so I don't lose the grant.

Also, I'm on the Conservation Commission and if you're going to purchase open space on Pulaski Highway, as a member, I'm all for it.

President Blume stated, as always you've done an excellent job on this. You always come through raising the money and you're doing a great job for the City.

### ***Committee Reports***

#### **Finance Committee - Alderman Gene Sharkey**

Alderman Sharkey MOVED to pay all bills if found to be correct; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 10-0

#### **Economic Development Commission - Alderman John Marini**

As many of you know, our Economic Development Commission has been inactive far too long. In fact, it has been over one year since the Commission has had enough active members to constitute a quorum. Since my appointment as Aldermanic Chair of the Commission by Mayor Della Volpe it has been my goal to find a fresh slate of individuals to fill the vacancies and to get the Commission back up and running with monthly meetings. This past March I took a big step toward that goal working with the Commission's Chairman James Prestiano and Executive Director Claude Perry to hold an Economic Development workshop - an unofficial meeting to discuss the future of the Commission. At that workshop, both remaining Commission members and members of the public showed up to express their enthusiasm about bringing the Commission back to life and about seeing it take an active role in all of the City's efforts to bring business back to Ansonia. I'm extremely happy to see the list of names proposed for appointment by our Acting Mayor which are pending before us tonight. Once the Board's vacancies are filled, the Commission will be able to conduct its first official meeting in over a year and get back to work for the City of Ansonia.

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

#### **Alderman Jerome Fainer - Ansonia Rescue and Medical Services Committee**

For the month of March we had 243 calls, we did 150 transports, missed no first calls, and we collected \$72,870.28.

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

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

***Tax Refunds***

Alderman Nihill MOVED to accept the report of the Tax Collector and pay the Tax Refunds for March 2010 in the amount of \$4,564.80 if found to be correct; SECONDED by Alderman Marini.

Alderman Sharkey stated, this first item which is \$1,330.66 is also covered under Communication #3 for Executive Session. If we approve it here we can just dispense with Communication #3.

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

***Claims***

03-10-759 Jane S. Hulbert  
03-10-760 Nancy Rich  
03-10-761 Jeanne F. Shuster

Alderman Bender MOVED to refer the claims to Corporation Counsel Blake and the Claims Committee; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

***Communications and Late Communication***

Alderman Nihill MOVED to accept all of the communications, and one late communication, 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 Adamowski. A voice vote was taken and the MOTION PASSED 10-0.

***Public Session on Late Communication***

President Blume asked three times if any member of the public wished to speak on Late Communication #1 from Friends of the Ansonia Nature Center regarding a nature-based preschool program at Redwing Pond House. Being none, he declared the public session closed.

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***Communication #1***

From: Corporation Counsel Kevin Blake  
Re: Ansonia Library Monument

Alderman Nihill stated, Mr. Carroll did a good job with the grant to help pay for this and raising funds to restore the beautiful monument there.

Alderman Nihill MOVED to enter into an agreement for services with John H. Cavaliere dba Lyric Hall Antiques and authorize the Mayor to sign any and all

documents to effectuate same; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

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Communication #2

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

To be discussed in Executive Session.

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Communication #3

From: Corporation Counsel Kevin Blake  
Re: Peter Stamos v. City of Ansonia

See Tax Refund Report.

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Communication #4

From: Eileen Krugel  
Re: Bid Waiver Request for Fire Extinguisher Training System

Alderman Fainer MOVED to waive the bid; SECONDED by Alderman Nihill.

Alderman Sharkey noted that the reason for the bid waiver is because BullEx Digital Safety is the sole source provider.

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

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Communication #5

From: Vice-Chairman Steve Kichar, Recreation Commission  
Re: Bid Waiver for Reconditioning and Purchase of Football Equipment

Alderman Nihill MOVED, per the recommendation of the Recreation Commission, to waive the bid and award the reconditioning and purchase of football equipment to Stadium Systems; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 10-0.

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Communication #6

From: Chief of Police Kevin Hale  
Re: Approval to Scrap Old Patrol Cruiser

Alderman Nihill MOVED to approve Chief Hale's request to dispose of the vehicle and donate the 2003 Ford Crown Victoria VIN 2FAHP71W03X215206 to

the Fire Service for training purposes and then scrap it; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 10-0.

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Communication #7

From: Corporation Counsel Kevin Blake  
Re: Lease Agreement - Fitzpatrick's Inc. and City of Ansonia

To be discussed in Executive Session.

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Communication #8

From: Corporation Counsel Kevin Blake  
Re: Ronald Degregoria - Worker's Compensation Claim

To be discussed in Executive Session.

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Communication #9

From: Chief Building Official Nicholas Behun  
Re: Refund of Fees

Alderman Sharkey stated, I'd like to have us look into this. We don't want to set a precedent. We have a builder, Marconi Construction, that didn't go forward with his plan and he's asked for his entire fee of \$3,222 to be refunded. I can't remember in 21 years on Planning and Zoning that we ever refunded anybody's money if they didn't go forward with their plan. We did if their plan was turned down, we refunded excepting the administrative fees, paper fees and consultant fees, but he just decided not to go forward with it. We should look into it.

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

***[NOTE: the following discussion and action took place after the Executive Session]:***

***Reconsideration of Communication #9***

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Communication #9

From: Chief Building Official Nicholas Behun  
Re: Refund of Fees

Alderman Fainer MOVED to rescind their previous motion and bring Communication #9 back from the table; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey stated, in this communication, Marconi Construction is not looking for a refund of fees from Planning and Zoning, but he's looking for his permit fees that he gave to the Building Inspector. Mr. Behun contacted the State Building Inspector's Office and found out that there is a statute that provides for the refund of these fees. He's looking for a refund of \$3,222, minus the Plan Review for a Two-Family Dwelling which is \$200, and minus the Administrative Fees of \$50. So we will be refunding \$2,972.

Alderman Beall MOVED to refund the amount of \$2,972 to Marconi Construction; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 9 Yes, 1 No (Nihill).

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#### Late Communication #1

From: Friends of the Ansonia Nature Center, Inc.

Re: Request for Workshop re: Nature Based Preschool Program at Redwing Pond House

President Blume read aloud the communication (as was read during the public session). He stated, we've discussed this in the past and we've asked them to get us both of those reports. One is in and they're waiting for the second one. It was late today and I okayed it to go on tonight's agenda. It was placed in the mailboxes late. It accompanies an explanation and I urge everyone to get it and go through it.

Alderman Fainer MOVED to accept the communication. SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Nihill stated, I would like to try to schedule a date and go look at what they're proposing so they can get moving on it. I would like to see what it's all about. We should get together with them as a Board and with their Board and make a solid date and move forward.

In consulting their calendars, the Aldermen agreed to meet with the Ansonia Nature Center Staff **at 9 a.m. Saturday, May 15<sup>th</sup> at the Red Wing Pond House.**

#### ***Resignations***

Alderman Nihill MOVED to accept, with regret, the resignation of Florence Camilleri from the Cultural Commission, and to send her a letter of thanks for her service to the City; SECONDED by Alderman Fainer. A voice vote was taken and the MOTION PASSED 10-0.

#### ***Appointments***

Town and City Clerk Madeline Bottone read aloud each of the appointments outlined in a letter from Acting Mayor Stephen Blume dated April 8, 2010, as follows:

COMMUNITY DEVELOPMENT FORUM

Alderman Fainer MOVED to reappoint Julius Douglas of 66 Hull Street, term to expire 2-28-2011; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey MOVED to reappoint Tracy Edwards of 5 Holbrook Place, term to expire 2-28-2011; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Nihill MOVED to reappoint Carmen Pitney, Sr. of 159 Pulaski Highway, term to expire 2-28-2011; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

FAIR HOUSING COMMITTEE

Alderman Adamowski MOVED to reappoint Hugh Edwards of 5 Holbrook Place, term to expire 2-28-2011; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey MOVED to reappoint Jeremiah Kennedy of 12 Jason Wright Drive, term to expire 2-28-2011; SECONDED by Alderman Fainer. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey MOVED to reappoint Julia Maher of 24 Park Place, term to expire 2-28-2011; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Jeanette MOVED to reappoint Judy Nicolari of 167 Pulaski Highway, term to expire 2-28-2011; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Fainer MOVED to reappoint Diane Stroman of 66 High Street, term to expire 2-28-2011; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 10-0.

ECONOMIC DEVELOPMENT COMMISSION

Alderman Marini MOVED to reappoint Tracy Edwards of 5 Holbrook Place, term to expire 2-28-2015; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Marini MOVED to appoint Sandro Epifano of 26 Clarkson Street, term to expire 2-28-2011; SECONDED by Alderman Fainer. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Beall MOVED to appoint William G. Gallant of 5 Schumacher Drive; term to expire 2-28-2012; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Fainer MOVED to appoint James A. Hooker of 3 William Street, term to expire 2-28-2013; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey MOVED to appoint William H. Luneski of 93 Jackson Street, term to expire 2-28-2014; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Marini MOVED to reappoint James Prestiano of 58 Morningside Drive, term to expire 2-28-2015; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

#### PLANNING AND ZONING COMMISSION

Alderman Sharkey MOVED to appoint James D. Martin of 144 Platt Street to fill a vacancy; term to expire 12-31-2013; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

#### ***Resolutions***

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##### Resolution #1

Re: Transfer Station

Alderman Sharkey MOVED to Adopt Resolution #1; SECONDED by Alderman Fainer. A voice vote was taken and the MOTION PASSED 9 Yes, 0 No, 1 Abstention (Duffus).

#### RESOLUTION

Alderman Edward Adamowski of the 1<sup>st</sup> Ward, Alderman James Fainer of the 2<sup>nd</sup> Ward, Aldermen Robert Beall and Jerome Fainer of the 4<sup>th</sup> Ward, and Alderman Stephen Blume of the 7<sup>th</sup> Ward introduced the following Resolution.

WHEREAS, the City of Ansonia suffered a fire at its shredder on August 24, 2008 which resulted in it becoming non-operational; and

WHEREAS, the City would like to replace the shredder and the incinerator with a new transfer station with the assistance of the insurance proceeds from the shredder fire; and

WHEREAS, the City of Ansonia would like to advertise seeking Request for Qualifications from a consulting engineering firm that would assist the City of Ansonia in the rehabilitation of the Solid Waste Transfer Station; and

WHEREAS, the Board of Aldermen Public Works Committee will review the submissions of the consulting engineering firms and provide recommendations to the full Board of Aldermen of the selection of the consulting engineering firm to proceed with the rehabilitation of the Solid Waste Transfer Station including but not limited to the demolition, as needed, of the existing structures and the construction of a new Solid Waste Transfer Station;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen hereby authorize the advertisement for Request for Qualifications for a consulting engineering firm to rehabilitate the Solid Waste Transfer Station, and that the Board of Aldermen Public Works Committee review the submissions with the assistance of the Public Works Director, and report to the full Board of Aldermen with recommendations so that the Board of Aldermen may hire the consulting engineering firm which will proceed to assist with the rehabilitation of the Solid Waste Transfer Station.

### ***Public Session on Late Resolution***

President Blume asked if any member of the public wished to speak on Late Resolution #1 regarding becoming a Contracting Community to the Inter-Community Agreement as part of the Bristol Resource Recovery Facility Operating Committee. Being none, he declared the public session closed.

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### **Resolution #2**

**RE: Inter-Community Agreement as a Contracting Community as part of the Bristol Resources Recovery Facility Operating Committee**

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

### RESOLUTION

**WHEREAS,** among other agreements, the Cities/Towns of Berlin, Branford, Bristol, Burlington, Hartland, New Britain, Plainville, Plymouth, Prospect, Seymour, Southington, Warren, Washington and Wolcott entered into an Amended and Restated Service Agreement dated June 1, 1985, as amended, with Ogden Martin Systems of Bristol, Inc. (currently known as Covanta Bristol, Inc.) (hereinafter, the "Service Agreement") relative to its rights and obligations with respect to a resource recovery facility now located in the City of Bristol, Connecticut and owned and operated by Covanta Bristol, Inc. (the "Facility");

- WHEREAS,** said Cities and Towns (collectively, the "Contracting Communities") entered into an Inter-Community Agreement dated August 1, 1985, as amended, (hereinafter, the "Inter-Community Agreement") relative to their respective and collective rights, duties and obligations pertaining to such Service Agreement, the Facility, and other certain agreements;
- WHEREAS,** pursuant to the Inter-Community Agreement, the Contracting Communities established the Resource Recovery Facility Operating Committee (currently known as the Bristol Resource Recovery Facility Operating Committee) (hereinafter, the "BRRFOC") consisting of representatives from each of the Contracting Communities and vested the BRRFOC with certain powers and authority to act by and on behalf of the Contracting Communities;
- WHEREAS,** the Inter-Community Agreement is scheduled to expire on August 1, 2020;
- WHEREAS,** the Service Agreement, however, is scheduled to expire on July 1, 2014;
- WHEREAS,** the BRRFOC, pursuant to its executive authority, and in recognition of the end of term of the Service Agreement, has commenced a review and analysis of rights and options afforded to the Contracting Communities and the BRRFOC under the Service Agreement.
- WHEREAS,** depending on the option or set of options identified and their economic implications to the BRRFOC and the Contracting Communities, an opportunity may exist for the City of Ansonia to enter into a long term Agreement with the BRRFOC or otherwise become a party to the Inter-Community Agreement;
- WHEREAS,** the City of Ansonia has, over the past years, entered into Agreements with the BRRFOC where acceptable waste generated within its boundaries was received at and disposed of at the Facility;
- WHEREAS,** The City of Ansonia has expressed interest in becoming a Contracting Community and would entertain participation in the option or set of options for disposal of its acceptable waste as a Contracting Community;
- WHEREAS,** BRRFOC is willing to consider the City of Ansonia as a Contracting Community and will evaluate a number of technical and economic parameters related to the City of Ansonia's participation;
- WHEREAS,** subject to FOIA, BRRFOC will keep the City of Ansonia informed as to activities that are being taken by it to evaluate and implement the option or set of options under consideration;

**NOW, BE IT RESOLVED** that the City of Ansonia hereby indicates its interest in becoming a party to the Inter-Community Agreement as a Contracting Community, or otherwise

to be considered as part of BRRFOC long term strategic planning for future disposal options.

### ***Unfinished Business***

President Blume stated, we had a bid a while ago for the permanent patching for street excavation. We held off on awarding it to the low bidder due to some concern about the work they'd done on a pipe break on Elm Street. I brought everybody in - the engineer and the inspector and the contractor and the lawyers. We had a meeting and it was determined it wasn't the contractor's fault. He did what he was told to do. We're lifting this. I'd like to bring this back on the table. You can discuss it. There were three bids. Birm1 was the low bidder. The other bidders were Teodosio and Pepe.

Alderman Sharkey stated, I know there was a question about what happened at the corner of Division Street [inaudible] and the WPCA then had to go out and hire another contractor to fix that. This is what they're talking about?

President Blume replied, yes.

Alderman Sharkey stated, one of our bidders here also had a contract with WPCA to raise every single manhole cover that was out there as part of our stopping the water infiltration into that sewage treatment plant. I know there were some problems with WPCA having to send this person back out to do practically every single manhole over again. Can we find out from WPCA if they recommend them? The recommendation that we got was from Public Works. Would WPCA recommend that we hire this person? I don't know. There were some real problems that were discussed at the WPCA meeting that he felt he did it right and they kept having to send him back out. It took a long time to correct it. I'd like to at least table it for a month and have WPCA respond - we ask them, would they recommend that person.

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

### ***New Business***

President Blume stated, the Police Honor Ceremony is on the 11<sup>th</sup>. That's the same night as our Board of Aldermen meeting. I know that most of the Aldermen attend this ceremony and would not want to miss it.

Alderman Nihill MOVED to change the starting time of the May 11, 2010 meeting of the Board of Aldermen to 5:30 p.m.; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 10-0.

***Executive Session***

At approximately 7:52 p.m., Alderman Nihill MOVED to enter into Executive Session on the following listed items, and invited Corporation Counsel Kevin Blake and Richard Sturges (regarding Pulaski Highway) to remain in the Aldermanic Chambers; SECONDED by Alderman Sharkey.

1. Communication #2 - 64-78 Pulaski Highway
2. Communication #7 - Lease Agreement - Fitzpatrick's Inc.
3. Communication #8 - Ronald Degregoria - Worker's Compensation

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

***Return to Regular Session***

At approximately 8:15 p.m., Alderman Sharkey MOVED to return to regular session; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 10-0.

***Action on Executive Session Items***

1. Communication #2 - 64-78 Pulaski Highway

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

2. Communication #7 - Lease Agreement - Fitzpatrick's Inc.

Alderman Nihill MOVED to authorize Corporation Counsel Blake to negotiate a Lease Agreement with Fitzpatrick's Inc. and authorize the Mayor to sign any necessary documents to effectuate same; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 10-0.

3. Communication #8 - Ronald Degregoria - Worker's Compensation

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

Alderman Sharkey - bring back Marconi Construction. Mr. Behun contacted State Building Inspector's office. Looking for permit fees he gave to Building Inspector. We do have to give him back his money. \$3,222 less \$200 plan review and admin fee \$50.

***Reconsideration of Communication***

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Communication #9  
From: Chief Building Official Nicholas Behun  
Re: Refund of Fees

Alderman Fainer MOVED to rescind their previous motion and bring Communication #9 back from the table; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 10-0.

Alderman Sharkey stated, in this communication, Marconi Construction is not looking for a refund of fees from Planning and Zoning, but he's looking for his permit fees that he gave to the Building Inspector. Mr. Behun contacted the State Building Inspector's Office and found out that there is a statute that provides for the refund of these fees. He's looking for a refund of \$3,222, minus the Plan Review for a Two-Family Dwelling which is \$200, and minus the Administrative Fees of \$50. So we will be refunding \$2,972.

Alderman Beall MOVED to refund the amount of \$2,972 to Marconi Construction; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 9 Yes, 1 No (Nihill).

### ***Adjournment***

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

The meeting adjourned at approximately 8:20 p.m.

Respectfully submitted,

Patricia M. Bruder, Secretary  
Ansonia Board of Aldermen