



# CITY OF ANSONIA BOARD OF ALDERMEN

## *Regular Meeting – October 11, 2011*

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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***

President Blume called for a Moment of Silence to be observed in memory of Joseph Turski, a former member of this Board of Aldermen, and for our good friend, Claude Perry, who was the Personnel Director, Fair Housing Director, and Economic Development Director for the City for many years.

### ***Roll Call***

The secretary called the roll:

Edward Adamowski, D1- present  
Robert Duffus, D1 - present  
Jason Bender, D2 - present  
Peter Danielczuk, D2 - present  
Joseph Jeanette, D3- present  
John Marini, R3- present  
Robert Beall, D4 - present (7:05)

Jerome Fainer, D4 - present  
Howard Madigosky, D5 - present  
Jay Fainer, D5 - present  
Scott Nihill, D6 - present  
Gene Sharkey, D6 - present  
David Knapp, D7- present  
Stephen Blume, D7 - present

President Blume declared a quorum of 13 present, 1 absent.

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

Alderman Jerome Fainer MOVED to accept the minutes of the Regular Meeting of September 13, 2011 if found to be correct; SECONDED by Alderman Knapp. A voice vote was taken and the MOTION PASSED 13-0.

### ***Public Session***

President Blume asked three times if any member of the public wished to address the Board.

Ken Plavnicky, 15 Mountainview

A couple things I'd like to say tonight. I'd like to say a very much thank you to Judy Nicolari and Mary Gibson who worked very hard and I helped them out in the last week or two putting the festival together with the amusement rides and stuff for the kids that we had to do, last minute things and it was hard to do but we did it. It was a nice day, turned out to be very nice and hopefully everybody had a good time there. I volunteered my time to get the rides there so I really had to do some hustling with my bosses. I worked to donate the rides that we had there. Secondly I'd just like to know what's going on with this former fire chief that was using the City building for a gun course. Is there any answer for any of that? I haven't heard nothing in the last couple weeks of what's going on.

President Blume stated, there's no information yet.

Mr. Plavnicky stated, I know the firearms are on the street, which is very dangerous, but that's a police matter. The City building though, what is going on with that? Does anybody know anything about that? Did the police, did the Fire Commissioners know what was going on there?

President Blume replied, nothing yet; we're waiting for Counsel to get back to us.

Mr. Plavnicky stated, the question is, did the Fire Commissioners know he was doing it there.

President Blume stated, again, we are waiting for Corporation Counsel, special counsel, to get back to us.

Mr. Plavnicky stated, okay. I'm kind of upset because the Mayor is, you know, our Chief Executive Officer, the Mayor of our town, he didn't know about it and, and uh, hopefully nobody else knew about it and have this house and, you know, doing what he did which was kind of bad in my eyes and a lot of other public's eyes.

President Blume stated, we're waiting.

Mr. Plavnicky continued, also, I was curious to see the signs up about stabilizing taxes. It was this Board approximately two years ago who wanted to go for the 8.4 percent raise in taxes and now they say they're stabilizing them. Stabilizing means keep the same. I formed ax the tax group as an independent with a democrat and with a republican and we kind of fought to keep the taxes low. Now I see signs going up on the democrat side saying that they wanted, that they're the ones who stabilized the taxes. You guys, the democrats, wanted to raise the taxes two years ago or so.

President Blume thanked Mr. Plavnicky.

Mr. Plavnicky asked, is there any answer for that?

President Blume stated, no reason to.

Mr. Plavnicky stated, no? Okay. Just want to keep it on record that when it happened and what I feel about and ... um... that'll be about it. Thank you.

Nelson Tchakirides, 138 Old Ansonia Road, Seymour

I am on the corner of Old Ansonia Road and Castle Lane - the abutting property to the proposed Castle Lane development. I have a number of concerns I'd like to make you aware of for the record.

My understanding is that the builder is going to have to expand, widen Castle Lane because it's going to be a cul-de-sac with no exit into Ansonia. All of the traffic is going to be Old Ansonia Road in Seymour. The narrowest part of the road by my property is 17.5 feet. My property on the north side slopes down to the road. So if they are going to put in and make it a two-lane road, and I believe the Americans with Disabilities Act requires at least one sidewalk; that will be close to 35 feet. I estimate you're going to have to take at least 12 to 15 feet of the bank of my property, and that's where my septic tank and leaching fields are. Now, my understanding is that sewers are not available but there is a connection to the sewer lines two properties down Castle Lane that were tied in several years ago when the road was improved. So if my leaching fields are destroyed, I'm wondering, is Ansonia going to connect me into the existing sewer system which is probably 400 feet from my property? Also, if they take that number of feet from my property, they're going to have to build a retaining wall. I estimate it's going to be probably 40 percent detrimental effect on the property value of my home. How will I be compensated for that?

Twenty-three houses are proposed over probably a 10-year period because the builder is only estimating he's going to do two to three houses a year. At that rate we're going to have heavy traffic, cement trucks and rock crushing operation going on for a number of years. And if the builder goes bankrupt, what do we do then? All the traffic is going to be on Old Ansonia Road which is now heavily traveled because it's a cut-through to Silvermine Industrial Park. If they put in these 23 houses and widen the road and take my property, they will probably have to put up a traffic light at that intersection, because it's a dangerous curve - right across from the ranch house there that the Gambino's own. The children currently going to Ansonia High School have to walk up the hill, over the hill past North Prospect Street Extension, down the hill to get the bus. So if you have 23 families living there now with children, you're going to have children walking the road, which is going to be very dangerous, especially come wintertime when they change the clocks and it's dark pretty early.

The other thing is that there is no guarantee that any of this will come to pass within a reasonable period of time. So the residents along the way, on North Prospect Street Extension, Gardner's Lane, we all have artesian wells and we're all worried about blasting interfering with all of the well systems. My main concern is loss of property value. Along the north side of my property, that's all screened with trees and they'd have to cut down all of those trees, build a retaining wall and probably some kind of a stockade fence. I am not looking forward to any of that ever happening. I am hoping the City of Ansonia would consider tying into Ansonia through the other exit - out of Castle Lane. If that is the case, the northern part of Castle Lane where I live could remain a single lane - it could be one way in either direction. The people coming out of Castle Lane are going to have to go either Maple Street into Seymour or down North Prospect Street into Ansonia. What happens when you have Fire and Police necessity up there too? They'll have to come all the way around through Seymour to get there.

The whole idea to us sounds bad and we can't believe it's going to happen. We've attended the Planning and Zoning meeting. They have another one coming up the 24<sup>th</sup>. I believe the law stipulates that they have 30 or 35 days from that point forward where they have to make a decision. So we are very concerned that this is going to go into effect. We in Seymour will suffer the consequences where Ansonia is going to derive all of the benefits - property taxes, whatever. One of the other things is, they are not going to tie into the water lines because the water company says they can't maintain pressure to the top of that hill. So everybody's going to have to have wells and they're going to have to have a minimum of 30,000 gallon holding tank to help the firemen fight fires if they ever get a fire down there. Also, the closest fire plug is North Prospect Street Extension, which will require according to a fireman, four pumpers to get the water down to the end of Castle Lane, which is anticipated they're going to extend by 1,440 feet.

So my concern is very real. I've lived at that property for 38 years. Six years ago my wife and I spent a considerable amount of money in remodeling the home and completely landscaping the yard. If this transpires, it's going to destroy my property. So I'm hoping Ansonia will see the light. If they do approve this at least have it go through Ansonia and not funnel everything through Seymour and let the Ansonia people reap the benefits if there are any. Thank you.

President Blume stated, I remember you from the Planning and Zoning meeting, from the public hearing. This is far from over. There's another meeting coming up. I attend all of them. We are watching it very carefully. There are a lot of concerns. Make sure you come to the next meeting also. Don't stop coming. We are watching it.

President Blume thanked Mr. Tchakirides.

Alderman Marini stated, Mr. President, I know you've been following the Castle Lane debate closely. In taking a look at that debate and listening in on some of

the hearings, it seems like there was an environmental study done in 1988 when there was a similar proposal rejected for Castle Lane. The study talked about all of the concerns from blasting, it talked to the water supply, and any other environmental or potential hazards that could be coming with the development. It seems to be prudent since so much time has gone by that another study be conducted to sort of assess the current state of how things are. It's a study that many of the residents that are concerned about it have been researching to see if they could get the State to come in and do it. I think it's something the City has to apply for. I think it may rest with Planning and Zoning to actually do that application. I think it might be a good idea for this Board to at least give a thumbs up towards that idea so that we're able to maybe get this study in motion and get the results of it before Planning and Zoning actually makes a decision. That way we'd have all the cards on the table, we'll know what we're getting into.

Mayor Della Volpe stated, to bring you up to date further, Planning and Zoning has brought me an application, I've signed off on it and it's been sent to the State. We're waiting to hear from the State.

President Blume stated, so it's done. Bart is pretty thorough. I've followed every development in the last 10 years, mostly against most of them. Bart does a really good job. As I said, the gentleman needs to appear at all of the meetings. We'll watch it. It had a lot of problems. I believe the first project was a through street. This has a cul-de-sac. We do have our eyes on it.

Edward Musante, 138-B Old Ansonia Road

In back of my house is Castle Lane. I have a couple of things here. Koskelowski did a survey in 2006 that Old Ansonia Road was not able to handle traffic and they were going to have a thing over at Penny Royal Lodge. They shut that down because Old Ansonia Road was not able to handle any more traffic then. Then I have a petition here on people signed against the wells to go in. Another thing, you're going to be needing more police cars if this goes through. You're short police cars. Mr. McGrath is going to have to get more police cars going up there and widen that road. Ladder 7 will in no way, no way, be able to make that left-hand turn. I showed the Chief that on day. That road is 22 feet wide in Seymour; down into Ansonia it's 36 wide. Thank you.

Michelle Palmer, Woodbridge Approach Homeowners Association

It's my first time here. I'd like to find out what is going on with the roundabout of our Association with two new homes being brought in. I am not only Secretary of the Association, I am filling in as Vice President.

President Blume stated, the original proposal was six homes. You know, that's full of rubber.

Ms. Palmer stated, it got knocked down. It went six to four to two.

President Blume stated, we fought that; ended up going to court over it. Kevin, do you want to explain what happened in court?

Corporation Counsel Blake stated, my understanding is, its two houses and they cannot build on the rubber.

Ms. Palmer stated, I understand that. There are two homes that are being built; one is being sold already before the ground was broken. It's a raised ranch, 2,200 square feet. We are one way in going in on Sobin, taking a right onto Hoinski, all the way down to the cul-de-sac. You've got Clifford going vertical. Monaco owned that property and then when Joe died, she sold it and then all of a sudden I was told that we have 88 homes in our subdivision, that all of us own 1/8. The ground is broken and they're building.

President Blume asked, what did you say about all of you own...

Ms. Palmer explained, we are 88 homes in our development, per our by-laws. Once Monaco sold the property, we are now going to have a road going from Hoinski into her field, which is going to be two driveways, two homes. One is already sold and one is being built. We are a development of 88 homes. Is this going to be part of our Association?

President Blume replied, I don't believe so.

Ms. Palmer asked, why not?

Corporation Counsel Blake stated, I do not have an answer.

President Blume stated, this has gone through Planning and Zoning, Inland Wetlands Commission... It's been to court and everything.

Ms. Palmer stated, I understand that, but we've been paying taxes on that easement. Yes.

Corporation Counsel Blake stated, I will find out for you.

Ms. Palmer stated, I spoke to Sharon today and I have all of our paperwork back to 1994, of whether it's \$200, I mean, it's S-1, S-2, S-4 then Lot 32 where they're going in. I'm representing; the President couldn't come here tonight. I'm representing our whole development.

President Blume stated, Kevin will find out.

Alderman Jerome Fainer asked, doesn't your association have by-laws? I don't think that's a City thing... You must have, you're saying 88, you own 1/88 of the whole thing, don't you have something in writing?

Ms. Palmer stated, we have by-laws.

President Blume stated, I don't think that is part of the Association - those two lots.

Ms. Palmer stated, it wasn't because of Monaco. Because Joe and Maureen were going to build there.

President Blume stated, it's not part of the subdivision, that land.

Ms. Palmer asked, so, are they going to pay back dues?

President Blume stated, I don't believe they're part of the Association. Kevin will find out - no one has ever asked. I don't believe they are. That was private land.

Ms. Palmer stated, yeah, Monaco owned it.

Corporation Counsel Blake stated, I don't know if those two lots were part of the original plan.

Ms. Palmer stated, it is.

Corporation Counsel Blake stated, It could be, I don't know. We'll find out and get back to you. I will get the information and find out whether those two pieces of property are part of your Association. I don't know.

Ms. Palmer stated, from what I understand, when Monaco sold it she gave the City of Ansonia the easement, which is the right of way off of Hoinski.

Corporation Counsel Blake stated for when they build on those two properties?

Ms. Palmer replied, correct.

Corporation Counsel Blake stated, I don't believe so because that was bought by, I think White Hills Homes bought that easement. They'll have to put a road in there.

Ms. Palmer asked, so what is going to happen if we paid taxes as 88 homes in our Association since 1994?

Corporation Counsel Blake stated, I don't know if those two are part of the Association; they may not be.

Ms. Palmer stated, my other concern is, Mead School, Prendergast, if there is an evacuation they're going to come up the easement into Hoinski. I was told that, like I said I'm on the Board, but I was told through the grapevine years ago that

we own it. If a child got hurt coming up that easement onto Hoinski from Mead, are we liable. But we don't own it, supposedly.

President Blume stated, it's all new to me. I don't think it's part of the Association either.

Ms. Palmer stated, when the plows come they plow...

Alderman Marini stated, liability is based on possession and control.

Ms. Palmer stated, thank you, because we own two retention ponds and if somebody hops the fence, gets hurt...

President Blume stated, the City has a right of way through that for an emergency exit.

Ms. Palmer stated, and that's why the sign is down. It's hip-high, two poles, a rope, "No Trespassing," "No Parking," no nothing.

President Blume stated, I saw two cars go through there, by the way.

Ms. Palmer stated, so do the cops.

Alderman Sharkey stated, I can see there is a lot of confusion as to what happened on that eight lots, four lots, two lots. I think the information you're bringing forth is very valuable and if Planning and Zoning had that information when they were hearing everything, I think they might have looked at it a little differently. I attended every single meeting and every public hearing. This is something I've never heard before.

Ms. Palmer stated, this is my first meeting.

Alderman Sharkey continued, I understand that. So if someone came forth and gave the Chairman or gave the Commission that information, we would have had an answer for it already. I'm sure Kevin will be able to take a look at this and find out - do they pay association dues? I don't know.

Ms. Palmer stated, they can't because they're not an existing...

President Blume interjected, I agree with you that I don't think they're part of it either. Let him find out.

Ms. Palmer stated, I've got 87 people coming, knocking on my door and whatnot.

Alderman Marini stated, maybe Kevin can research it and meet with the Association so they can convey to the Association what their research found, exactly what's going on. That way it clarifies everything for everybody.

President Blume stated, we'll find out, and we'll explain it.

Ms. Palmer stated, I would appreciate it. Thank you very much.

Steve Sentimentis, 97 Woodbridge Avenue Extension

Three years ago a builder bought a small house above me that was only three rooms altogether - a bathroom, a living room and a bedroom. This man was a builder. He bought the house for \$129,000 and he sold it for \$299,000. Him and his son took this house and enlarged it into three bedrooms, two full baths, and that house more than doubled in size. I'm there for 15 years. Since they did this, and I was there when they were building the house, and I was making jokes with the guys, the father and the son. I said, "you're doing a beautiful job." He did a beautiful home. He said to me, "this will help you." The drain pipe was going into those cast iron grilles like, into the ground. I said, "you're doing a beautiful job." He said, "this is going to help you." Well that's what ruined me, because when he put the pipe in, that pipe comes to a dead end. So all of that water from the roof goes into the pipe, backs up, and down the hill into my basement. I complained to the man, I made half a dozen complaints to the Mayor, to Kevin Blake and the inspector downstairs James Tanner. They all know my complaints. Here I have, from City Hall, a letter that they admit that something is wrong. (Mr. Sentimentis submitted the letter and photographs to President Blume). I also have a photo of the problem. (He explained the photographs to President Blume).

President Blume stated, you said you went to see Jim Tanner?

Mr. Sentimentis replied, all I can say is, the deck is oversized. He built it oversized only to make a quick sale. You see something you're getting a lot. All I'm saying is, the inspector who inspected the building should have asked, where is the drain pipe, where is the drywell?

President Blume stated, he didn't obtain any permits, this guy. He is out of compliance. He didn't obtain permits for the deck; he didn't obtain permits for anything, this guy. He just built this thing.

Mr. Sentimentis asked, isn't City Hall supposed to inspect the place?

President Blume stated, not if they don't have a permit.

Mr. Sentimentis asked, if he didn't obtain the permits...

President Blume interjected, then he has problems. Tanner is the new Zoning Enforcement Officer.

Mr. Sentimentis stated, I know that. I was dealing with Crabtree and I also met Kevin Blake. He knows the problem.

Corporation Counsel Blake stated, I've met with him several times and I've had Mr. Behun look at this, Mr. Crabtree, and Mr. Tanner. I don't have a full recollection of everything; I believe the owner of that did bring it into compliance. My understanding in speaking to the Zoning Enforcement Officer and to the Building Department, there is nothing that the City would be required to do - they comply with everything and it's a private matter between the property owners.

President Blume stated, Kevin, this says it remains occupied without the required certificate of zoning compliance.

Corporation Counsel Blake stated, I don't have the file in front of me and I haven't touched this file in over a year. They've come and they've done what they had to do in terms of getting the requirements.

[Several people talking at once - inaudible]

Alderman Marini (in mid-sentence) whether that instruction caused the damage and whether or not it was obtained correctly then or now. It's causing the damage; there's a serious problem.

Alderman Nihill MOVED to have the Zoning Enforcement Officer research this matter and report back to the Board of Aldermen in writing for next month's meeting; SECONDED by Alderman Marini. A voice vote was taken and the MOTION PASSED 13-0.

President Blume thanked Mr. Sentimentis and stated, let us get some answers. The next Board of Aldermen meeting will be held Tuesday, November 15<sup>th</sup>.

Charlie Stowe, 23 Granite Terrace

Mr. Mayor, Mr. Blume, may I know how are the union contracts going?

Mayor Della Volpe stated, the City Hall union will vote on their tentative agreement some time this week. Once we get the results, if favorable I'll bring it to the Board of Aldermen. If not favorable, we either go back to the table to renegotiate and/or go to arbitration.

In regard to the Police negotiations - we have sessions scheduled for next week; the two previous ones were canceled by the union due to the fact that the Chief was going to be unavailable one day and I was unavailable the next. We were willing to go forward but the union decided to postpone.

Mr. Stowe asked, do you have any interest in telling us what the City is proposing?

Mayor Della Volpe stated, when I bring it to the Board I certainly will.

Mr. Stowe stated, okay. So we have to wait on that. It's been six months since the budget was done so it's been six months this has been going on since the budget was passed. For the public's knowledge.

Mayor Della Volpe stated, well, for the public knowledge, you are running for Alderman in the 2<sup>nd</sup> Ward, right?

Mr. Stowe replied, yes, part of me does not have much interest in it either.

Alderman Marini asked, do we make a practice of interrupting residents when they come to the Board accusing them of hidden agendas? It's not right.

Mr. Stowe stated, I am here for the people and I mean that sincerely. I have no interest in running for this post. I don't like to be involved in politics or anything else but I've seen enough things happening to people in this town where it seems like, like the fellow that just left here because he came to me and I knocked on his door and he came to me with this what happened to him years ago. This isn't uncommon, when I'm going out I'm hearing a lot of this. It's like what's going on with Castle Lane subdivision.

On Rockwood Avenue, it used to be one-way. There's a house at the bottom of Rockwood Avenue that recently had a motor vehicle go into their yard. The woman told me that, again, I had been home minding my own business but I went down, I was knocking on doors talking to people on some of these beautiful weekends and the woman told me that I can't sleep at night and I'm worried that someone is going to drive into my house. We all know how steep that hill is. Someone mentioned to me today there was another spot in Ansonia and they put up some kind of a barricade fence to try to prevent.

President Blume stated, the bottom of Hill Street. It's those large buckets with sand in them.

Mr. Stowe continued, or maybe we could put that back to a one-way, I don't know. It's dangerous.

Over on Locke Street and Clark Street. There is a sewer that's backed up. Does anybody have knowledge of that? This should be on record. Does anybody have knowledge of that?

President Blume stated, that would go to the WPCA.

Mr. Stowe stated, I was there and these people told me, and want to remain nameless, that two years ago they called up Public Works and actually had their basement flooding with sewage. I know I would not tolerate that and I don't think anybody here would tolerate that either. They called up and got the runaround. Somebody needing to go to charm school, I don't know exactly who they talked to will remain nameless, but it took them quite a while to get

anybody to go up there. Finally they said call the water company, and the water company went up there and pulled the manhole cover off and the manhole was halfway full of sewage. If it wasn't for their trap in their basement they'd have got flooded. Now they've informed me that somebody finally came who knows what, and then you know it stopped for a while. Now they've been having it occur again. So I told the people I would bring it up at this board.

President Blume asked, what's the address?

Mr. Stowe stated, just, it's at the intersection there of Clark and Locke Street.

President Blume asked, which house? What's the house number?

Mr. Stowe stated, I, they'd prefer me not to tell you.

[Multiple people speaking - inaudible].

President Blume stated, we want to help. I'll bring it up to the WPCA Board. We'll find out what the problem is. We'll correct the problem. But you have to tell me where it is.

Mr. Stowe stated, well I just did. I'm going to tell them that they need to come down here. That's your answer.

President Blume stated, no, no. I need the address.

Mr. Stowe stated, okay. I understand, you can't really laugh at me. Really there's, in a sense there's a direction to my madness here it's going to go back to Castle Lane, okay? I also was told on Hodio Drive there's a detention basin there that's flooding over and it runs into the Ansonia Nature Center - it's made a ditch in the Ansonia Nature Center. Is that true?

President Blume stated, that was two years ago. That was corrected by the association.

Mr. Stowe stated, I understand they had to, that hiking trail was never damaged for years and now they have a temporary bridge across it.

Alderman Knapp stated, if I remember correctly, Charlie, when I was on the Inland Wetlands Commission, the overflow into the detention pond up there on Deerfield Road off of Hodio was a private individual encroachment. He took it upon himself to dump whatever he wanted to dump and backfill his property, to extend his property, and did the damage. I think it's still in court.

Mr. Stowe stated, so the City is trying to fix it.

Alderman Knapp stated, right. That was an individual.

Mr. Stowe continued, and then there's Dempsey Court - that's recent. There's been some flooding on Dempsey Court. Why I am bringing this up is because of Castle Lane development. I appreciate the fact that the town filled out the application, which I called this morning and talked to Jo-Lynn and I was very happy to hear you filled it out and signed it and it's getting mailed. I can't express how happy I am that you did that. I have a P7 license which is an in the ground plumbing. I have some experience at this type of work. That plan has a 15-inch pipe running down hill into Gardiner's Lane which has a 12-inch pipe. That's against the law. That should have never even passed Wetlands, that plan. It shouldn't have passed Wetlands when they saw that. Now we're in a circumstance where it's going to take at least eight weeks and I respect this Board, I don't want to sound disrespectful, I mean that sincerely, I'm concerned about that project and the citizens that are around it.

President Blume stated, we all are, Charlie.

Mr. Stowe continued, the original 1988 Kings Mark report said that a detention basin on that property was because of the slopes was not going to be able to control the water down there. They had suggested that they would run a 12 to an 18 inch to a 30 inch and then I guess there's a man-made swale, because this survey was done before the Army Corps redid the park down there. So I'm not sure how the swale was in the park before because it looks to me like there's a 60 inch or a 48 inch pipe that leaves that pond now. I don't know if it was an open ditch at the time. It may have been. There is a swale on the other side of Colony Street that does run and it's manmade. Anyway they recommended a 30 inch pipe running into this. Now my thing here with this development which it's very possible that this could be passed and put through is that we are having record rainfall the last two years. Anybody can admit that. Unusual downpours. We have a potential problem that could become down there not only with that runoff water but with people's wells drying up. You know, on the record if you read the minutes of the Zoning meeting there are people that are on their fifth well, they have a gallon and a half a minute and the code is five gallons a minute. Now I think, and I'm hoping because the Zoning Board is basically telling me because the law says and the State has basically told me this because the law says if the water main is 200 feet or further from the property, that legally the developer can have the wells. I think and I don't know if there is some way that this Board can step in and stop those wells from going in, otherwise we have another potential problem like we have a City sewer fee. We're liable to have water main going up there that ends up being paid for by the City later on. I don't know what we're going to do about this but when I start meeting people and they're telling me their sewer is backing into the house and we're having all these other flooding problems, and we have a dense population here.

Then my last and this would be a miracle for me if this Board would do this. I read in the article in The New Haven Register in here Mr. Blume you had a quote about we don't need our schools being stressed any more, and we need land to have recreation. This land is right next to the park. People hike it now.

It's only \$250,000 not \$2 million. The thing, my wife went on the computer and they actually, we could have actually applied for a grant that would have paid 75 percent, 75 percent because we're listed as a distressed town. We are listed as that. So if we had put out an application and passed it, possibly both pieces of land, but on May 3, 2010 that was over with. I know we can't get the money now in this economic thing. But this is, you know I hope for the Board's, I hope you participate in what's going on on Castle Lane and I thank you for sending out that application, I was really concerned about that. The only thing I see with it is it's going to take a minimum of eight weeks before they are going to commit to doing it or not, and they're going to have a public hearing the next meeting, cause it's the developer that has the right to continue it as a public hearing, not the town. So the only thing I can, their blueprints aren't in order, they are not in order. They have not gone to the Seymour Zoning. I mean, there is no way if they do, based on my experience of being a developer, there is no way that they could have their plans up to code with Seymour and Ansonia in the time frame that they have left. There is just no way. We need a report from a geo-hydrologist which we may be able to get for free from the State if we get the eight weeks and we definitely need the Water Company and Valley Health to come to the next Zoning meeting. At the last Zoning meeting the Valley Health wrote a letter that was not favorable to the citizens. It said about the 200 feet but I don't think Mr. Merlone knew about the wells up on the hill on Rockwood Extension.

President Blume stated, I'm all over it.

Mr. Stowe stated, you're with me. That's good I'm glad to hear that. I think together we can do wonders.

Alderman Sharkey stated, before we leave this subject, we do have our Grant Writer in the audience and before it gets written in the paper that we were asleep at the switch somehow and missed all these possible grants to buy this property, is there any legitimacy to this that we could have applied for a grant and bought the property?

Ms. Krugel replied, I don't know, I will have to find out further information. There are different opportunities out there all the time.

Mr. Stowe stated, the problem with this is, it's too late.

Ms. Krugel stated, but there might be another opportunity. Is there any chance I can get some of that information?

Alderman Knapp stated, I think the State comes out with that open space thing once a year, in the springtime I think.

President Blume asked three times if any other 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

In regard to the Maple Street Bridge, it's been delayed because of the weather and UI has to do additional work. They've assured me it will be open before the winter. They will have at least the first coat down and weather permitting they'll get the whole bridge done before the winter settles in.

I've already addressed the tentative agreement which the union is going to vote on this week.

I had a realtor come in this week who has the listing for the Pattern Shop on East Main Street, wanting to know what type of use it is. We sat down and had a good conversation in regard to possible use of the building.

Also we had a person come in who is interested in 290 Main Street. As we all know that's the "bubble building" right across the street. I set up a meeting with him for within two weeks. I'm sure the members of the Economic Development Commission have also been trying to fill the void of the loss of Claude Perry.

I've been working with our Bond Counsel to refund some of our bonds. I'm glad to say all of our paperwork is in and there's a possibility that we could save \$800,000 by refunding the bonds. With that \$800,000 we'll be able to pay \$600,000 down on the debt that we do owe and save \$200,000 for the general fund.

Also, I've started preliminary talks with the City of Derby with regard to the regionalization of our wastewater treatment facility. I would ask that the Board support further talks with Derby. We have the capacity to handle some of their waste. It would be a great savings for the City of Ansonia and also for Derby. As we all know we were mandated by the previous administration that we had to do this; we've done it and it's been very difficult for our rate payers. I sit here on a daily basis and when they come in to pay the rates and taxes a lot of the elderly and a lot of our residents are having a hard time. I thought it was prudent that I get in touch with Derby because their facility is getting old and they're willing to work with us. I look for the support of the Board to continue to further those discussions.

That's all and I know you have a long agenda. I will entertain any questions that the Board might have.

Alderman Marini stated, can we get a vote on a green light to allow the Mayor to continue the discussions for regionalization?

President Blume stated, we've been doing this for six months now.

Alderman Nihill stated, we do have a resolution for that tonight.

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Corporation Counsel Kevin Blake

There are two claims on the agenda tonight - they appear to be the same pothole. I spoke to the Public Works Superintendent and he's going to talk to the City Engineer to see whether or not it's that location because that intersection is partly a State-owned highway, and that's their responsibility to fill the potholes. It's right by Eagle Hose on East Main Street. I know they're out looking around for potholes, so if you have them, please call the Mayor's Office.

If you noticed coming in here there's going to be tax sales on approximately 10 properties. The homeowner or property owner has 6 months to redeem the property and pay all the taxes and any fees and if not the property goes to the bidder. We've done about three of them so far, it's a quicker way and least expensive way.

O'Neil's Court is in the court and hopefully within 40 days we can start doing construction on it. Those people have never called me. I sent the revised appraisals to them and they have never responded. So we're in court.

Alderman Marini stated, just a quick follow up question on O'Neill's Court. I'm glad to hear that it's been filed with the court. I do want to put the residents concerns at ease though, in terms of payment for the past survey that was done. Have we made payment? You know, the one we were not able to use, because it was not a certified appraisal.

Corporation Counsel Blake stated, we made payment but I have to speak to the appraiser to get that back.

Alderman Marini stated, okay. Has he voiced any concern with giving the money back?

Corporation Counsel Blake stated, I haven't gotten to talk with him personally, I have messages out there, but I will speak to that appraiser and get back to you.

President Blume thanked Corporation Counsel Blake.

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Chief Kevin Hale, Ansonia Police Department

We have two recruits in the Police Academy right now. They won't be on their own until early to mid-spring. It will be later on in the summer by the time they get through their Field Training program here.

We're going to find out in the next few weeks what training is going to cost us after the first of the year. Right now this is all free. In the budget that was passed they left the door wide open to start charging municipalities to train recruits and also in-service training, which we do quite a bit of. We're all going through the same thing. We don't know what the cost is going to be. We haven't budgeted for this because this came out after our budget was finalized. We don't know what the budget is going to be. We're hearing upwards of \$2,500 per officer for the Academy and then other costs for in-service training whether it's a four-hour training or weeklong training. We don't know. We're going to find out in the next few weeks. Whatever it is, it will begin January 1<sup>st</sup>.

We have a Detective's exam in two weeks, so hopefully we'll be back in December looking to promote into an open detective position.

We had a shooting over the weekend on lower Main Street outside of a bar down there. That investigation is ongoing; there's not a lot of information coming in. We spoke to the victim. There's not a lot of cooperation there.

There are some changes that came down from the State on pawn shops - we have two in Ansonia. The rules and fees have changed. The State thankfully is tightening up how this process works. So we've met with them; we're changing our process as well. They know what the rules are and that will continue.

You have two purchases on the agenda and hopefully you'll look favorably on those. If you have any questions I'll be glad to answer them.

Alderman Nihill stated, just an observation - we had an incident that could have turned out tragically the other day at the North End - the gentleman with the shotgun. I want to commend the officers under your command for doing a good job, getting right over there, investigating it and making a quick arrest.

Chief Hale thanked Alderman Nihill.

Alderman Jerome Fainer stated, the bottom of Crescent Street hill - is there a rule about parking on both sides? The last two weekends we tried getting our fire truck down there and they're parking on the sidewalks, both sides at the bottom. I drove down there just before I came here and there are no signs. We called it in two weekends in a row. Thank God it wasn't the new truck.

Chief Hale stated, I didn't think we have parking on either side down there. I will double-check the records.

Alderman Jay Fainer stated, Chief, the Sunday morning shift should get over there because that's when we seem to have the biggest problem. It might be overflow from the church.

Alderman Marini stated, I'd like to thank the Department for putting the speed monitor on Hawley Drive, it's actually right near my address where a lot of

residents were complaining about the speeding, and they've noticed a bit of a slowdown while it was there. I have a lot of complaints coming from Benz Street, particularly as it empties out onto Pulaski Highway. The residents seem concerned that a lot of the police presence there tends to be either very early in the morning or later at night, but they see a lot of the speeding during the day, particularly on the weekends. They actually see a lot of drag racing and a lot of the residents leading right up to Pulaski were very worried about kids that they have in the area and about these cars really coming very close to the property. I know the speed monitor can't be everywhere at all times, but I was hoping we could get a little bit of a presence during the day, and maybe even catch one of these guys and send the right message to them.

The other thing, I want to congratulate you for a successful distracted driving program. One hundred dollars is a lot to pay. I'm not going to be using my cell phone.

Alderman Sharkey stated, one of the things that we're going to vote on later tonight is a new speed trailer. The thing that actually broadcasts your speed as you're coming down the street. Alderman Marini talked about how it worked in his neighborhood and that there's another problem area. This new trailer will record the speeds - it won't record who is doing it but rather than having to put these wires out that actually do a speed count, this thing will actually, so if someone says, well our customer came in and told me there's a lot of speeding or something this will assist - we can actually put the trailer out and not only will it slow people down but it will actually record the speed they were doing. The date, the time, the whole business. They could go back and see on certain dates and certain times, yes, there is speed on this street. So with the new trailer that is something that could be put on Benz Street to get a handle on it. They will have actual records not just someone saying it.

President Blume thanked Chief Hale.

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Joseph Miller, Comptroller

I have two things - the Mayor mentioned one about the possible refunding of the bonds. We're working on the official statement now, so our agent, which happens to be Webster Bank, can go out to bid on it.

The audit as of June 30, 2011 is going according to plan.

President Blume thanked Mr. Miller.

### ***Committee Reports***

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

Alderman Sharkey MOVED to pay all bills if found to be correct; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 14-0.

Fire Committee - Alderman Gene Sharkey

We applied through hard work of our grant writer to the Matthies Foundation for a new accountability system for the Fire Department. It's something that allows us, it will be installed on their air packs and it actually tracks where they are. It's made by the manufacturer of the air pack and it's a Scott Tracker System. It's brand new, it's just out. The Matthies Foundation will fund 50% of the cost of it. This month I'm going to try and get on the Board of Apportionment and Taxation agenda and go and see if they will fund the other 50 percent. Derby has it, but they only have six units. We would like to put it on all of our units. We have 57 air packs. It's quite an undertaking

Alderman Jeanette MOVED to accept the report; SECONDED by Alderman Jay Fainer. A voice vote was taken and the MOTION PASSED 14-0.

ARMS Committee - Alderman Jerome Fainer

We were dispatched to 219 calls, transported 157 patients. We had 64 transports with a paramedic on board. Mutual aid was three to Derby, Three to Seymour and one to Shelton. They had a good month collecting \$75,028.78.

President Blume stated, collections are up over \$20,000 from last month and again there were no dropped calls. This is a complete turnaround - this is a great service now. Everybody in Ansonia should be proud of them and the job the ARMS people are doing.

Alderman Nihill MOVED to accept the report; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 14-0.

Alderman Nihill stated, I would like to congratulate the new administrator down there, Jared Heon, for taking the bull by the horns and smoothing out the little bit of problem we had in the past with the paid staff and the volunteers. He's brought them all together and you could see by the numbers and the collections that he's getting the job done down there.

President Blume stated, thank you, I've mentioned it also myself, he's done a great job. There seems to be no more problems. It's running very well.

Rewards Committee - Alderman John Marini

Alderman Marini stated, no, we haven't had a meeting yet and it seems like it's a little cold since we last discussed it. I'd like to see if there's an update on when that subcommittee will meet.

President Blume stated, you have to get hold of the Chief and the two Commissioners. You're with Peter, right? You guys have to move this.

Alderman Marini stated, when we talked about it last month we were talking about schedules not working well with the two people on the Police Commisison. But we need to set a date and I think it's good if we set one now.

President Blume stated, why don't you get in touch with the Chief and do this through him. He can get hold of his two Commissioners. See when Peter is available. I thought about that also this month.

Alderman Danielczuk stated, I spoke with Mr. Tyszka a couple of times. He was away on vacation one time. He's been quite busy. He said he would bring it up at the Commissioner's meeting, which I don't know if he has or not yet.

President Blume stated, I think if you go through the Chief, he will contact the other two.

Alderman Marini stated, I think we need to take the bull by the horns. We'll talk after the meeting, but I'd like to set a time, the committee should meet maybe within the next two weeks, just to sit down and discuss preliminaries.

*Economic Development Commission - Alderman John Marini*

First, the Commission has decided to re-institute the Ansonia Business Council meetings as a monthly function. The first reconvening of the meeting should be at the end of this month. The whole idea is just to get business owners together in one place to act as a sounding board with questions, concerns, comments, so they have a direct input to the City. The Vice Chairman of the Economic Development Commission, Bill Nesci, has volunteered to coordinate the meeting until the actual group of business owners decides what they want to do in terms of running the meeting.

The other item, one of the Commissioners, Vinny Scarlotta, has put a lot of work into this. It sort of dovetails with the fundraising idea that I brought up to the Board the last time. The idea they're looking at is basically a project that will raise funds hopefully in support of the Mayor's idea of converting the Armory into a Community Center. We know that we have \$500,000 in State bonding that the Mayor was able to secure, but they were at least \$250,000 to \$300,000 away from just getting the building up to accessibility standards. This is money that we need. The idea would be, and Vinny sort of spearheaded this, to get the kids at the High School and Emmett O'Brien involved in a project where they may be actually designing, manufacturing, constructing, planters, park benches, other aesthetic types of improvements that might go around Main Street and other parts of the City. These items may sort of be sponsored by monetary donations. For example, a plaque on a park bench or some sort of designation on another item, and that money would go toward the Armory. In the planning stages, but it seems to incorporate a lot of what Economic Development wanted to see, so we're getting different facets of the community involved and working together for a project.

Alderman Beall MOVED to accept the report; SECONDED by Alderman Danielczuk. A voice vote was taken and the MOTION PASSED 14-0.

*Videotaping Committee - Alderman John Marini*

We have the resolution coming up later. I'm very happy to say that we have that resolution co-sponsored that would introduce videotaping starting in January, with details being hammered out later.

Alderman Duffus MOVED to accept the report; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 14-0.

***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 Duffus. A voice vote was taken and the MOTION PASSED 14-0.

***Tax Refunds***

Alderman Nihill MOVED to accept the refund report and pay the refunds in the amount of \$537.87 if found to be correct; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 14-0.

***Accidents and Claims***

9-11-786 Roldolpho Barros  
10-11-787 Jacki Wojciechowski

Alderman Bender MOVED to refer the claims to Corporation Counsel Blake; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 14-0.

***Communications and Late Communications***

Alderman Sharkey MOVED to accept all of the communications, 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 14-0.

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**Communication #1****From:** Corporation Counsel Kevin Blake**Re:** Riverwalk Ordinance

Corporation Counsel Blake stated, the Ordinance Committee met and held a public hearing earlier this evening. No one from the public appeared, and they did move to refer this item to the full Board for passage.

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**Communication #2****From:** Police Chief Kevin Hale**Re:** Lease of Vehicle

Alderman Nihill MOVED to accept Communication #2 and authorize Chief Hale to enter into an agreement with Acme Auto Leasing on a month-to-month basis, funding to come from Asset Forfeiture; SECONDED by Alderman Bender. A voice vote was taken and the MOTION PASSED 14-0.

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**Communication #3****From:** Police Chief Kevin Hale**Re:** Waiver of Bid - Speed Alert Radar Message Unit

Alderman Sharkey stated, as I mentioned before when the Chief was giving his report, this is for a new radar trailer. It is called a SpeedAlert Radar Message. It will totally be funded under the Asset Forfeiture account so it will not be any cost whatsoever to the City. Not only did I mention that it is able to track the speeds and able to retrieve data from it, but it also allows for a message screen that they could post something important on, like an Amber Alert or a detour. If something were going to happen, they could actually put this message on it and leave it there so people would be aware of it. It's an asset to the City and an upgrade to what we presently have.

Alderman Sharkey MOVED to waive the bid and authorize the purchase of a combination SpeedAlert Radar Message unit from All Traffic Solutions at the State Contract price of \$17,560; funding to come from Asset Forfeiture for the initial purchase as outlined in Communication #3; SECONDED by Alderman Knapp. A voice vote was taken and the MOTION PASSED 14-0.

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**Communication #4**

From: Corporation Counsel Kevin Blake

Re: Agreement for Contractor - Partial Demolition of Solid Waste Transfer Station

Corporation Counsel Blake stated, this is to employ Fred D'Amico the engineer to oversee the partial demolition of the solid waste transfer station. This is a recommendation by our consultant, United International Corporation. We have done this in the past using him versus another engineer and the City has saved a considerable amount of money.

Alderman Jerome Fainer MOVED to hire Fred D'Amico to oversee the partial demolition of the Solid Waste Transfer Station, and further, authorize Mayor James DellaVolpe to sign the agreement on behalf of the City of Ansonia; SECONDED by Alderman Adamowski; A voice vote was taken and the MOTION PASSED 14-0.

***Resignations***

Alderman Nihill MOVED to accept, with regret, the resignation of Gary Merlone from the Ansonia Housing Authority and to send him a letter of thanks for his service to the community; SECONDED by Alderman Knapp. A voice vote was taken and the MOTION PASSED 14-0.

Alderman Nihill MOVED to accept the resignation of Nicoll Scanlon from the Ansonia Cultural Commission and to send her a letter of thanks for her service to the City; SECONDED by Alderman Sharkey. A voice vote was taken and the MOTION PASSED 14-0.

***Appointments***

Town and City Clerk Madeline Bottone read aloud Mayor James T. DellaVolpe's appointments as outlined in his letter of October 6, 2011 as follows:

**Cultural Commission**

Alderman Danielczuk MOVED to appoint Michele C. Gandy of 15 Tomlinson Street to the Cultural Commission to fill a vacancy; term to expire 12/31/2012; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 14-0.

Alderman Knapp MOVED to appoint Timothy Holman of 48 Elm Street to the Cultural Commission to fill a vacancy; term to expire 12/31/2012; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 14-0.

***Resolutions***

Alderman Sharkey MOVED to discuss Resolutions 1 and 3 together; SECONDED by Alderman Marini. A voice vote was taken and the MOTION PASSED 14-0.

President Blume stated, the first resolution was submitted by myself and Dave Knapp. All we ask is to send a letter to the Board of Apportionment and Taxation and see if any funds were available, perhaps through the energy saving, and even more important than that, we said if it was possible for us to buy this, spread this out over a four or six year period. We were at two years before and it was quite a bit of money. If the deal falls through, perhaps we can meet with these 13 owners, or the poor lawyer that represents the 13 owners, and see if it would be less of a burden on the City if we could do this over six or eight years. It also would not be such a windfall for the people that own it - there are certain taxes that have to be paid. That was the idea behind that resolution, to see if we could do that.

The Board of Apportionment and Taxation would either take it from the savings that we're going to see from this green energy that we're doing, or, if you spread it out over six or eight years it could come from the general fund and no one will get hurt. You can't take \$1 million a year off the general fund, but you could take a couple hundred thousand dollars a year out to do this. That way we wouldn't have to use any money at all.

Alderman Marini stated, I think we all seem to be on the same page with the intent of these resolutions. I kind of see my resolution as the other side of the coin. I think there are two major questions. To back up, we share the same intention that we don't want to see this property slip away. We've recognized, Mr. President you've recognized and I've stated and this board has stated, it's the last large open space in Ansonia; we would like to preserve it. We want to act before it's too late.

There are two sides, though - two questions that need to be answered. First of all, how are we going to pay for it? I believe your resolution sort of starts to open up a dialogue with the Board of Apportionment and Taxation to explore that. My resolution is aimed at the revelation that the land is under contract. It seems like the property owners have this land as reported by the papers under contract with a developer from Branford that he intends to put 36 houses on the property. If we could take them at their word, and if we were to take them seriously, we know there's a possibility that the avenue of negotiation may already be closed. Of course, deals fall apart; the economy is bad. That's all we could hope. But my resolution seeks to sort of do our homework; to make sure we explore all our avenues just in case we're not able to negotiate any more.

My resolution deals with the question of, how are we going to pursue this property in case it's not on the market anymore. Eminent domain is basically the theory that if there's a legitimate interest, if a city, if the state has a legitimate interest in a property, it can compel the sale of the property for its fair market value. That's one solution; it's not "the" solution. I think that maybe a nice place to start if we can ask Corporation Counsel to do some research, we can take a look at this and come back at the next meeting to see, how would it work in this case, would it work in our best interest in this scenario, would it be something we'd want to explore? But at the very least, start to do our homework. Maybe from that we'll find out there's something else; something in-between negotiating with the property owners and eminent domain. I think we should commit on behalf of the residents to looking forward and not just hoping that it all works out for the best.

Alderman Nihill stated, I have a question for Alderman Marini. He's talking about eminent domain and paying for it. Aren't you already proposing this, John?

Alderman Marini stated, the proposal is to have Corporation Counsel explore eminent domain and discuss this with the Board at our next meeting. A proposal is not to initiate anything except exploration.

Alderman Nihill stated, well they're looking for an explanation. Somebody gave me this, I guess you were passing it out in the 7<sup>th</sup> Ward. You were proposing eminent domain.

Alderman Marini stated, well, that's what the news story says. I didn't write the news story.

Alderman Nihill stated, well, I'm just going by, you're passing it out and I would think that this is what you're supporting, seeing that you're passing it out to people.

Alderman Marini stated, yes, I think if you read that news story it talks about the exact same thing that I've talked about.

Alderman Nihill stated, yeah, but you're handing it out and on the bottom it appears to me, it says, unless somebody reprinted this, it says, Republished and paid for by you, John Marini.

Alderman Marini stated, I've distributed a story that was published in The New Haven Register. I think the author of that story from The New Haven Register is actually in this room.

Alderman Nihill stated, I'm just trying to get a clarification.

Alderman Marini stated, if after the meeting, yes, that's the story, it reports on the exact same thing I've just represented to this Board. I believe it says in that

story that my proposal is to look into the use of eminent domain. And I believe that if that property is under contract, and if there's no way that we can purchase it, we better do our homework, because it's not going to be okay to let that property slip away and to have that divided into 36 houses and putting a tremendous strain on the taxpayers, a tremendous strain on the Board of Education, and it's not going to be good enough to say, well, we hoped for the best but it didn't work out. Well, this resolution says we're going to be ready for that. We're going to make sure our homework is done and we're going to be prepared for the worst-case scenario. But no, it does not initiate eminent domain here. That would be inappropriate. We need to do our research.

Alderman Sharkey stated, John, everybody got these. We were either handed them or put them in their door or something, and if they only read the first sentence that says, "Ansonia Alderman proposes acquiring open space."

Alderman Marini stated, well I guess if they read it in the paper they would have also gotten the wrong impression, because that was in the newspaper.

Alderman Sharkey stated, if you don't agree with this you shouldn't have gone to people's houses and handed them out.

Alderman Marini stated, I agree that that is a story that was written about my proposal.

Alderman Sharkey stated, right, and you handed it to people and said, "I propose taking it by eminent domain."

Alderman Marini stated, yes, I propose... This is a bizarre circular argument that makes little sense at all. [laughter throughout the forum].

Alderman Jerome Fainer stated, well we're talking about eminent domain, another local newspaper has an article in there that it quotes a law professor from Uconn and says it's very, very costly

Alderman Marini stated, yes, it could be if it turns into litigation. It's also very costly to allow 36 houses to go into that lot. So we have to have a balancing test. Now, exploring it costs us nothing. If we have an issue with the way the newspaper story was written... [multiple speakers - inaudible]

Alderman Sharkey MOVED to take both resolutions and send them to Corporation Counsel Blake, our Finance Officials and our Bond Counsel and have them report back to us next month, in writing, as to what they think about going forward with possibly getting them from savings or other financial arrangements, or looking at the eminent domain avenue; SECONDED by Alderman Marini. A voice vote was taken and the MOTION PASSED 14-0.

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**Resolution #1****Re: Budgeting for Purchase of Land in the Hilltop Area of Ansonia**

## R E S O L U T I O N

Aldermen Stephen Blume and David Knapp of the 7<sup>th</sup> Ward introduced the following Resolution:

Resolved,

WHEREAS, the people of Ansonia are properly concerned about overcrowding in the Ansonia Public School System and the resultant demand on municipal services that would be caused by the addition of dozens of new single-family homes in the community; and

WHEREAS, the addition of open space and passive recreational area in the Hilltop area of the City would enhance property values, reduce the burden on municipal services and, when combined with other parks and the opening of the City's new Riverwalk, provide recreational and fresh air enjoyment for people of all ages in the City; and

WHEREAS, the City has undertaken exciting initiatives in green energy which will save hundreds of thousands of dollars in the City's budget over the next decade and which will make Ansonia a greener, healthier and more business-friendly community;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN, that the Board of Apportionment and Taxation be directed to determine how to use these projected savings and other financial savings to assist the City in purchasing a parcel of land previously designated for construction of many single-family homes. Said purchase and ownership by the City shall be for the purpose of passive recreation for the quiet and enjoyment of the Hilltop community and the people of Ansonia.

Said parcel of land is bordered on the north by Pulaski Highway, on the east by Fitzpatrick Drive and on the west by Farrel Drive.

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**Resolution #3****Re: Consideration of the Use of Eminent Domain to Secure Open Space for Ansonia**

## R E S O L U T I O N

Alderman John Marini of the 3<sup>rd</sup> Ward introduced the following Resolution:

WHEREAS, the people of Ansonia are properly concerned about overcrowding in the Public School System and the resultant demand on municipal services that would be caused by the addition of dozens of new single-family homes in the community; and

WHEREAS, the addition of open space and passive recreational area in the Hilltop are of the City would enhance property values, reduce the burden on municipal services and, when combined with other parks and the opening of the City's new Riverwalk, provide recreational and fresh air enjoyment for people of all ages in the City; and

WHEREAS, the preservation of open space in Ansonia represents a strong and legitimate municipal interest;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN that Corporation Counsel be directed to research the legality and practicality of the application of Eminent Domain to compel the sale of the parcel of land located at 64 Pulaski Highway at its fair market value, said parcel being more particularly described as that property bordered on the north by Pulaski Highway, on the east by Fitzpatrick Drive and on the west by Farrel Drive; and

FURTHER, BE IT RESOLVED BY THE BOARD OF ALDERMEN that Corporation Counsel provide the Board of Aldermen with a formal report of his research and findings at the Board's November meeting.

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**Resolution #2**

Re: Title V Delinquency Prevention Program

R E S O L U T I O N

Aldermen Robert Duffus and Edward Adamowski of the 1<sup>st</sup> Ward introduced the following Resolution:

Resolved, that the Ansonia Board of Aldermen may enter into with and deliver to the State of Connecticut Office of Policy and Management's Title V Delinquency Prevention Program any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED that James Della Volpe as Mayor of the City of Ansonia, is authorized and directed to execute and deliver any and all documents on behalf of the Ansonia Board of Aldermen and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that James Della Volpe now holds the office of Mayor and that he has held that office since 1999.

Alderman Adamowski stated, Alderman Duffus and myself, during the springtime we had a bunch of incidents in the City of Ansonia. We had the cops out there patrolling, doing extra patrols, whatever they could do. Him and I also felt that we had to do something above and beyond that. We had approached the City's grant writer to see if there was anything out there we could do to maybe help the situation out. I'm please to announce tonight with this resolution that our grant writer, Eileen Krugel, and Eileen Eheman have acquired an \$86,000 grant for a Juvenile Delinquency Program for the City of Ansonia.

Alderman Duffus stated, this grant will work with local industries such as of the YMCA, TEAM, and also the Boys and Girls Club. I'd like to thank the Mayor as well because he hand a hand in this. We appreciate it.

Alderman Adamowski MOVED to adopt Resolution #2; SECONDED by Alderman Duffus. A voice vote was taken and the MOTION PASSED 14-0.

President Blume stated, Eileen, very good job; nicely done.

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#### Resolution #4

Re: Video Recording of Board of Aldermen Meetings

#### R E S O L U T I O N

Aldermen John Marini, Stephen Blume and Robert Beall of the 3<sup>rd</sup>, 4<sup>th</sup> and 7<sup>th</sup> Wards, respectively, introduced the following Resolution:

WHEREAS, the City of Ansonia recognizes the importance of maintaining an open and transparent government; and

WHEREAS, voluntary openness on the part of government increases public confidence by promoting a culture of openness and transparency; and

WHEREAS, the acting President of the United States, Barack H. Obama, has stated that "Openness will strengthen our democracy and promote efficiency and effectiveness in Government" in his Presidential Memoranda dated January 21, 2009; and

WHEREAS, the video recording of Board of Aldermen meetings can be accomplished without additional budgetary appropriations or expenditures; and

WHEREAS, the Connecticut legislature, pursuant to Connecticut General Statutes Section 1-226, has recognized the right of the public to video record public meetings,

LET IT BE RESOLVED THAT,

1. The City will record Board of Aldermen meetings on video beginning in January 2012;
2. Video recordings of Board of Aldermen meetings will be made available via local public access television and the Internet; and
3. The video recording of meetings and dissemination thereof will be subject to a Video Recording Policy, to be established by the Video Recording Committee of the Board of Aldermen

Alderman Nihill MOVED to adopt Resolution #4; SECONDED by Alderman Beall. A voice vote was taken and the MOTION PASSED 14-0

### ***LATE RESOLUTION***

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Late Resolution #1

Re: Ansonia/Derby WPCA

Resolved,

WHEREAS, the City of Ansonia was ordered by the Department of Environmental Protection under the administration of former Governor M. Jodi Rell to undertake a complete upgrade of the water pollution control facility in order to reduce effluent discharges causing water pollution; and

WHEREAS, the entire project was undertaken and completed by the City and local ratepayers with minimal financial assistance from the State under the Rell administration although the project benefits the Naugatuck River and Long Island Sound; and

WHEREAS, Ansonia ratepayers have begun paying back the bonds used to undertake the upgrade at a cost of \$285 per single family unit annually; and

WHEREAS, the neighboring City of Derby is facing a similar situation in the near future due to an aging and obsolete water treatment facility and the upgrade of that facility will cost many millions of dollars; and

WHEREAS, the two communities are situated in close proximity along the Naugatuck River and the upgraded Ansonia plant has more capacity than is necessary for regular use by Ansonia residences and businesses; and

WHEREAS, the cities of Ansonia and Derby and the State of Connecticut would achieve enormous financial benefits in avoided costs if sewage from Derby were to be treated at the Ansonia plant instead of bearing the cost of a complete new upgrade;

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF ANSONIA that Mayor James T. Della Volpe be authorized to begin negotiations with the City of Derby to determine if a sewage treatment agreement between the two communities is feasible. Mayor Della Volpe should use the expertise of water pollution engineers, the State Department of Energy and Environmental Protection, bond counsel, plant workers and other parties who may offer knowledgeable input into such negotiation effort.

BE IT FURTHER RESOLVED that a primary goal of the Mayor's negotiation efforts shall be to reduce the annual single family unit bond payment rate of \$285 by at least one half so as to ease the burden on Ansonia ratepayers caused by the decisions of the Rell administration.

Alderman Knapp MOVED to accept Late Resolution #1; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 14-0.

President Blume asked 3 times if any member of the public wished to address the Board on Late Resolution #1. Being none he declared the public session closed.

He stated, the Mayor spoke to this in his report; I know the Mayor has been meeting with the officials from Derby for several months. He wants permission to go forward with what he is doing. He is negotiating with Derby to take their sewage. Their plant is deteriorated; it's downtown, it smells. They have a lot of infiltration problems with the water going into the river. They haven't been mandated to build a new plant yet, but that's just around the corner. This will save them money; it will save us money. It's a good deal for Derby; they won't have to spend the amount of money that we spent. We spent \$2.2 million a year; that's the payback. This way Derby would take over \$1.1 million of it so our ratepayers' bills will be knocked in half. We would also charge them a fee for taking care of the sewage and our plant can certainly handle it; it was built large enough to do that.

Alderman Sharkey stated, the public needs to know we built this plant, and we built it because we were mandated to build it, not because of anything we wanted to do. We have a sizable bill that's coming forth to all of our citizens every single year. It's \$285 for a single family and more for a multi-family and for commercial and so forth. We are looking to reduce that rate. This is why we're doing it. We're looking to have taxpayer savings. If we just adopt the resolution, nobody understands what the nitty-gritty of it is for.

We do hope that Derby comes in and pays equally into this. Their rate would be half of what it would be if they went forth on their own, and ours would be half of what it is going to be if we continue forward on our own.

Alderman Knapp MOVED to adopt Late Resolution #1; SECONDED by Alderman Danielczuk.. A voice vote was taken and the MOTION PASSED 14-0.

### ***Ordinances***

#### 1. Riverwalk Rules and Regulations Ordinance

Riverwalk Rules and Regulations  
Ordinance: Section 24-57

WHEREAS, the City of Ansonia has constructed a Riverwalk for recreational use by the public;

WHEREAS, the City of Ansonia proposes the following rules and regulations for the quiet enjoyment of the public when utilizing the City of Ansonia Riverwalk;

NOW, THEREFORE BE IT RESOLVED that the following Rules and Regulations be adopted as an Ordinance pursuant to City of Ansonia Charter Section 148:

- All City of Ansonia laws are enforced
- No animals are allowed on the Riverwalk (service animals are the exception)
- The Riverwalk is open from sunrise to sunset
- Be courteous and predictable to other trail users at all times
- Motorized vehicles are not permitted except motorized wheelchairs, emergency and authorized vehicles
- Patrons are encouraged to walk or jog with a companion
- Keep right, always pass on the left, giving audible warning to pedestrians, skaters and other bicyclists
- Bicyclists, skaters and skate boarders must always yield the right of way to pedestrians
- Protective gear, including helmets, is encouraged unless otherwise mandated by law
- Trail speed is limited to 8 mph
- Maintain single file when others are within 100 feet
- Alcohol is prohibited on trails in park systems
- Please do not litter; pack out more than you pack in
- Small children should not be left unattended on the trail
- It is unlawful to remove, destroy, or damage any plant life or property

Any person who violates any provision of this section shall be fined ninety-nine dollars (\$99.00) for each violation, with each incident constituting a separate violation.

Alderman Jerome Fainer stated, this ordinance we started a while back. We had public hearings; we met with the Police Commissioners, we got feedback from them. It was going to be just some guidelines originally and now we changed it to an ordinance that's enforceable with a \$99 fine. I walked Derby's Riverwalk Monday and I don't care what, I love animals but there were deposits all over the place and the bags that the City provides them, they put the stuff and they throw the bags on the side on the ground.

Hopefully the Riverwalk will be opened up soon and hopefully the Ordinance will let people know we're serious about having a nice place for the taxpayers to enjoy.

We had a public hearing tonight and nobody showed up so I'm sure tomorrow in the newspaper it'll say that I don't like dogs or whatever. They had their opportunity. The only people that ever came to our public hearings were people who spoke against dogs.

Alderman Knapp MOVED to adopt the ordinance; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 14-0.

### ***Unfinished Business***

Alderman Jay Fainer MOVED to change the date of the November Board of Aldermen meeting to Tuesday, November 15; SECONDED by Alderman Knapp.

Corporation Counsel Blake stated, just for information when you change the date it's going to be called a Special Meeting, so there will be no late communications accepted.

A voice vote was taken and the MOTION PASSED 14-0.

Alderman Nihill stated, I'm just a little confused about something and maybe I should have addressed it when we talk about our minutes. Last month Alderman Marini brought up, there was some talk over the ongoing drainage issue on O'Neil's Court. You left me a little confused. You quotes Section 91 of the Charter, which says we have powers...

Alderman Marini interjected, oh yes, I believe I was actually thinking it might have been 98 - a couple of ones up.

Alderman Nihill stated, okay. Ninety-eight.

Alderman Marini stated, I was talking without my notes that day. Ninety-eight. It's a couple up. It's actually titled, "Powers with Respect to Drainage."

Alderman Nihill stated, Ninety-eight still doesn't give us power. Ninety-eight talks about public property, it doesn't talk about private property.

Alderman Marini stated, Ninety-eight talks about drainage in the City; drainage problems in the City.

Alderman Nihill stated, yes, it says we can basically alter streams or watercourses on public property. That's not the case there.

Alderman Marini stated, I believe the application of that Charter section would still apply. I do. Particularly where you have abutting property owners; where it's not exclusively on one piece of property but falls into that gray area in between. I believe that it is within our providence to correct in that circumstance.

Alderman Nihill stated, okay. I'd just like to throw caution to the wind here.

Alderman Marini stated, well luckily it's filed in court now. I'm glad it was filed. We all share the same interest; I think that we want to see it resolved. I would have taken a different approach but we followed this course and it's in court. That's what's important. I'd like to make sure that [inaudible] and that we finish this problem before winter.

Alderman Knapp asked, John, what approach would you have taken?

Alderman Marini replied, I would have utilized the approach under the Charter, like I brought up at the last meeting.

Alderman Nihill stated, I think we would have been subject to major, major, talking about hundreds of thousands of dollars of claims for damage.

Alderman Marini stated, we're subject to claims of damage now, and we've actually heard at the last meeting someone talking about a younger person being affected by the mold. I mean, there's no telling what damage is there and there could be a claim of thousands and thousands of dollars of damage in the works being brought against this Board, and we'll have to say we knew about it for 30 years and didn't do anything. That's a problem.

Alderman Sharkey stated, someone stood here and said that it's 30 years old. First off, it was never brought before this Board before. Before she brought it up...

Alderman Marini interjected, I've seen a petition from the 80s.

Alderman Sharkey continued, where it comes 30 years, I know the City put a pipe down through the Spadaro property only recently. He held it up for years. And if you go back 30 years, I don't want to throw politics out here, but there were a couple of Republican mayors in for four years at a time at that time. It was not this Board.

[Many people speaking at once - inaudible]

Alderman Sharkey stated, we can't go by "someone told me."

Alderman Marini stated, I go by a survey that I saw that was dated in the middle of the 80s.

[Multiple speakers - inaudible].

### ***New Business***

President Blume asked Corporation Counsel Blake, is it proper, can I address someone in the audience from the press?

Corporation Counsel Blake stated, if you have a question.

President Blume stated, I have a question, yes, to Jodie Mozdzer of The Valley Independent Sentinel. Can I ask you a question, Jodie?

Ms. Mozdzer replied, sure.

President Blume stated, you've done this twice to me now. I'll read what you wrote, all right? "In September, 2011, coming up on election time, and facing public outrage over a separate housing proposal, Board of Aldermen President Stephen Blume and 7<sup>th</sup> Ward Alderman David Knapp issued a proposal..." What are you kidding me? Do you think that's why I brought up the proposal?

Ms. Mozdzer stated, when we talked on the phone, we talked about that as well.

President Blume asked, talked about what? That's not why this was brought up. It never was brought up... that's twice you wrote that.

[Multiple speakers - inaudible]

President Blume continued, I'm just amazed. All right. It's just not fair.

### ***Adjournment***

Alderman Jerome Fainer MOVED to adjourn; SECONDED by Alderman Jeanette. A voice vote was taken and the MOTION PASSED 14-0.

The meeting adjourned at approximately 8:35 p.m.

Respectfully submitted,

Patricia M. Bruder, Secretary  
Ansonia Board of Aldermen