



CITY OF ANSONIA BOARD OF ALDERMEN

Regular Meeting – August 14, 2012

Call to Order

The Regular Meeting of the Ansonia Board of Aldermen was called to order at 7 p.m. by Aldermanic President Gene Sharkey. All those present rose and pledged allegiance to the Flag of the United States of America.

Roll Call

The secretary called the roll:

Edward Adamowski, D1- present
Robert Duffus, D1 - absent
Charles Stowe, R2 - present
Philip Tripp, R2 - present
Joseph Jeanette, D3- present
Kevin Mott, D3 - present
Anthony DeLucia, D4 - present

Jerome Fainer, D4 - present
Howard Madigosky, D5 - present
Joan Radin, R5 - present
Scott Nihill, D6 - present
David Knapp, D7- present
John Marini, R7 - present
Gene Sharkey, D6 - present

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

Consideration of Previous Minutes

1. Regular Meeting of July 10, 2012

Alderman Fainer MOVED to accept the minutes as presented; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 13-0.

Public Session

Randolph Carroll, 40 Fourth Street
Chairman, Ansonia Historic Commission

I'm the Chairman of the Historic Commission. Last week Public Works lifted the pillar of the fountain and cleaned it out, it's all set. Last weekend I went and bought all the plumbing, pipes, pump, retention pond, everything. We'll have the rededication in September - I will be sending all of you an invitation to attend. I also got a communication for my fountain from Regent Park in London that our fountain is the oldest fountain in the United States for beasts of burden. Their fountain in Regent Park is for cows; when cows were in London. We are sister partnership with them right now.

Also on the Freedom Trail, I passed you around the plaque at the last meeting I attended. I got a solid granite plinth, pro bono, from a funeral home right across the street. The plaque is already in the plinth; I will be inviting you to that dedication in September also.

On your Communication #1 from Woodbridge Land Trust - as Conservation Commission member, when we bought the land at Beaver Street, we turned that over to the Seymour Land Trust. I go to their meetings every month and that property and the property on Fountain Lake, they seem to think they are dealing with that property. If you want, I will go to Seymour's Land Trust and inform them what you guys have done about this Communication. But they think that they are doing that property, not Woodbridge.

John Kichar, Day Street

I have a question and I'd like to file a complaint. The question is: what kind of checks and balances do we have here in our Tax Department and Finance Department that money's not going to walk out like it did up in Oxford? Are there a lot of checks and balances? I asked the Mayor one time in a meeting and he got mad at me.

Mayor Della Volpe stated, there are checks and balances. We have three people in the Tax Office. They cash out each day, check each other out, and then our Comptroller checks it out from there. And then we have an audit each year.

Mr. Kichar continued, this company that's doing the revaluation of the properties, is this the place to file a complaint against them? I think I was intimidated and bullied. I had a young guy come to the house and I met him out in the road. He just talked to my neighbor. My neighbor said to him, 'would you like to come in and see the house?' He said 'no, I don't need to see your house.' So we were walking across the street to mine and he said, 'I'm coming in your house.' I don't think he had the right to enter my house. He said, 'I will go down to the town, get a letter, and come back with somebody and you will let me in the house.' I have nothing to hide, but I don't think he had any right to invade my house and I don't like it. I think he was way out of line. I would like to have you address it, somebody.

President Sharkey stated, I don't know what the rules are on that. I don't think anybody has the right to ...

Mr. Kichar interjected, well, he threatened me. He said, 'I'll go down to town hall and get a letter and I'll come back and you'll have to let me in.' Because last time they did it five years ago, I don't know who this company is, I don't know if he's related to anybody here but I have to say I'm sorry, the guy was an idiot. I got a new card from you people, whoever does it, he came out and told you I have central air conditioning, wood floors in all my rooms, and I have oil heat instead of gas. I never changed anything. I had to come down and talk to

the people downstairs in that first room. He didn't do his job, but it's up to me to clear it. He didn't do his job. This guy, I don't want to say he broke into my house, but he threatened me, he bullied me. I'm 69 years old and I got confused that one day and I didn't know my rights. Do I have to let anybody in my house from the town or what?

Chief Hale stated, I know what the rules are with [inaudible] if it's a, obviously the police officer unless they have probable cause, you don't have to let them into your house.

Mr. Kichar asked, so if he came down and got a letter...

Chief Hale asked, who would he get the letter from?

Mr. Kichar replied, he said he'd come down to town hall and get one.

Mayor Della Volpe stated, this reevaluation is being done by the Assessor's Office and there's a protocol in place. I'm sure of that. I apologize for Vision, but you shouldn't have been treated that way. They should treat with more respect and I will certainly look into your complaint tomorrow with the Assessor because that's who hired Vision to do the reevaluation.

Mr. Kichar stated, but he said he was from the same company as last time.

President Sharkey stated, my recommendation to you would be to go to the Assessor's office, file a complaint. Because they would keep them all and the next time they want to hire Vision or anybody else, if there were complaints, they're going to take a closer look at it. So, I would do that.

Mr. Kichar thanked President Sharkey.

Edward Musante, 21 Castle Lane

I felt last month that your decision that you made on that wrecking company was kind of like a discrimination the way I feel that was being done. That's the way I felt. Other people have personal, private interest against the person. They should not take that against the person because he's out there doing a job. Other people took VIN numbers off wreckers, threatened people with crow bars but that's okay though. And I have a suggestion: I came into City Hall the other day for ten minutes, I came out and I had a parking ticket on the corner across from the green. I already paid it. Can you start putting up parking meters? I was only in here five minutes.

Alderman Fainer asked, were you too close to the corner or something?

President Sharkey stated, I can't discuss with you what he got the ticket for. But a complaint about a ticket should be discussed with the Police Commission.

Mr. Musante stated, even upper Main Street, Shelly's. She can park there all day long; my mother doesn't go there anymore.

President Sharkey explained, a complaint about parking should be taken with the Police Commission, they are the parking authority. We don't have a separate parking authority in the City of Ansonia.

Marge Soldra, 23 Riggs Street

My complaint is, I know they're working in front of the Senior Center right now, but prior to this, before they were working there, there are a lot of complaints. There was a parking area across the street, I remember when I first joined there, you got stickers for your cars. Now, you cannot get into that parking lot because it's full with everybody that participates in different stores downtown, going for lunch or whatever may be and when a senior comes out and says 'why are you parking here,' they tell them to go and 'F' themselves and mind their own business and I don't think that's proper.

And another thing, they have walkers; they have canes. My husband is blind, he has a disability and to walk way down there or walk by the railroad station, that's not right when other people are using that parking spot. I would like to see if something could be done. I know they had parking areas in front of the Center, but they should be lined up where each person knows that that's our parking spot because there are also people down there parking where they shouldn't be parking and it's taking away from the ones that could. For me to walk my husband, because he has a disability, it takes a lot out of myself also to walk him all the way to the Center and in the Center. And I even have to give the credit to the Mayor, the other day, walking a lady across the street with a walker. You did a very good job. I would like something done about that if possible. If, worse comes to worse, you could have stipulation that during such and such hours; those are for the seniors and then after that anybody else could park there.

President Sharkey stated, let us take it under advisement and we will talk about it as a group. I don't know what can be done. Maybe we can dedicate part of the parking lot or certain spaces or something. Let us think about it, let us talk about it.

Mrs. Soldra asked, should I go to a Police Commission meeting?

President Sharkey replied, I don't think they're in charge of the lots.

Chief Hale stated, honestly, Mrs. Soldra's right. They used to come from the Senior Center and they would get stickers and there is a sign there but I don't know if there's an Ordinance attached to that. So if somebody's parking there that doesn't have a sticker, what enforcement is there from the City's side?

Mrs. Soldra stated, by the way, they're not giving stickers out anymore. I just reapplied for them and they told me 'no.'

President Sharkey asked, fellow Board members, can we address this to the Ordinance Committee and let's take a look at what we can do there?

Mrs. Soldra thanked President Sharkey.

Ken Plavnicky, 15 Mountainview Road

I heard a comment on this tax situation. The Democratic Alderman in the 7th Ward said it was unfair to go back five or 10 years. I just think that comment was nonsense because maybe we should go back 20 years.

Alderman Knapp stated, excuse me, I'm the only Democratic Alderman in the 7th Ward and I never made that comment.

Mr. Plavnicky stated that's right. It was you. You said it was unfair that another Alderman said to go back five or 10 years.

Alderman Knapp stated, if you're going to quote me, quote me correctly. I said it was unfair for the comment that Mr. Marini had made, I didn't say it was unfair about going back five years. You took it out of context.

Alderman Marini stated, I think, to be fair, it's a little out of context about what Mr. Knapp had said. We do have a disagreement, but I don't think Mr. Knapp was saying specifically that it was unfair to go back five years.

Alderman Knapp thanked Alderman Marini.

Joanne Czeszot, 37 Morningside Drive

My issue is also with the taxes. This year when we paid our taxes I was actually checking them and I noticed that one of my cars actually went up in assessed value. So my husband went down and he questioned it and the girl just kind of gave him an attitude and said 'well what do you want, used cars are going higher.' But I checked my numbers; I went through the Kelly, the NDA and Edmund's and did the value that Ansonia is assessing me and it ranges from \$325 to \$1,517 more. When my husband questioned the girl if she could debate it, she just said 'nope, either you pay it or you don't.' and that was before everything started where I guess some people don't pay their taxes and still get credit for it and I guess I just want to say I was a little peeved about maybe the way she reacted and also I don't know if other people noticed that their assessments went up and what book do you use to value your cars? Is it NDA, Kelley or Edmund's?

President Sharkey stated, first off, you shouldn't be treated rudely or discourteously by anyone there. That is my statement on it. We do have a

service and I think we get all of our numbers on values of cars from either Motor Vehicles or from the service that we get them from and I can tell you that used cars, not new cars, the value did go up on used cars. As less and less people are buying new cars, the values of the other cars do rise rather than go down.

Mrs. Czeszot stated, well I will say, we have three cars that we pay tax bills for; ranging from 2002 to 2008. Two of them did go down; I think one went down \$600, one went down \$1,000 and one went up almost \$400.

President Sharkey stated, it depends what the cars are. We don't set the values.

Mrs. Czeszot stated, we just questioned it because we are watching our pennies, I mean, like anybody. I had a lay off, took a new job and lost almost \$9,000 worth of salary; every penny counts. My husband actually went on a furlough day and I said why don't you go down and question it instead of just mailing the check in; she wasn't the most pleasant person and she reflects the City.

Alderman Tripp asked, did you go to the Assessor's Office or the Tax Collector's Office?

Mrs. Czeszot asked her husband, you went to the Tax Collector's Office, right?

Mr. Czeszot stated, I went to the first room right when you come in on the right. She showed me a little tiny blue book.

Mayor Della Volpe stated, that's the Assessor's Office.

Mrs. Czeszot stated, I understand that now there's a new resolution but kind of going back, are they going to just do an audit for the past five years so that we can all make sure that what we think we paid is correct? We all have little pieces of paper but...

President Sharkey replied, we are going to address the whole tax issue later in the meeting.

Mrs. Czeszot thanked President Sharkey.

Alderman Stowe stated, Mr. President I just recently changed title of the motor vehicle I had from a business to personal and the motor vehicle determined the value of that vehicle so I mean I think if you want you could probably check with motor vehicle. That would be the fairest way to find out what the value of your vehicle is.

President Sharkey stated, for instance if you go in with a bill of sale that someone says they sold you a car for \$25, they have the value, they'll put it on

that card and they'll tell you you're going to pay taxes on whatever thousands it's actually worth.

Alderman Stowe stated, it was very fair because I was transferring it to myself. They just went right into their info data and they had the value. If I was her I would check with DMV and see if she can get the value from them and it'll feel more fair anyway.

Alderman Fainer stated, my used cars went up and the and the answer was from the state because used car prices went up, they set a new evaluation. They went up, it wasn't big, but it did go up and that was from the state that they changed the value on your car. Even though it's a year older it still went up.

David S. Cassetti, 3 High Acres Road

I'm a little concerned about the Tax Department. I was wondering if there was any kind of committee that is being formed. Because I am concerned about it, I wanted to see if it was possible to get on a committee overseeing that.

President Sharkey replied, we're going to address that later.

President Sharkey asked three times if any other person wished to address the board and declared the public session closed.

Alderman Marini interjected, before you move on, I just wanted to kind of make a brief, general comment. A lot of the comments here tonight were sort of about different complaints, like a variety of different types of complaints like the home evaluator, the question of whether or not he was permitted to come into the home, the question of whether or not someone's allowed to park in a certain space... and I think this Board really wants to be as helpful as possible but I think one thing that really helps us to get to that point is simple documentation and whether it's notifying police right away when you realize that the car is in the wrong space, whether it's documenting your interaction if it seems not right with an officer or someone who's representing himself to have authority from the town. That's probably the best way to go, because when you get that documentation on the record early, we have it ahead of time and it's just something we can work off of and something we can work on. Obviously, the bottom line is our responsibility to make sure people of the town are doing their job right and to make sure that laws are being followed. But often that extra help, that little documentation that's done way in the beginning is really the key sometimes to jumping on a problem. A lot of times by the time it comes before us the trail has gone cold or it becomes a general problem rather than a specific one. The more specific we can get it, the better the chances are we can deal with it.

Alderman Jeanette stated, I just want to address that situation with that person that came to your house... do you have any kind of identification? Like a badge or something?

Mr. Kichar replied, I thought he had something hanging around his neck. There were a whole bunch of them in the neighborhood.

Alderman Nihill asked, did you get his name by any chance?

Mr. Kichar replied, he told me his name but it was about two months ago.

Alderman Jeanette stated, well they should have identification when they do this and if they don't then call the police or something.

Mr. Kichar stated, well, he did, he did show me his tag around his neck.

President Sharkey stated, if you go to the Assessor's Office and make a complaint, you can also find out from the card who is the actual person who went to your house that day. That would be very helpful for us to know, too. Because any complaint that's going to be lodged or recorded back against Vision, they would like to know who was the person that went there so I recommend you go there and file a complaint.

Alderman Marini stated, no one should insinuate to any of our residents that they have the ability to go into your homes. A warrant is needed for that, even the police need to have special authority from a judge to go into your house. No one should be telling you that they can just go into your house for any reason.

[A member of the public requested to speak]

Alderman Tripp MOVED to open the public session; SECONDED by Alderman Stowe. A voice vote was taken and the MOTION PASSED 13-0.

Daniel King, 62 Beaver Street

I was wondering if the city or the Police Department has hired any personnel or any firm to gather personal information on the City's residents.

President Sharkey replied, no.

Mr. King stated, because there are people going throughout the City, knocking on people's doors asking personal information about the residents, calling them on the phone. My own mother has gotten these phone calls, I have seen these people in the neighborhood on Beaver Street, Southwest Street and so forth the other day so I wanted to bring this up because nobody seemed to know anything about this here and there are obviously people doing something they're not supposed to.

They haven't identified themselves. The phone calls were very vague, they said that they were calling for protection, just specifically asking people, are there

elderly, are there disabled, how many people live in the house, what is this person's name.

Alderman Jeanette stated, I can tell you what I do, I hang up on them.

Mr. King said, my mother did but they are going to people's doors.

Alderman Stowe stated, because of the economy there's more scams going on with people trying to find information and burgle your house than ever. So, let's not just laugh this off.

President Sharkey stated, no one is laughing by any means.

Mr. King stated, anyone that knows me knows I am certainly not a person who looks the other way that's why this is mentioned.

Alderman Marini asked, is it just by phone or...

Mr. King replied, no, I've have seen these people.

Alderman Marini asked, what do they look like?

Mr. King replied, they are casual dressed; khakis, khaki shorts, polo shirts, lanyard around their neck, clipboards and they were on James Street just the other day knocking on doors asking my mother's neighbor when she didn't answer her door, going upstairs and asking them.

Alderman Nihill stated, I suggest that maybe you talk with the police about this; if you can gather all the information and you can relay it all in a police complaint.

Mr. King replied, I certainly will.

President Sharkey stated, when people come into town, what we call "hawkers" that want to sell things and so forth, they have to come in and they have to register with the police department and they have to let them know so if you know of someone that's out there that is just going to people's doors and all and you spot them, pass the word on to everybody. Notify the police department that there's activity in the neighborhood that doesn't look well. Neighborhoods that have a neighborhood watch that would have already been reported. The neighborhood watches would have turned it in.

Alderman Tripp stated, just an observation, I live two blocks up from this gentleman and about two to five days ago there was a vendor for AT&T Solutions, it's on the side of his car, one of those stick on things. So, there was a gentleman that came to my door, I was in my yard, AT&T Solutions... I said 'no thank you, I'm not interested' and I walked away. So, I am aware of a vendor being in our neighborhood. Maybe it was that individual, I don't know.

Chief Hale stated, just along those lines, regardless of who the company is whether it's a construction company or it's AT&T, if they're soliciting for future business, they have to get a permit. AT&T may argue that but that's the rule here. In the summer time, probably once a week, once every two weeks we'll get a call from the neighbors saying there's people in my neighborhood trying to solicit. Some people are aware of the rules, many aren't and we tell them they have to get a permit or they have to leave. If it's AT&T they still have to come in and get that permit.

Alderman Adamowski stated, they was someone in my neighborhood about an hour before we came to this meeting, and it was actually somebody that was trying to sell electrical power. It was the exact description that gentleman just gave; shorts and a polo shirt and he had no description on his car so I don't know if that was... It's a company trying to sell electrical power, to switch from UI.

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

Public Official Session

Mayor James Della Volpe

I just wanted to give you an update on the Nolan Field restoration. The sod has been put in as of last week, there's 20,000 square feet. We've asked the all youth leagues and the Ansonia High School football team and cheerleaders to stay off the field until mid-September so that the grass could take hold. I'd like to thank Alderman Knapp and Economic Development Chairman Vinny Scarlata for their fundraising efforts; they're doing a great job. We've raised close to \$5,000 so far and I'd just like to thank you for your efforts.

An update on the Public Works negotiations: we've reached an impasse last week. We had a State Mediator come in so now we're sending it on to arbitration.

I've been contacted by the Housing Authority in regards to a request to see how they would go about getting the bond in for the demolition of the south side of High Street. We're working very closely with our Acting Comptroller. I don't know if you know but Joe Miller's been out on sick leave for the last two to three months so we've been understaffed in the upstairs in the finance office. So we're working closely with the attorney, Jeff Tuccio of the Housing Authority and our Corporation Counsel, Kevin Blake.

Along those lines, if you can see out on Main Street, we have a lot of work going on. Birm 11s doing the streetscape, the Regional Water Authority is improving our water system, and up in the parking lot of Farrell's, they're looking to pave,

they put catch bases in so they have better drainage and they're going to pave that to enhance their property because they are trying to sell it.

Along those lines, I've been contacted by Ray McGee of Copper & Brass. He's asked me to talk to Art Bogen who is the Brownfields expert through Valley Council of Governments to see if there could be any help from EPA to help him with a proposal that he might have for their property so we're working very closely with Copper & Brass in regards to their property.

And finally, tonight we have Communication #4 on the Tax issue. There's a lot of issues that we're going to discuss. I'll leave it until later on. I'll entertain any questions that any of the Aldermen might have at this point in time.

Alderwoman Radin stated, I paid my taxes on 7/31. I received the paid thing dated 7/31 at 10:45 in the morning. Today is the 14th and the checks have not been cashed. I don't understand that. Normally when you get that your checks are cashed within a few days; but we checked our bank statements this morning and they have not been cashed.

Mayor Della Volpe replied, that's correct; there are a lot of checks in the office. First of all there is a person on vacation and then we put a person on leave. The Assistant Tax Collector was on vacation; there are checks there but I was assured by the end of this week all the checks would be in the bank. I fully understand and we have more oversight on what's going on over there, but I will follow up tomorrow and I'll give you a call.

Alderwoman Radin stated, thank you for fixing the lights in the parking lot.

Alderman Adamowski stated, at the end of Kathy Lane, it's the Ansonia Copper & Brass property, there was a tree that fell a couple years ago and with all the rain that we've been having has since washed probably a 15-foot dropout right behind the road. If we can't get Copper & Brass to address that, eventually the whole road is just going to go right down into the river.

Mayor Della Volpe asked, is that right behind the hydrant?

Alderman Adamowski replied, if you're looking at the hydrant, it's on the other side of the street. There's a wooded property; you actually have to go behind Della Rocco's house and look in, and you can see it's washed right underneath the street.

Mayor Della Volpe stated, Mike Shryver and I have a 10:00 appointment tomorrow morning; him and I will go up there tomorrow and then I'll contact Ray McGee from Copper & Brass and I'll give you an update on what the status is.

Alderman Adamowski continued, if you can please give the Water Company a call. They recently dug up in front of 21 Kathy Lane. This really gets under my

skin when these companies come in here, I know they have to do work and they have to dig up the road, but can you ask them if they can please put it back the way they found it. This road was paved 10 years ago and they dug a spot, it looks like a tetris game. It's not even a square and now it's 2 inches deep.

Mayor Della Volpe stated, we'll take care of that tomorrow morning.

Alderman Tripp stated, Mayor, Mr. Schryver, if they're producing new street signs, I know there's one that's dilapidated on Elizabeth Street, if that's on your list. Also, for Mr. Schryver, a manhole cover on East Street. Thank you.

Mayor Della Volpe stated, I know we've ordered the final group of new signs. As soon as they come in we're going to get them up as soon as possible. This is the final batch.

Labor Counsel Fran Teodosio

I am aware of your agenda and I am available for questions. I don't have anything specifically assigned to me from Corporation Counsel Blake to report to you.

President Sharkey thanked Attorney Teodosio.

Chief Kevin Hale, Ansonia Police Department

The investigation into the vandalism at Nolan Field is ongoing. You may have read that we interviewed some people and have some suspects in the matter. We will continue to work on that.

The hiring process continues - we are interviewing today and tomorrow, we still have one more patrol position open. We are anticipating retirements at the beginning of next year.

We have had many streets line painted, and that will continue this month with crosswalks and stop bars, getting ready for the opening of school. We also need to get the parking spaces painted on Main Street. Although it's a state road, we are responsible for painting the parking spaces.

Our anti-crime unit continues to hit places of interest in various neighborhoods. East Street is the most recent. This will continue. If you're talking to the folks in your neighborhoods and have any information - we thrive on information and would certainly welcome that. An anonymous call or through you - or if the person would call us themselves, that would be great.

We have made some arrests in a couple of stolen cars - Hondas. We are working hard to see if there is a link between those and the other rash of stolen cars that we had a couple of months ago.

There is quite a bit going on, and if anybody has any information, please forward it to us. We certainly will keep the source confidential.

Alderman Radin stated, thank you for putting the sign on Grove Street. The lights are working behind Big Y, I saw them, it's very nice.

Ms. Soldra called me and I might suggest that maybe we could put up a sign that says the seniors can park there between 9 and 4 Monday through Friday - that would protect you, I think, and they should really have stickers. I think that would help the people. Knowing the problems they have, and the walkers, that is something we should look into.

Chief Hale stated, my point with the Ordinance is that if we're going to write somebody a ticket, there has to be a reason.

Alderman Knapp stated, I've gotten a couple of calls about the bottom of Hill Street, the parking situation. It is very difficult to navigate around that corner especially now with the store being reopened.

Chief Hale stated, I will have to look at it and bring it to the Police Commission.

Alderman Marini stated, I would like to follow up with the Riverwalk - in terms of the dogs and our ordinance we enacted a while back. I've still been getting complaints about some mess on the Riverwalk here and there. I am curious - what has the tally been since we enacted the ordinance? Have we had to impose any fines?

Chief Hale stated, we had one issue with somebody training guide dogs. In the beginning we were chasing people off. But honestly, the biggest effect we've had was Derby changing their ordinance. I can't remember reading the last complaint of somebody with a dog. We are either not seeing it or not getting a complaint. Once Derby changed theirs, then we saw a giant reduction. I don't have the numbers off the top of my head.

Alderman Marini asked, do you recall if we've ever put that ordinance to use? Has it ever come to a point where someone's gotten a fine?

Chief Hale replied, I know people have been chased out of there; whether tickets were issued, I'd have to go back and look.

President Sharkey stated, our Riverwalk was a mess for a while but it wasn't dogs, it was geese. We discussed that and Mike Schryver is looking to come up with a solution - some sort of sprayer and pump that we can clean that quite regularly. We were hoping the geese would go away at a certain time of year, but they're still there. It is a problem for the people that use our Riverwalk.

Tara Kolakowski, Acting Personnel Director

You have my report in front of you. If you have any questions, I'm available. On Communication #9, we have before you and ask your approval for a fourth dispatcher for the Ansonia Police Department. Thank you for your support.

Committee Reports

Alderman Philip Tripp - Anti-Blight Appeals Board

The committee had a special meeting at 6 p.m. August 9th in the Aldermanic Chambers. There were two issues on the agenda, one a property on Main Street and the other a property on Holbrook. The property on Main Street, the party involved and the City, we feel, reached an agreement that is mutually agreeable and hopefully that situation will be corrected in the very near future. The situation on Holbrook Street, the party withdrew their appeal and Mr. Tanner will address that within the parameters of the law. We had a quorum, everybody showed up, and I thanked everybody for their service to the City.

Alderman Scott Nihill - ARMS Committee

For July ARMS was dispatched to 251 responses which resulted in 186 patients being transported - 91 of those with a medic. We provided 27 mutual aid calls to Derby, three to Shelton and two to Seymour. We passed zero first calls. We had to pass one second call but it was covered with the fly car. Two third calls were passed but that was not due to lack of personnel, it's with our ambulance. Our third ambulance was out of service on both occasions. I want to bring to your attention that the personnel from ARMS covered a volunteer service - a two-week Boy Scout camp. One week, the Boy Scouts were up at High Acres Church and the second week at Warsaw Park. ARMS provided an EMT for their camp coverage, and also provided coverage at the Italian Festival. ARMS is working now to finalize bid specs to go out to bid for our ambulance.

Unfortunately the company that provided us with our last ambulance, their parent company decided that the ambulance vehicle business wasn't profitable any more and since went out of business. They're working hard down there, Jared and his assistant chiefs, to go over the spec to make sure we're going to get the ambulance we need to provide for us into the future. We also have an issue with one of the other older ambulances and we're looking into the feasibility of just taking the box off of the chassis and retrofitting it onto another chassis. We spent in the last two years in the area of \$15,000 in repairs on this vehicle.

Alderman Tripp asked, what are the ages on the two newer ambulances? One is almost brand-new, right?

Alderman Nihill replied, we just purchased an ambulance last year. The newest one is a 2011 and has roughly 15,000 miles on it. The next one is a 2003, the one we're having problems with. It's Ford's 6.0 diesel, the one that they have

all the problems with. There is actually a class action lawsuit that we're looking maybe to get into because of all of the problems people experience with the motor every year. We are bordering on, we've been very busy down there and the numbers are increasing. Obviously it equates to more wear and tear on our vehicles. We definitely have to look into replacing our second newest vehicle. Number 3 is being replaced by the new vehicle already approved. The oldest vehicle in the fleet is the one giving us the least problems. It's a 1998 and has 107,000 miles on it.

Alderman Fainer MOVED to accept the report; SECONDED by Alderman Tripp. A voice vote was taken and the MOTION PASSED 13-0.

Finance Committee - Alderman Edward Adamowski

1. Authorization to Pay Bills

Alderman Adamowski MOVED to pay all bills if found to be correct; SECONDED by Alderman Madigosky. A voice vote was taken and the MOTION PASSED 13-0.

Economic Development Commission - Alderman John Marini

For the last month the commission has been busy. The number one priority for Chairman Vinny Scarlata has been trying to coordinate with the Mayor's Office and our Grant Writer's Office to take advantage of an important grant that's on our agenda tonight. It's a \$500,000 grant, a fiercely competitive grant that we're in competition with other towns for. The objective is to enhance Economic Development in Main Street areas which is exactly what we're looking for as a town. Our Chairman Scarlata has gone to training seminars and has networked very well with officers in the State Department of Economic Development and has had talks with different consultants and economic developers in other towns. I believe the resolution is a pretty good one as put forth tonight. We'll get into that more when that topic comes up.

The other big project that Economic Development has been working on is a Farmer's Market - a new idea proposed by the commission for Ansonia as a way of drawing more people, and different people, to the downtown area, with the idea that it will supplement what we have down there. It's a growing success, people are finding out more about it and are being drawn from different areas. We hope to add on to the vendors we have down there and keep it going.

In regard to the update regarding the selection of an Economic Development consultant, nothing has been decided yet but there has been some progress since the last time. I will defer to Alderman Stowe.

Alderman Stowe stated, I think we're ready to make a selection. We've learned a lot in the process. That's where this grant came from, one of the people being interviewed brought it to our attention. We jumped on it immediately, the

Mayor's Office and people qualified to talk about it. I'm sure, I believe at next month's meeting you will hear a conclusion.

Alderman Nihill MOVED to accept the report; SECONDED by Alderman Radin. A voice vote was taken and the MOTION PASSED 13-0.

Alderman Radin stated, I have a question. I have a paper from February when the Ansonia Housing, Mr. Finnucan left, and they hired on temporarily a Jimmy Miller from New Haven at \$104 an hour. His thing was renewed in March, I believe, for another 3 months. Has anything been done or are we still paying part-time?

President Sharkey replied, we don't pay it; he is hired by the Housing Authority. The Housing Authority is a separate branch of the City.

Mayor Della Volpe stated, they renewed him but they went out and had an interview process. They offered the job to someone; that person backed out of the job offer. So they started another interview selection, they interviewed several applicants and hired supposedly a lady from South Windsor or East Windsor, and she should be on the job, hopefully, in the next month or so.

Alderman Marini asked, what are the demolition plans - the timetable for the housing demolition.

Mayor Della Volpe stated, they started the relocation of the tenants. That is why the attorney contacted the City for more money. They said they would get everybody hopefully out by the end of the year and start demolition in early Spring. For the relocation, the tenants meet with the Housing Authority and they get Section 8 vouchers and find out where there is housing within the City and/or throughout the state and country.

Alderman Marini stated, I thought I had heard information that there were some expenditures being made between the time of now and the demolition improvements in certain areas that were particularly deteriorated. Is that the case? I want to make sure I am understanding.

Mayor Della Volpe replied, on the north side next to the Plaza they put in some new security cameras, but that was a federally funded project. That is where the improvements were. As far as the south side of High Street I don't think there are any improvements because they are trying to do it through attrition. They are meeting with them and trying to relocate the tenants. I know the tenants had a meeting and they are looking forward to getting their vouchers and moving on. I can't give you exact dates but that is basically the timeline.

Alderman Gene Sharkey - Energy Savings Committee / CCM

Our proposed involvement with CCM/Seaman's is on hold. We have another option available and we're investigating it right now. We had a meeting at the

Police Department last week. Mr. Schryver, myself, several members of Apportionment and Taxation attended. I will be updating the Chief on that; he was out of town at the time. We have another option available. We are probably not going to be able to replace the boiler at the Police Department in this heating season. It was recommended that we continue with the one that we have; make sure it's operational and do anything in the Spring. We need to do it the right way. The more we looked at our involvement with CCM, there's another group - DEEP recommended through the state, we need to take a close look at these before we actually commit ourselves to long term spending. I am going to have a meeting of this Committee sometime in September, we haven't let it go to sleep, we are definitely still working on it.

Alderman Stowe stated, when we met it sounded like some of our buildings were in crisis.

President Sharkey stated, only one, and that was the Police Department - the boiler. At the time we originally met with CCM we were talking about the boiler at the Police Department and Public Works. We put Public Works on the back burner. That, energy-wise, should be replaced in the future, but it wasn't mechanically imperative that we do that. The Police Department boiler is in the worst shape. We decided as a group to focus our energy on the Police Department and second in line for energy savings would be the Library - that is one of the biggest gluts on our fossil fuel.

YankeeGas has approved putting a connection into the Police Department and that is also on hold. They have asked us that as soon as they install the line they want the gas to be started to be used within several months, and we're not ready for that. They have agreed to do it for free. They have agreed to put a gas line into the Armory - that is the dual fuel boiler - that can be changed over no problem. We are still working on having them agree to put the line into the Library. We have different technology we're looking at also, rather than going back to steam. We're looking at a different system.

Alderman Stowe stated, I am just curious about it. When we were talking about this before with Seaman's, we were talking about being able to do this heating system at the time of the cooling part of the year, and it was going to work out well for us. Now we're heading into September. You must have had somebody research the boilers and they said they'll give it another year?

President Sharkey replied, yes. That we've done and I'll be glad to, in a committee setting, be able to explain it much more in depth. We were here about an hour and half that night when CCM was here.

Riverwalk - the camera we wanted to be installed is in operation - it is up and running for Riverwalk.

School Building Commission - all of the roofs are being worked on. They are hoping to open all of the schools on time. We have a meeting of the

commission tomorrow evening and will get an update on everything. We are still under budget and working well. We have only had one change order on the whole project so far. It is progressing well and by this time next month we should say the project is completed.

Alderman Tripp MOVED to accept the reports; SECONDED by Alderman Madigosky. A voice vote was taken and the MOTION PASSED 13-0.

Alderman Stowe asked Alderman Madigosky - you were at the Water Pollution Control Authority on Thursday. What happened?

Alderman Madigosky replied, it was just an executive session. Androski's contract was accepted, but as far as anything else that was discussed in there, there were no votes taken.

Alderman Stowe stated, I am curious about it because I am on the WPCA and I haven't been to one meeting since I was elected. With current events we need to try to be as transparent as possible. I am not being notified of the meetings. All the other meetings I am notified and I show up. I heard there was a meeting there, over a contract, and I had some interest.

President Sharkey stated, I will try and reach the Chairman of that commission and make sure you are part of his mailing.

Alderman Stowe stated, last month I asked about the Finance Committee to research the funding that the Board of Education was going to get with the waiver. Did you talk to Apportionment and Taxation and find anything out? I called someone from the State and the application is being sent out in two weeks, so our Board of Education is going to mail it. The way this woman talked it sounded like they were going to get the funding.

Alderman Madigosky stated, for the record the WPCA meets at 7:00 the first Wednesday of every month down at the Treatment Plant. The meeting involved personnel and Jack's contract.

Alderman Stowe stated, in all honesty I've been here a while and when we talk about committee meetings, I haven't heard one. I'm not trying to cause any trouble but under the present circumstances I think being as transparent with this government as possible will help us solidify our relationship with our citizens.

Alderman Marini stated, for clarification, I believe if it's a regular meeting, it can be something that's done without notice, if the board sets it at a meeting, this is going to be our regular meeting every month. If you deviate from that it's considered to be a special meeting and you need notice. But if it's a committee that does not establish a monthly meeting, then you're in a situation that you would need public notice each time that you're doing the meeting. So for example, if Committee X meets in January but never sets a definite meeting

date, if they want to meet again two or three months they need to give public notice for that. It's just a matter of making it easy for people to understand.

Alderman Stowe stated, so you never really answered the Finance Committee - did the Finance Committee try to do any research on the question I asked at last month's meeting?

Alderman Adamowski stated, I could be wrong, I would actually like to check the minutes myself, I believe the Chairman had ended that conversation with you that the Board of Apportionment and Taxation was the place to go for that.

Alderman Stowe stated, you said that you, being the board of finance, would speak to Apportionment and Taxation. I mean...

President Sharkey stated, I don't remember that; I really don't.

Alderman Stowe stated, so could you please, please find out what's going on with that please? Thank you.

Municipal Reports / Annual Reports

Alderman Nihill MOVED to accept all municipal and annual reports, dispense with the reading and place them on file; SECONDED by Alderman Tripp. A voice vote was taken and the MOTION PASSED 13-0.

Tax Refunds

Alderman Nihill MOVED to accept the refund report and pay the refunds in the amount of \$3,097.76 if found to be correct; SECONDED by Alderman Tripp. A voice vote was taken and the MOTION PASSED 13-0.

Accidents and Claims

7-12-803 Recovery Network of Programs, Inc.

To be discussed in Executive Session.

Communications

Alderman Mott MOVED to accept Late Communication #1; SECONDED by Alderman Madigosky. A voice vote was taken and the MOTION PASSED 13-0.

President Sharkey asked if any member of the public wished to speak on Late Communication #1 concerning an issue that was raised last month regarding the bank behind Beaver Street that has trees falling off of it from the Williams Street area. We had addressed the City Engineer and Zoning Enforcement Officer to look into the stabilization, who owned the property, we had a petition submitted here last month. We do have a response here and that is the

late communication.

Mr. King stated, there is a large tree that fell there two weeks ago and is actually causing a dam effect across the brook. Is anyone going to address that?

President Sharkey stated, you're talking Orchard Street - we are talking about the other side. This is new to us, but Mr. Schryver is nodding his head - he will check into it.

Alderman Nihill MOVED to accept all of the communications, place them on file, and take each one up in its order on the agenda; SECONDED by Alderman Marini. A voice vote was taken and the MOTION PASSED 13-0.

Communication #1

From: Robert Gregg and Jack Thorpe, Woodbridge Land Trust
Re: Refund of Property Taxes - Deerfield Lane

President Sharkey stated, they were given a piece of property by a will that is partially in Woodbridge and partially in Ansonia. The Ansonia parcel - they received a tax bill with a tax payment of \$2,762.24. We hope that [inaudible] paid this installment by the time we're considering the request, and they are asking us to grant a refund and an abatement on future taxes.

Alderman Radin stated, I believe Randy Carroll said that property - something about Seymour Land Trust.

President Sharkey stated, we have property in Ansonia that is held in the name of the Seymour Land Trust. This property was actually given, not by the city and not by a developer or anything. This was willed by someone who died and gave that to the Woodbridge Land Trust. I don't know what the involvement of Seymour Land Trust would be, unless Woodbridge Land Trust decides to give it to Seymour.

Mr. Carroll stated, when we [inaudible] the Beaver Brook property, Seymour Land Trust took that property over in trust as well as the 14 acres up at Fountain Lake. Since I'm on Conservation Commission I go to the Seymour Land Trust meetings and they're under the guise that they are the Land Trust that controls and maintains the property all around Beaver Brook.

President Sharkey asked, is this parcel part of that?

Mr. Carroll replied, I don't know. This is the first I've heard of it. I just want you guys to be aware that Seymour thinks that they're taking care of that property. They are the ones that have been logging up there, or the state has, but they've been giving the state permission to log up there, on the major property. So I'm guessing that if somebody died and gave this in trust to the Woodbridge Land

Trust, it gets a little more complicated.

Alderman Knapp MOVED TO TABLE Communication #1 and have Corporation Counsel Blake research it; SECONDED by Alderman Stowe. A voice vote was taken and the MOTION PASSED 13-0.

Communication #2

From: Corporation Counsel Kevin Blake

Re: Recovery Network of Programs, Inc.

To be discussed in Executive Session.

Communication #3

From: Chairman Bartholomew Flaherty, Planning and Zoning Commission

Re: Referral - 114 Main Street

President Sharkey stated, we had sent that small strip of property we had transferred to Walter Kendzierski to Planning and Zoning for an 8-24. They have voted to send a favorable response for this referral, that the Board of Aldermen may consider transferring air rights for the outdoor deck and retaining the strip of land for snow storage. We have already decided after getting a communication from Public Works that they didn't want that strip of land for snow storage. So I don't know if Planning and Zoning knew of that.

Alderman Radin stated, I was at the Planning and Zoning board and Bart felt that if they put the deck up on top, if we had a bad snowstorm we would need the space beneath the deck - the land part - to put the snow - that was one consideration.

Mr. Carroll stated, that entire block is on the National Historic Register. I talked in 2008 and in 2010 that in our City Charter it is not listed. The only listed historic district we have in the Charter is Elm Street. I have been asked to do other properties in town as Chairman of the Historic Commission to get another building listed. When a building is on the National Register, you cannot alter the exterior of the building at all without the Historic District's permission. The Historic Commission vote to the Historic District Commission and they didn't want to have anything to do with making it a Historic District. But the state is now informing me that we could lose the whole Historic District if it's not in our City Charter. The state is saying to me that we don't need to go through Charter Revision, and I talked to Corporation Counsel Blake about this. All we have to do is the Board of Aldermen make an amendment to make that a listed Historic District. I am sure you've all seen the little blue plaques that I got from the state that we had to pay for for every one of those buildings. The Opera House is the oldest Opera House in the nation. If any alteration happens to any of those buildings on that side of the street and the Post Office, we are in jeopardy of losing the National Register recognition.

Alderman Radin asked, if Crave was to put a deck on the side, that would be an alteration of the building?

Mr. Carroll replied, anything that you can see from the street, the owner has to come before the Historic District Commission. You have the authority at your next meeting, through an amendment to the City Charter because that is not listed in the City Charter, is to make an amendment to list that building that goes from the corner of the Maple Street bridge all the way down to the end of where Crave is, the Opera House, and the only other buildings on the National Register are the antiques store and the Post Office.

I talked to the owner of Crave having dinner in there, and also a while ago to the gentleman who owns the Opera House, and they want to change all the windows. You cannot do that since it's listed as a Historic National Registry building, unless there is an Historic District Commission to approve or disapprove it.

Alderman Fainer asked, what about Elm Street and all those vinyl fences and such?

Mr. Carroll stated, that is up to the Historic District Commission.

President Sharkey asked if the Historic District Commission approve that alteration?

Mr. Carroll stated, they wrote to the Historic Commission, which is me, that they don't want to have anything to do with it. They don't want to be in charge of the Historic District except for the one that is on Elm Street.

Discussion ensued about what parties control the Historic District Commission, and the Historic Commission, and the differences between the two.

Mr. Carroll stated, I met with Corporation Counsel Blake two weeks ago about getting this listed as a Historic District. His response was, all I have to do is ask your Board to approve an Ordinance to make that a Historic District; that you don't have to go through a Charter Revision.

Alderman Knapp MOVED TO TABLE and refer this to the Ordinance Committee and invite all of the parties including the owners of the building, Corporation Counsel Blake, and a representative from Economic Development; SECONDED by Alderman Radin. A voice vote was taken and the MOTION PASSED 13-0.

Communication #4

From: Mayor James Della Volpe

Re: Resolution on Tax Situation

August 9, 2012

*Members of the Board of Aldermen
City of Ansonia
253 Main Street
Ansonia, CT 06401*

RE: Resolution on Tax Situation

Dear Members of the Board of Aldermen:

I am attaching for your review the report of the ad-hoc committee which I appointed to investigate recent matters concerning the situation regarding the collection of taxes in the city.

Also, you will find my public statement on the matter which I forward as a report of my decisions to this point in the matter. Further actions will be taken as necessary.

Finally, I respectfully ask for your consideration of the following points as the basis for a resolution of the Board at its next meeting:

A list of both citywide delinquent taxpayers and city employee and board, agency and commission member delinquent taxpayers shall be prepared on a quarterly basis by the Tax Collector's Office and be put on public display in written copy at the Tax Collector's Office and posted on the city's website; and

The transmission to the State of Connecticut Department of Motor Vehicles (DMV) of all necessary taxpayer delinquency information shall be conducted vigorously in compliance with state law and copies of such reports shall be transmitted to the Mayor and Board of Aldermen on a quarterly basis; and

The Tax Collector's Office shall compare both lists with DMV records of motor vehicles registered in the State of Connecticut and owned by Ansonia residents. This process shall identify delinquent taxpayers who have improperly succeeded in registering their motor vehicles; and

A written DMV tax release protocol shall be established in the office which requires use and documentation of use of the tax service on a regular basis. Such protocol shall include photocopies, numbered releases and other necessary safeguards and best practices; and

A list of all DMV tax releases and forbearance of interest for the previous five years shall be prepared and presented to the Mayor and Board of Aldermen on or before September 1, 2012; and

All employees of the Tax Collector's Office shall be banned from processing and recording a tax payment made for such employee or family member of such employee; and

Each of the previous provisions shall apply to the Water Pollution Control Authority's collection of sewer taxes and fees, as applicable; and

The City of Ansonia's Corporation Counsel and Labor Counsel shall report to the Mayor and the Board of Aldermen as to available legal remedies for the collection of delinquent taxes and fees owed by city employees and board, agency and commission members and such report shall be delivered in writing on or before the Wednesday prior to the next regularly scheduled meeting of the Board of Aldermen.

I look forward to working with you to assure the confidence of the hard working taxpayers of the City of Ansonia in the fairness and ethics of all tax collections by the city

Respectfully yours,

James T. Della Volpe, Mayor

Alderman Tripp stated, I would like to thank the Mayor for the actions that he put forward in this communication. Also, I would like to publicly commend Jodie Mozdzer from [the Valley Independent Sentinel](#) for her tenacity and perseverance in bringing this issue to light, whereas corrective action can be taken such as was listed in this communication.

President Sharkey stated, when I looked at this carefully, each of the articles it talks about are something that needs to be done moving forward. He is addressing the problem that is there, but these are all protocols moving forward. In order to look at what has transpired, I think we have to look very carefully at the Press Release, because these are things that he has the authority to do on his own. These are the things that he is doing.

PRESS RELEASE

Based on the conclusions of the report conducted by Attorneys Teodosio and Blake and Auditor Jaskilka, I have placed Tax Collector Bridget Bostic on administrative leave with pay effective immediately pending a collective bargaining hearing.

I have instructed the attorneys and Mr. Jaskilka to work immediately with the Connecticut Tax Collectors Association to find a replacement tax collector to carry out the duties of Ansonia Tax Collector in Ms. Bostic's absence.

Further, I have decided to authorize an independent investigation to continue the work done by our internal people who were faced with a short deadline. This independent investigation will be conducted by a person from outside our city government with no ties to either Ansonia or any of the employees involved in the collection of moneys from Ansonia citizens by its government. I am reviewing recommendations from law enforcement authorities for the names of available and professionally qualified individuals who can undertake this assignment. The person chosen will use this internal investigation as the basis upon which to conduct a more thorough inquiry and to make further recommendations for improvements and additional disciplinary measures that may be required.

I am recommending to the Board of Aldermen the adoption of the following and other responsible reforms and improvements to tax collections in the city:

- A list of both citywide delinquent taxpayers and city employee delinquent taxpayers shall be prepared by the Tax Collector's Office and be put on public display in written copy and posted on the city's website.*
- The Tax Collector's Office shall compare both lists with DMV records of motor vehicles registered in the State of Connecticut and owned by Ansonia residents, This process shall identify delinquent taxpayers who have improperly succeeded in registering their motor vehicles.*
- A written DMV tax release protocol shall be established in the office which requires use and documentation of the tax service on a regular basis. Such protocol shall include photocopies, numbered releases and other necessary safeguards and best practices.*
- All employees from the Tax Collector's Office shall be banned from processing and recording a tax payment made for such employee or family member of such employee.*

Finally, I am forwarding to the Ansonia Police Department this complete report, statement and associated materials for their review, They shall work with the State's Attorney's Office to determine if criminal acts have been committed by those individuals, including but not limited to city employees, who knowingly used invalid local tax waivers for the registration of motor vehicles with the Connecticut Department of Motor Vehicles.

The people of Ansonia deserve fairness and equality in the way in which they are required to pay their local taxes, whether real property, personal property, motor vehicle and sewer charges. No person deserves a better standard of service and treatment not available for all. Treating taxpayers struggling with financial difficulties should involve common sense and compassion, but such treatment must comply with state law.

President Sharkey explained, he is taking the action not only to have an internal investigation of all tax collections that have been done to see if there has been

any other wrongdoing, but also, forwarding this to the Police Department who will work with the State's Attorney's office. That means two separate investigations. The State's Attorney's Office investigation takes precedence. That has to be conducted first and gotten to a certain point because people have a right to be questioned once, and they will answer to someone, someone say in the Police investigation, ties in with the State's Attorney's Office, and then after, the other civilian investigation will take place. It will be two - portions will be simultaneously proceeding. Based upon that, I looked at one of the statements and saw where it says a list of all DMV tax releases, and forbearance of interest for the previous five years shall be prepared and presented to the Board of Aldermen on or before September 1, 2012. I don't think that is realistic. I don't know - the Mayor may have to move that date.

I think we have things in place going forward, some of them may need a little tweaking but we will discuss it as part of a resolution before us tonight. The Mayor will handle things from here going backward on the investigation side.

Alderman Radin questioned whether or not Ms. Bostic was being paid or not.

President Sharkey explained that she was put on administrative leave with pay pending the filing of any formal charges, in accordance with the collective bargaining agreement that is in place.

Alderman Marini stated, overall I think it's a great step in the right direction by the Mayor. I think more could be done from this board. We have our own responsibilities, our own powers. I agree with the Mayor about having an outside investigation. To be more specific, I think we actually need, coupled with that, is a forensic audit of the Tax Office - bringing in someone that looks for fraud, the unfortunate things that you don't want to find. Someone that goes through the books looking for things that don't match up - that aren't typical. We don't know the full nature of this; we know what it looks like on the surface. When the public trust is at stake we have to do our job and be sure we have an accurate answer. If we've never done anything like this before, maybe it makes sense to go back five or 10 years and make sure the whole system is clean. It is particularly important because it's our tax system. Just a few months ago the Finance board was meeting with the Tax Collector and we were discussing how to improve tax collection rates. How do we deal with this problem? To find out that all along, certain people, even if it's a small amount, were getting special courtesies while we're talking about other people struggling to pay their bills, it really is a slap in the face to everybody - the people on this board, the people in the public - it's not right. That would be my first recommendation - that this board take steps to actually narrow this down to what we need. At least part of this needs to be an independent forensic accountant auditor to come in with no ties to the city who we have mutual agreement between everybody on bringing in that process to work however the board best deems it.

The other part of it - we are as Aldermen, by Charter, responsible for oversight

of departments, employees, commissions. We have the ability to talk to our employees and question them. Right now, the report as it is, is satisfactory when it comes to the internal workings of the office. There are employees and officials implicated in this matter - a good handful of them that we know of. I believe it is within the parameters of this Board to talk to them. It actually is specified in the Charter that we have the ability to call any employee, any commissioner, before our board to give testimony or to command the production of any evidence. I don't think it would be imprudent to start public hearings on this matter - to call in the individuals simply to ask the questions that I'm sure all of us have sitting here - the obvious questions. A public hearing like that I don't believe interferes in any way with any other investigation. As far as I'm concerned testimony that's given, if you're telling the truth, it could only do to serve you well. But if you're lying down the road it's only going to be a longer road to hang yourself with. Just to be able to call the employees and commissioners that were involved in this, and just ask in a non-accusatory way - ask the questions that I know probably all of you want to ask. Very basic. We've been told that payment plans are really the excuse for the clearances that people have gotten. How many payment plans were there? If there is a payment plan, there should be documentation of it. If there are payment plans, there should be evidence of people paying those payment plans. This should be easy to produce. That is my two cents in to what this board can do. I believe we are fully authorized under Section 92 of the Charter.

President Sharkey stated, before we do that, I would like to address "payment plans." I think the words "payment plan" is being used and the term is a misnomer. When our Tax Collector Office says to someone, "You owe \$3,000," and they work out with them that they're allowing the person to pay it on a monthly basis, what the person is actually doing is paying delinquent taxes, and they're making monthly payments on it. But the interest is still there. So what is actually happening is, if you owe \$3,000 and you're paying let's say over 12 months you're paying \$300 a month, you come in the first month and you pay \$300 - they calculate that interest so it's definitely now not \$2,700 that you owe - it's \$2,700 plus the interest. So when you now pay an additional \$300, it just doesn't go down. What you're doing is you're paying your taxes late. Like someone that just didn't pay them at all, and they come in 12 months later - you're paying that taxes at 18 percent interest that is compounded all the way. So when I saw "payment plans" I said, if it's a payment plan, why aren't I paying my taxes on a payment plan? Why isn't everybody paying them on a payment plan? It would be much easier. But it's not a payment plan, it's just someone is paying their taxes and they're paying it in installments. It's like paying your credit card. You owe \$3,000 on a credit card and you're making monthly payments - you're still paying interest every single month on that credit card. They're given a benefit by being allowed to pay it in installments. Everybody has the right to do that. You don't need the permission of the Tax Collector to pay your bill in installments. You just, when they send you a bill and hand you a bill for \$3,000 if you only want to pay \$300 that month, it's your choice. So when we say "How many tax payment plans did she give out," she didn't give out any.

Alderman Marini stated, the payment plan – in the report, the testimony is basically because this person entered into a payment plan, therefore I gave a clearance slip – that is the idea of a payment plan. That is what is definitely wrong.

President Sharkey stated, we shouldn't use the words "payment plan" and stick that in any reports. It's just that people are paying on an installment basis. Those people, I don't know if it's even legal for them to get a tax waiver to DMV to be able to do it. That is something we need to look at. And talking about a forensic audit – I'm not putting my thoughts into it, but I do say that I agree with you. I think we need to look at it for years going back. This board needs to set a date on how many years they would like to look back. This board probably has the authority to hire, or use our Counsel to hire the forensic audit. We could sit in and choose the one, but names should be given to us. I don't know if it should be the Finance Committee or the full Board of Aldermen. I think we need to have that audit done of all tax collections here in Ansonia.

Alderman Stowe stated, as far as the DMV goes, you cannot have a payment plan for motor vehicle taxes. You can have a payment plan for your property taxes, your land, your house. When you list this in whatever document you make, you should make it clear the percentage of penalty that's being paid in this document. Whoever it is that still has a motor vehicle with this false waiver should have to pay their motor vehicle tax right now or they should have an unregistered motor vehicle. I don't care if they have to use their credit card or re-mortgage their house or whatever they have to do. I was in my own business and I didn't have \$1,000 DMV. I had to pay DOT, all my federal excise, everything to register that truck. I had to have it weighed, safety checks, all of those things, there was no "payment plan." You paid it now. It was just like your income taxes. They'll give you an extension but you have got to pay. It offends me to be listening to "payment plan" for motor vehicle.

President Sharkey stated, let's address the Resolution at this point.

Alderman Marini MOVED to DEVIATE FROM THE AGENDA to take up Resolution #3; SECONDED by Alderman Adamowski. A voice vote was taken and the MOTION PASSED 13-0.

RESOLUTION
CITY OF ANSONIA

Aldermen Edward Adamowski of the 1st Ward and Jerome Fainer of the 4th Ward introduced the following Resolution:

Implementation of New Policies and Procedures of the Ansonia Tax Office

WHEREAS, the citizens of Ansonia are honest, hard-working taxpayers and ratepayers; and

WHEREAS, the citizens of Ansonia absolutely deserve to have full confidence that their payment of taxes and fees to the city government must be conducted in a manner that is honest, ethical and fair to each citizen and not tolerate any abuse, favoritism or disrespect to anyone for any reason whatsoever;

NOW THEREFORE BE IT FULLY RESOLVED that the following shall be the policy of the City of Ansonia:

A list of both citywide delinquent taxpayers and city employee and board, agency and commission member delinquent taxpayers shall be prepared on a quarterly basis by the Tax Collector's Office and be put on public display in written copy at the Tax Collector's Office and posted on the city's website; and

The transmission to the State of Connecticut Department of Motor Vehicles (DMV) of all necessary taxpayer delinquency information shall be conducted vigorously in compliance with state law and copies of such reports shall be transmitted to the Mayor and Board of Aldermen on a quarterly basis; and

The Tax Collector's Office shall compare both lists with DMV records of motor vehicles registered in the State of Connecticut and owned by Ansonia residents. This process shall identify delinquent taxpayers who have improperly succeeded in registering their motor vehicles; and

A written DMV tax release protocol shall be established in the office which requires use and documentation of use of the tax service on a regular basis. Such protocol shall include photocopies, numbered releases and other necessary safeguards and best practices; and

A list of all DMV tax releases and forbearance of interest for the previous five years shall be prepared and presented to the Mayor and Board of Aldermen on or before September 1, 2012; and

All employees of the Tax Collector's Office shall be banned from processing and recording a tax payment made for such employee or family member of such employee; and each of the previous provisions shall apply to the Water Pollution Control Authority's collection of sewer taxes and fees, as applicable; and

The City of Ansonia's Corporation Counsel and Labor Counsel shall report to the Mayor and the Board of Aldermen as to available legal remedies for the collection of delinquent and fees owed by city employees and board, agency and commission members and such report shall be delivered in writing on or before the Wednesday prior to the next regularly scheduled meeting of the Board of

Aldermen.

President Sharkey stated, I don't know how we'll address the motor vehicles. If they've already registered the motor vehicle, how do you tell the DMV to list that vehicle as unregistered? I don't think that can happen.

Alderman Nihill stated, I think if you look at what's written in this resolution, based on what I've read of the report that was conducted by the Mayor's team, we aren't really sure at this point, and they are not sure, according to their own testimony of how many releases were given out. If you look at the information provided in this resolution, that if you compare the list of delinquent taxpayers that this resolution calls for, to the people whose vehicles are registered in Ansonia, we'll have that answer of who actually shouldn't have their car registered. Then we should address it from there.

Alderman Nihill MOVED to ADOPT Resolution #3; SECONDED by Alderman Adamowski.

Alderman Marini stated, the first change to the resolution - it might be prudent to have the Finance Committee meet to discuss hiring a forensic accountant - a professional and independent entity to conduct an appropriate audit covering an appropriate amount of time.

Alderman Knapp stated, I thought part of the State's Attorney's investigation - the forensic audit takes place. I didn't know they were two separate things. Are they independent or the same?

Chief Hale stated, within the next 48 hours I will have a determination as to the next step that we're going to take. I will have that; I'm following the Mayor's direction, there's been some consultation already. I don't want to get too far ahead, there's a little bit more that I have to do. Within the next 48 hours, my first two phone calls will be the Mayor and yourself to get that information out. I would just caution a couple things that Alderman Marini had said. Forensic auditor - however you want to do that - is a good idea. You mentioned fraud - fraud to me would be crime, and we should not have two, if this becomes a criminal investigation, there should not be two or more separate - if there is a criminal investigation that should be the number one road. How that goes, if it goes, we don't know yet. Again, there is another discussion I have to have in the next day before we figure that out. Public hearings, great idea - from my perspective don't do that now. There are names mentioned in the report. There may be allegations of criminal activity. You have to be very careful in how you go there. I would just ask for some time. This is going to take some time and isn't something you want to jump into quickly or lightly. If you'd like to take steps, no matter what direction, they've got to be correct because you don't want to be wrong down the road. There is due process and what have you, and you have to follow that. Again, within the next 48 hours tops I'll have a determination as to just what our next steps are and you will be the first to know, and you can forward that to the rest.

Alderman Marini stated, within 48 hours it seems like there's an opportunity here for coordination between our efforts. The finance meeting can be scheduled for today, next week we can sit down with the Police Department and figure out what we're going to do. There is certainly no reason why we shouldn't be talking to each other. We need to take whatever steps we need to in order to get the problem solved, and not let a trail go cold in any circumstance. We need to clearly state that every clearance issued in this manner is revoked. Obviously there are implications of how we're going to enforce it and the question again, we could hopefully as a team discover. We need to say, these are invalid.

President Sharkey stated, the idea of the forensic audit has merit. We will discuss it in our Finance Committee and move forward from there. We would bring that back. We can adopt the rest of Resolution #3 asking for all the DMV things, asking for the citywide list of delinquent taxpayers. Let's schedule a meeting of the Finance Committee and work on the forensic audit part.

In the resolution, we have paragraph 1, 2, 3. It says, "Tax Collector's Office shall compare both lists with DMV records of motor vehicles registered in the State of Connecticut and owned by Ansonia residents. The process shall identify delinquent taxpayers who have improperly succeeded in registering their motor vehicles"; and, can we at that point put that we recommend the transmittal of that information to the DMV to see if in fact we can get those motor vehicles listed as... can we word that some way that we're notifying the DMV that those are improper registrations to see if they could be revoked?

Alderman Knapp stated, to the Commissioner of Motor Vehicles.

Alderman Marini asked, is there a timetable for the comparison? I would like to set an exact date so we know, maybe on the date of our next meeting, we will have that comparison.

President Sharkey stated, because of the turmoil in the Tax Collector's Office, the Mayor is in the process of bringing in a replacement Tax Collector. That would be the first one that would have to go through there and start looking for all of this information. Mayor, when do you think in the course of this coming month you'll have someone on board? Could we have that person have that list to us by next meeting so we could move on this?

Mayor Della Volpe stated, we'll be talking to someone tomorrow from the Tax Collector's Association of Connecticut. I will add that since this started, mostly everybody has come in and paid their taxes.

President Sharkey stated, if we have to we could call a special meeting of the Board of Aldermen.

Labor Counsel Fran Teodosio stated, the Mayor has directed that we contact the

Tax Collector's Association that has made certain recommendations. Some third parties have been spoken with and the Mayor needs to speak to those parties.

President Sharkey asked, could we have that list developed and given the people that did get the waivers that haven't paid their taxes, with interest, that list is transmitted to us and any that are still on the list next month, we have their motor vehicle registrations revoked? We can do that.

Attorney Teodosio stated, based on the information that I am knowledgeable about in this Tax Collector's Office - in any Tax Collector's Office - there is the ability to generate those lists based on the computer queues that you put into the computer itself. You can generate a tax list, you can generate a delinquent tax list. The big problem is generating a list that shows who has gotten those waivers. Those waivers are not kept track of in any tax office, not just this tax office. So if you could be given very [inaudible] a list of people that paid their taxes, a list of people that haven't paid their taxes, and hopefully a list of people that is crossed with DMV to find out whether or not their cars have been registered. That is the only way you're going to get the list that you're asking for. I don't know that the Tax Collector's Office has the list of cars that are registered with DMV. You've got to get that list separately, and cross it with the list of non-payers.

Alderman Marini stated, I am assuming, I am hoping, that there is documentation of people that were issued clearance slips for either valid reasons or invalid reasons. If that documentation exists, and I'm hoping that on our books they should exist. If someone is issued a clearance, say for a completely valid reason, there should be evidence of that. We should probably give our Tax Office some homework and say, "in two weeks time, produce a list of everyone who has received clearance."

Attorney Teodosio stated, that list does not exist. In fairness to your Tax Collector, that list doesn't exist in other towns either. There is no directive to keep lists of the people that waivers are provided for because normally when the waiver is provided, the release is only provided because the taxes have been paid. So you have a secondary list that you can go to and say, "okay, these people have paid their taxes - the computer has generated a historic record." But in this particular situation, you have certain releases that have been given; there is no documentation.

Alderman Marini stated, there is the idea out there that you get a clearance slip if you're on a so-called payment plan. Is there anything... I guess an answer of saying "We have no documentation of that" would suffice if that is true. But to have someone verify whether or not there is really any book or documentation that actually keeps track of a payment plan that someone is paying on. If that evidence isn't there, the whole story is obviously a lie.

President Sharkey stated, let's think about it a different way. If they go into any person's name and see that they are paying rather than pay it when it comes

due, like I just came due in June...

Alderman Marini interjected, [inaudible] partial payment can't be, if you're the person, accept it on good faith. If you're the person making payment plans to help somebody out and issuing clearance slips, how would you ever keep track of that if you're just recording everything as partial payments? There would be absolutely no way for you to do it. The only way you could do it as alleged is to, "this guy's on a payment plan, he's paying here, here, here, because he's struggling hard, I'm trying to help him, and give him a clearance slip." You've got to document that. If it's not being documented, you can't do it.

President Sharkey stated, from what has happened in the past, why can't it be that someone take a look at the records downstairs, and when you look at someone who has not made lump sum payments like most of us do, that has actually been making partial payments, all you have to do is look at his motor vehicle and see when it was registered. That will tell you if that person got a tax waiver. Even if they made installment payments on it, those are the people I would look at. I would look at someone that paid property taxes on an installment basis - I would look at their motor vehicle records. I'll bet those are the people that said, "look, I just came down and paid \$10,000 but I can't register my car because I just paid all my property taxes." I'll bet that is the person that got the waiver. I'll bet if you check with motor vehicles you would find that.

Attorney Teodosio stated, the Assessor's Office has a list of all registered motor vehicles in the City, so that when a person's name is on for delinquent taxes, it gets complicated because if they use a first initial, or middle initial, it's a different person. But the Assessor's Office for tax records and supplemental tax records, gets a list of all names for cars registered in Ansonia.

President Sharkey stated, so I think a list can be generated.

Alderman Marini stated, it seems like what we need now is a timetable for our action. Alderman Knapp was actually...

Alderman Knapp interjected, I was going to make a recommendation that we schedule a special Board of Aldermen meeting in the next week or two to discuss whatever information comes out in the next few days and see whatever progress we have with the Tax Collector's Office. In regard to adopting resolution #3, I don't know if payment plans are legal, illegal, are we giving payment plans. I think that should be addressed somewhere in this resolution. I don't want the Tax Collector to be the only individual making those decision on who gets waivers and who doesn't. If we are going to give waivers, I think there needs to be a subcommittee of three or five members that can decide hardship cases. I'm not talking about waivers; I'm talking about payment plans.

Alderman Marini stated, the only time a waiver is given is when the taxes are paid. That's it - it's black and white. There is no other way around it. You can

make partial payments, and no one can stop you from making your own private payment plan, such as "I can only afford this much this month," but it's a whole lot different from getting something in return for engaging in a payment plan. That is done under no circumstances.

Alderman Adamowski stated, I have one other thing I'd like in here as we're sitting around here talking about this. I don't know how legal it is, we'll have to check some parts with Corporation Counsel. Members that sit on Boards, Commissions, Elected Officials, people that are here, some of us put by the residents that put us here. If found that any of these people on any of these Boards, Commissions appointed by ourselves when we do these lists of appointments in January, in my opinion, should be removed. If they are more than one year, taxes of any kind, delinquent.

President Sharkey replied, It could be added.

Alderman Adamowski continued, we are here to set an example for our people and we're here to take care of them. If we're the ones that are just saying we're not going to pay our taxes because I sit on the Board, quite frankly nobody deserves to be here.

President Sharkey stated, paragraph #1 said a list of both citywide delinquent taxpayers and City Employee and Board, Agency and Commission member delinquent taxpayers shall be prepared on a quarterly basis. This is moving forward, but we could ask for City Employees, Board, Agency, and Committee Member Delinquent Taxes to be prepared and given to us now. We can ask; that's one of the new things that the new person coming in develops a list and gives it to this Board and we can then take action on it as we're given the right to take action. So, we can do that.

Alderman Stowe stated, I would like to suggest maybe two weeks, Mr. Knapp. Give him a little more time. Give Chief Hale a little more time; give the Mayor a little more time. Maybe two weeks.

Alderman Knapp replied, that's fine with me.

Alderman Tripp stated, I concur over the discussion about having a special meeting two weeks from now. That would give Chief Hale enough time to do what he has to do; I hope, I don't know his job. Also, there's obviously legal complications here; there's a lot of legal complexity here and I would just like for us to proceed in a legal manner, have Corporation Counsel, the law firm do a legal scrub of what we're about to do and what we're proposing to do. So, a special meeting two weeks from now would be good timing. Also, besides a fair tax policy for the people of the City of Ansonia, just so we do it legally and I just want to make sure there's a legal scrub there.

President Sharkey stated, two weeks from today would be August 28th at 7 p.m. We can call a special meeting and bring this whole thing back to the

table.

Alderman stated, there was a mention that those people that had registered their vehicles, most of them had paid to date with interest.

President Sharkey replied, oh absolutely, there's no such thing as waiving interest. I hope the interest has been paid, that will show up when we get our forensic list of everything.

Alderman Adamowski asked, so they have not paid in past years and were able to register their motor vehicle so now all of a sudden they paid it and everything is hunky dory?

President Sharkey replied, it goes back to the last time that they paid their taxes and they have to pay 18% interest on it. The taxes don't go away. From what I understand, that's in the legal part. I don't want to make a statement on that; let's let them handle it. But if anybody has waived interest on any of them then that's a problem.

Alderman Jeanette stated, I just have a question: If someone doesn't pay their taxes in Ansonia and moves to another town, how do we get the money from them? Can they register their vehicle?

President Sharkey replied, Ms. Bostik told us that, remember in the Finance thing, they keep an open thing, and quite often she has been able to collect back taxes on it. The taxes do not go away, the taxes are still here.

Alderman Marini stated, you see all the time, I know from my work, the City of Waterbury type cases there's people that have moved away from the City of Waterbury and the collection agency, the City gets a collection agency and they find them. Whether they're in Pennsylvania or California. So much like what we were talking about in the Finance Committee meeting back a couple months ago that we need for Ansonia to improve our collection rate. I mean, if you go away, if you move out sometimes it becomes beyond the City's ability to track you down and that's where these collection companies come in and obviously they get a certain percentage of what they're able to get but they persist. Ten years old, 15 years old, they're going after you.

Alderman Jeanette stated, see my problem here is I'm worried about people who don't pay their taxes in Ansonia and go into another state and register their car in another state. Some states don't have a tax.

Alderman Marini answered, they could run away but our taxes that are due will always be there. They will always be validly enforceable. It's tough to go after them; you have to find them, you have to do the process.

Alderman Jeanette stated, some still live in Ansonia, I'm just saying they could still live in Ansonia and register their car in another state. It could be done.

President Sharkey stated, let's do our thing here, if we will. That's something for the Finance Committee to discuss. That's something that we had discussed in the past about getting more aggressive in our tax collections and we have to do that but that isn't a basis here.

Alderman Fainer stated, we got a lot into this. When you go on the website, there's people's taxes for cars from 2009, 2008, 2007 and we don't do anything about it and all of a sudden they have their cars registered. We have to put some bite into this. We talked in Finance Committee and nobody wanted to boot anybody but we have to do something. I sat down with Jodie in January or February about this whole thing. We owe millions of dollars. I sat here and listened to the spiel about how we can't do "this," we can't do "that." We couldn't even send a letter to the City Employees.

Alderman Marini interjected, It seems like especially on the overdue accounts, we have to be aggressive.

Alderman Fainer stated, yeah, there's got to be something. I was out of work 16 months, I paid mine on time.

Alderman Marini stated, if there is a property, the property should be coming with it or you can foreclose on the property and take the property. Certainly it raises complications for us, but hey it's a way to turn things around and not let it sit there because certainly there is property in this town that's developable. Developable property is going to waste and if we bring our operation at full steam we could be clearing out the ...

President Sharkey interjected, I think we've been very aggressive in selling our tax liens. We've had a couple of sales on that, we've realized tax dollars from it so I think as a separate issue we need to be more aggressive in some of our tax procedures but that's a different issue other than here.

Alderman Delucia stated, I just believe we should have patience and this will get all worked out in one way and the Board as a whole will make all of the decisions to make things better.

President Sharkey stated, I think what we're going for, to answer you, is this is a start tonight, it's not a finish it's a start. We'll be dealing with this in a couple weeks, we'll be getting information on the legal side of it and then we're going to pursue a forensic audit and we will eventually, when we're given the go-ahead to go ahead and do that, we're going to do it and I think that I take the sentiment of the Board that this is what we want done. So, we're going to do it.

Alderman Delucia stated, those were my sentiments as well.

Alderman Radin stated, I can't vote for a resolution that's been changed and talked about. Are we going to redo the resolution?

President Sharkey replied, yes.

President Sharkey replied, I think basically because what we've done is we've backed off from actually adopting a forensic audit, I think what we've done is the big major change that we have right now was Alderman Adamowski's over there. Other than that, we really haven't done much in here in changing this. I made no notes on it as I went along.

Alderman Marini stated, the Mayor's Resolution, that part of it we want. We want a special meeting in two week's time. At which time we're going to have certain things due to us for review and we'd be able, from there, with that proper information act on both directions of the Financial Accounting and the direction of Appearance. The other thing to add to that is we want to see it at least, in name, revoked; any invalid clearances revoked and a letter being sent to the DMV that they are invalid and they are not...

President Sharkey interjected, as soon as that person can give us that list, we talked about here, that as soon as we get the list from the new Tax Collector of all delinquent ones and if we can find out that there are people on there that actually registered motor vehicles, we're going to take that to Motor Vehicles and see if we can get those revoked.

Alderman Nihill stated, I think Anthony hit the nail on the head. We need a start and I think, my personal opinion is, maybe we shouldn't even have a resolution tonight. The Chief of Police and the Mayor already talked about their formalizing a strategy investigation. I think maybe we should let the investigation go forward. There's nothing preventing the Board to come back later on and I'm sure at some point we're going to get an update as to what direction they're going in and then meet as a Board and take that under advisement and move forward with what the Board feels needs to be done. My second thought is kind of stepping back away from this resolution here and maybe just kicking this. I don't want to muddy the waters further here but it's obvious that everybody in this room and our taxpayers here that it's not a secret that obviously there's a lot of money being owed to the City of Ansonia in the ways of back taxes. People, for whatever reason, haven't paid for years. Whether it's hardship, they don't want to, or whatever. I was thinking maybe we should set up a 60-day amnesty program or just kicking 60 days out there we could discuss it. But maybe having a period of time in light of all this information, we could let people come in and pay their back taxes with reduced interest or no interest and at least we'll generate a lot of money back into the City.

President Sharkey replied, that's something to bring up at the Finance Committee. When we're talking about aggressively going after, I don't think that's it.

Alderman Marini stated, I think things are in progress but I do think the

resolution is, probably needing to allow the Mayor to go ahead on some of these things. So I just understand completely what Alderman Nihill was saying and that next meeting is going to be important for us but I think we do need to approve the resolution so we could set him going on. The way I see it, it's not one committee steering the show, we're involved in it. We have responsibility to be acting in coordination with these other departments but we should not be seeding the reins of this to anybody. We need to do what's right by the Board of Aldermen and we're certainly going to coordinate and work in synergistic complement with the Police Department and the Mayor's Office but we need to do what's right by us and we need to do what's best for the City. So, reviewing it that way we have our meeting, we have our issues to discuss, and we just need to set the date.

Alderman Knapp stated, just to reiterate what I said, I was the one who suggested the special meeting and at which time we will allow the Chief and the Mayor to get all of these ducks in a row in the 48 hours. Mr. Tripp said it's an opportunity for our legal department, legal team to scrub this, to make sure we're going down the right path and we're being fair and doing this the right way. I don't want to go off crazy and I don't think two weeks is going to make a difference.

Alderman Adamowski stated, my first suggested change was the paragraph that says the Tax Collector's Office shall compare both lists with DMV records and motor vehicles registration in the State of Connecticut and owned by Ansonia residents. This process shall identify delinquent taxpayers who have improperly succeeded and registered their motor vehicles and we recommend the DMV Commissioner for revoking.

Alderman Marini stated, we should say, these are invalid, and must be revoked.

President Sharkey asked, what did you have on that other one about Employee, Board, Agency, Commission members?

Alderman Adamowski replied, that would probably be a separate paragraph. This is what I wrote: Any Board member of any City of Ansonia Board, Commission, shall be removed by the Board of Aldermen if their taxes are owed for more than one year in arrears.

President Sharkey stated, I'd like to add that also, adding that we resolve to meet on 8/28 at 7 p.m. in Aldermanic Chambers to further discuss and get an update on what is transpired.

Alderman Marini stated, we'll have to look with Alderman Adamowski's suggestion. I would say, you probably want to leave as little discretion as possible. I'm just sort of looking ahead on what the resolution is. Ideally it would be any appointment to any commission, it would be nice to say any employment with the City... obviously you're stepping into areas but say if

you're limiting it to the condition it would be proper to say any commission appointment to an individual who is more than "x" number of years behind their taxes becomes invalid. Is it discretion? Is it the Board of Aldermen and Mayor revoke? Or is it that it just is not any more?

President Sharkey asked, what if we say "the appointment is rescinded"?

Alderman Marini stated, that implies discretion because it implies that we need to take an action. Say Commissioner "X" comes before us, Commissioner "X" has not paid his taxes in over a year; so now we have to make a decision and we're all voting. What if over half of us say, 'no,' we're not going to revoke it? You see what I mean? It does become now ambiguous I'm just sort of looking ahead to that ambiguity. It probably say that the Commission becomes invalid and I don't know if the Charter change needs to be done to do that.

Alderman Adamowski stated, well I wouldn't understand because we appoint them at a regular meeting and we may have to get some...

Alderman Marini interjected, exactly. We could excuse anyone for any reason but the question is, is your resolution saying that we will consider the individual for removal or that they must no longer be in position? Discretions versus....

Alderman Nihill interjected, this is why I'm saying we shouldn't rush into a resolution. We're meeting in two weeks.

Alderman Fainer stated, like John says, it gives the Mayor something to go forward with.

Alderman Marini stated, yeah I think we need to authorize the Mayor to do what he's put out so he could start the wheels.

Alderman Tripp asked, can we do this resolution in two weeks, Mr. President?

President Sharkey replied, absolutely. We could supplement it in two weeks; we can adopt what we have here.

Alderman Stowe asked, does it affect what the Mayor and what the Chief is going to do?

President Sharkey replied, No. They're doing the criminal investigation. They're handling something different than this.

Alderman Nihill MOVED to TABLE the resolution until the Board meets in two weeks; SECONDED by Alderman Tripp.

Alderman	YES	NO	ABSTAIN
Adamowski	X		
Duffus			
Stowe	X		
Tripp	X		
Jeanette	X		
Mott		X	
Fainer		X	
DeLucia	X		
Radin	X		
Madigosky	X		
Nihill	X		
Marini		X	
Knapp	X		
Sharkey		X	
TOTALS	9	4	

A roll call vote was taken and the MOTION PASSED 9 Yes, 4 No, 0 Abstentions.

Communication #5

From: Corporation Counsel Kevin Blake

Re: Sprint Cell Site - 497 East Main Street (ATP Building)

President Sharkey stated, please find a letter with respect to Sprint renewing its Cell Site location to determine whether he should continue in operation. One of the Cell Sites under review is 497.

Actually, this is just for information to us. What Sprint is saying is that they are evaluating all of its Cell Sites and they are going to determine which ones are no longer appropriate. One of which they're looking at is our Cell Site here at 497 Main Street. That's only information telling us they will be reviewing. We have a legal lease with them so whether they shut it off or not I think they still have to pay us. So, we need to have our Corporation Counsel look at what our lease is, when it expires, and how much we're still getting on that. So, that was totally for information.

Alderman Adamowski MOVED to accept and place on file; SECONDED by Alderman Knapp. A voice vote was taken and the MOTION PASSED 13-0.

Communication #6

From: Corporation Counsel Kevin Blake

Re: Jarvis Field (Nolan Athletic Complex)

To be discussed in Executive Session.

Alderman Marini stated, I would like to understand the rationale for going into Executive Session on this.

President Sharkey explained, we have a request to pay a claim on there and I want to discuss the claim with the Aldermen. Then we will come back out, move to pay the claim, and do that.

Alderman Marini stated, reviewing the public letter that's out there, obviously there's a claim that's been filed. It seems the gist of it isn't in relation to that claim but paying for repairs and waiving the bidding process.

President Sharkey stated, it's not to discuss the waiving of the bidding, because actually the project has already been done. Them asking us to waive the bidding actually didn't mean anything. They had the right to repair the property under an emergency basis. They didn't put it out to bid; they already did it. I didn't understand them asking us to waive bids for something that's already been done.

Communication #7

From: Corporation Counsel Kevin Blake

Re: Roof-Top Communications Site Lease Agreement - 497 East Main Street

President Sharkey stated, Ansonia Technology Park building located at 497 East Main Street, Ansonia. Someone else called - MetroPCS Massachusetts is proposing installation of another wireless communication there. As you know, Sprint is currently located on the roof of this business. Corporation Counsel Blake has not received - we need to discuss that in Executive Session.

To be discussed in Executive Session.

Communication #8

From: Corporation Counsel Kevin Blake

Re: BMI (Music Licensing)

To be discussed in Executive Session.

Communication #9

From: Acting Personnel Director Tara Kolakowski

Re: Addition of fourth Ansonia Police Department Dispatcher Position

President Sharkey stated, the Salary Committee met Tuesday, July 24th and unanimously voted to approve the creation of a fourth full-time APD Dispatcher position with hours of employment on weekends and holidays. This will fill a much needed void within the department.

Alderman Nihill MOVED per the recommendation of the Salary Committee to approve the creation of a fourth Ansonia Police Department dispatcher position; SECONDED by Alderman Adamowski.

Alderman Nihill stated, it's not just totally adding a new position of employment, it will cover hours that were previously covered by part-time help. It will actually negate part-time hours that were there.

A voice vote was taken and the MOTION PASSED 13-0.

Late Communication #1

From: City Engineer Fred D'Amico

President Sharkey stated, this is unfinished business from last month. A petition was brought to our attention and it was asked, who owned the hill behind these properties where we were told the trees are falling off the bank. They landed on a car or so down there. The question is: who has the liability?

The report reads:

This report is in response to a petition received by the City of Ansonia Board of Aldermen with concerns on the sloped properties along Beaver Street. A site visit was made July 11, 2012 by the zoning enforcement, James Tanner and myself. It has been brought to my attention that on several locations, the hill along the back portions of lots on Beaver Street has eroded. The erosion has caused trees to uproot themselves and fall on the properties below. The rear property boundary for 41 Beaver Street is approximately 22 feet behind the existing retaining wall. Therefore, this boundary is located on the existing slope.

What they are telling us is in fact where they have the Platt property on Beaver Street, there is a retaining wall at the slope of the property. The property line actually is 22 feet up the slope. So, people that live at 41 Beaver Street own part of that slope where the trees are falling out of. We were also questioned for 55 Beaver Street. The report continues:

The rear property boundary for 55 Beaver Street is approximately 50 feet behind the existing retaining wall. Therefore, this boundary is located approximately half way up the existing slope. Observations have been made of the soils and surrounding slopes in the area. The sheet run off from the property on William Street is always drained downhill. Unfortunately the slopes have not been maintained. Retaining walls that were once holding back the slopes have crumbled or are missing sections. The vegetation is no longer smaller saplings, shrubbery, or grass, which would keep the slope better stabilized. The results of the inspection indicated the walls and slopes are unstable. However the majority of the fallen trees are actually located on properties along Beaver Street, not on the William Street properties. Recommended remediation should include the removal of fallen trees, thin out existing and remove the accumulation of organic material which is causing the instability. Ground coverage should be

planted immediately upon completion of clean up. Should you have any questions, please contact me.

Alderman Nihill stated, the only question I have, Mr. President is: it explains that these people own 22 and 50 feet beyond the existing retaining wall. Who owns the existing property all the way back up the hill?

President Sharkey replied, Probably, I think it's 1 William Street or the neighbors. We need to take a further look at this. We need to get a detailed map of from the top of the slope and down. He actually only told us for our two properties. There's got to be property between 41 and 55 and we need to know who owns that. The rest of the property from 55 all the way around the corner is owned by the City of Ansonia Housing Authority. That property runs all the way down to the existing Webster Hose Park, which is also Ansonia property. So, we need to determine boundary lines for the Ansonia property, how far we own up the hill, who owns the property half way down. The problem is it is all vegetation, there's dried leaves that have fallen for years. The slope has never been cleaned, so now the trees that are there are unstable. You can't walk on the hill. That's a partial answer, I think maybe what we need to do is direct both the City Engineer and our Zoning Enforcement Officer to give us a more detailed description of who owns the property behind here. It can't all be 1 William Street.

Alderman Tripp MOVED to direct the City Engineer and the Zoning Enforcement Officer to provide a map detailing the percentage of ownership of each parcel; and further,

Provide a more detailed report about the hillside land between Beaver Street and Williams Street, and Central Street, and give us a clearer picture as to what the existing conditions are of soil and soil erosion; and further,

Provide suggestions for possible remediation; and provide the percentage of ownership of each parcel; and further,

Have the City Engineer and/or Zoning Enforcement Officer present at the next meeting in order to address any questions regarding this matter.

SECONDED by Alderman Radin. A voice vote was taken and the MOTION PASSED 13-0.

Resignations

None presented.

Appointments

None presented.

Resolutions

Resolution #1

Re: Downtown Improvement Grant

RESOLUTION
CITY OF ANSONIA

Aldermen Edward Adamowski of the 1st Ward and Joseph Jeanette of the 3rd Ward introduced the following Resolution:

Downtown Improvement Grant

WHEREAS, the State of Connecticut Office of Policy and Management (OPM) has in accordance with PA 11-1 an Act Promoting Economic Growth and Job Creation Sec. 78 and 79 – created the Main Street Investment Fund for communities under 30,000 to develop or improve commercial centers including strategic improvements to promote commercial visibility, improve aesthetics, including pedestrian access, and;

WHEREAS, the City of Ansonia desires to prepare an application for financial assistance under PA 11-1 for up to \$500,000 for project entitled “Downtown Improvements” in support of the local commercial/retail center which shall include sidewalks, curbs, resetting of storm catch basins, improve lighting, landscaping amenities for the railroad station landing, street trees, furniture and other architectural features, and signage, as well as municipal parking lot amenities.

NOW THEREFORE BE IT RESOLVED that James T. Della Volpe, Mayor, be and hereby authorized to sign and submit an application for financial assistance under the Main Street Investment Fund program; and

BE IT FURTHER RESOLVED that the Ansonia Economic Development Commission acting by and through Chairman Vinny Scarlata and the City of Ansonia Grant Writer Eileen Krugel be directed to prepare with professional assistance as needed and to further act as the local contact and administrator of the grant for the Downtown Improvements and to submit the grant application to OPM by the September 28, 2012 deadline.

Alderman Knapp MOVED to ADOPT Resolution #1; SECONDED by Alderman Radin.

Alderman Tripp stated, I’ll make my comments brief but in the last paragraph, “be it further resolved,” “professional assistance as needed”. The words are already in there, but I just want to emphasize that. I will make a very quick analogy - just as a doctor would refer a specialist, I would sincerely hope that

professional assistance is used to secure this grant. A general doctor, a very well educated person, but if something, internal medicine or dermatologist is needed, the doctor will recommend a specialist. Just as in this case here, I feel the professional outside assistance is needed in the writing of this. Thank you.

Alderman Marini stated, I mentioned in the beginning about this grant; it's definitely a great opportunity and it's going to be a tough opportunity. It's a fiercely competitive program. Our Mayor's Office, Grant Writer's Office, and Economic Development has done a good job from everything that I've heard that Chairman Scarlata has reported to me, he's gone out to attend training seminars. This is so much of a competitive process that there were four training seminars conducted just to talk to towns, employees and consultants about the difficulty and steps needed to apply for this. They are looking for a specific plan for Main Street. They're looking for something that really is button down that they can fund and get done relatively quickly. Fortunately we are in a good position because our overall plans for the Riverwalk included a Main Street aspect of this, way back when. Our Riverwalk went forward first, but our plans, designs, always included from the beginning a component that involved a portion of West Main Street. We are in a position where we actually do have something very solid and fundable. We need to do more than ask them to add onto our Riverwalk, simply because they're looking at this from a complete Economic Development point of view. They're going to say, "hey, you got money for a Riverwalk before, why are you eligible?" Everything I've seen really recommends that you have a consultant as Alderman Tripp alluded to. You need a professional consultant that knows the ins and outs, the lay of the ground, to work with our grant writer, the Mayor's Office and Economic Development to handle this and get us the best shot possible. I would affix to this resolution a recommendation that an outside consultant be utilized for this project in the same manner that we got that \$300,000 a year housing rehabilitation grant. Again, it's the first time we got that money in about a decade, and we did the right thing by selecting someone who knew what the state was looking for. If it is not what the state is looking for, you don't get the money. We are in competition with 130 towns.

Alderman Stowe stated, I've been involved in the interview process with the consultants, and that's where this grant came from. One of the interviewees that had the grant specified that without a professional with proper plans and construction costs and it being filled out exactly right, we would probably lose this grant and there was another individual there that has been kind enough to give us some free advice who lives in town and he said in his town where he works he said they often have to hire professionals to get grants because they're not qualified. It's a Valley town and what they've done already is what we want to do. If there are three individuals, the professional, our Grant Writer, and our Chairman, if they work together properly with the Mayor I believe this application has a good chance of making it.

Alderman Knapp stated, our Grant Writer is very professional and probably very capable of handling this application, but if she feels and the Mayor and Economic Development person feel they may need outside help, fine.

A voice vote was taken and the MOTION PASSED 13-0.

Resolution #2

Re: Connecticut General Statutes Section 8-24 Referral - MetroPCS Massachusetts, LLC

To be discussed in Executive Session.

Resolution #3

Re: Implementation of New Policies and Procedures of the Ansonia Tax Office

TABLED previously in meeting - A special meeting of the Board will be held at 7 p.m. Tuesday, August 28, 2012.

Resolution #4

Re: Emergency Repairs to Jarvis Field

To be discussed in Executive Session.

Unfinished Business

None presented.

New Business

None presented.

Executive Session

At approximately 9:50 p.m. Alderman Radin MOVED to enter executive session to discuss the following items:

- 1. Recovery Network of Programs, Inc. (Communication #2)**
- 2. Metro PCS of Massachusetts, Inc. (Resolution #2)**
- 3. BMI Cease and Desist Order**
- 4. Emergency Repairs to Jarvis Field (Resolution #4)**

Mayor Della Volpe, Labor Counsel Teodosio and Chief Hale were invited to remain in the auditorium for Communication #2; SECONDED by Alderman Mott. A voice vote was taken and the MOTION PASSED 13-0.

Motions from Executive Session

At approximately 10:15 p.m. Alderman Nihill MOVED to return to Regular Session; SECONDED by Alderman Mott. A voice vote was taken and the MOTION PASSED 13-0.

It was noted that there were no votes taken in Executive Session.

Ansonia Technology Park - Metro PCS of Massachusetts, Inc.

RESOLUTION
CITY OF ANSONIA

Aldermen Joseph Jeanette of the 3rd Ward and Jerome Fainer of the 5th Ward introduced the following Resolution:

Connecticut General Statutes Section 8-24 Referral: MetroPCS Massachusetts, LLC

WHEREAS, the City of Ansonia owns the Ansonia Technology Park Building located at 497 East Main Street, Ansonia, Connecticut; and

WHEREAS, MetroPCS Massachusetts, LLC is considering installing a wireless communication utilities on top of the ATP Building; and

WHEREAS, MetroPCS Massachusetts, LLC would need to seek approval from any and all land use boards and/or commissions of the City of Ansonia and any other regulatory agency applicable to this application before the installation of any wireless communication equipment on top of the ATP Building; and

WHEREAS, the Office of Corporation Counsel would negotiate the terms and conditions of the Roof-Top Communications Site Lease Agreement and bring the proposal before the Board of Aldermen upon approval of Metro PCS Massachusetts, LLC applications to the appropriate land use commissions and/or boards; and

WHEREAS, the Board of Aldermen hereby refers this proposed lease of space at the Ansonia Technology Park to the Planning and Zoning Commission for its consideration;

THEREFORE, BE IT RESOLVED that the Board of Aldermen of the City of Ansonia hereby approve continued negotiations with MetroPCS Massachusetts, LLC and empower the Office of Corporation Counsel of the City of Ansonia to negotiate the terms of the lease and be presented to the Board of Aldermen for final review upon Metro PCS Massachusetts, LLC

receiving all necessary approvals for its proposed wireless communication site at 497 East Main Street, Ansonia, Connecticut with any appropriate land use commission and/or board or any other pertinent regulatory agencies. Furthermore, the Board of Aldermen refers this proposed lease to the Planning and Zoning Commission for consideration.

Alderman Knapp MOVED to ADOPT Resolution #2; SECONDED by Alderman

Add: Make sure that he is aware that there cannot be tolerated any interference from this equipment to Ansonia's emergency services radio communication equipment that is already there.

SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 13-0.

Repairs to Jarvis Field - Resolution #4

RESOLUTION
City of Ansonia

Aldermen Edward Adamowski of the 1st Ward and Joseph Jeanette of the 3rd Ward introduced the following Resolution:

Emergency Repairs to Jarvis Field

- WHEREAS, vandalism occurred at Jarvis Field, located at the Nolan Field Complex, which was discovered on July 31, 2012; and
- WHEREAS, this football field is the city's primary football field for the Ansonia High School teams as well as for other functions and football squads whom utilize the field through the Ansonia Recreation Commission; and
- WHEREAS, the City of Ansonia Board of Public Works desires to repair the field on an emergency basis so as to allow time for the repairs to become settled before Jarvis Field can be used for football and other functions; and
- WHEREAS, the Board of Public Works requests that while an insurance claim is being reviewed with the City of Ansonia's liability carrier, the bidding process under Ansonia City Charter Section 138 be waived and to contract with MVP Sportsfields of CT which had made repairs to Jarvis Field approximately two years ago and is familiar with the construction of Jarvis Field; and

WHEREAS, the Board of Public Works hopes that those responsible for the damage, when found, will provide restitution to the City of Ansonia for the cost of the repairs; and

WHEREAS, the Board of Public Works seeks the cost of the emergency repairs be paid by the City of Ansonia while the Office of the Corporation Counsel works with the city insurance company as to the administration of the claim;

NOW THEREFORE BE IT RESOLVED that the Board of Aldermen finds it to be in the best interests of the City of Ansonia to waive the bidding process contained in Ansonia City Charter Section 138 and hire MVP Sportsfield of CT to make the necessary repairs to Jarvis Field with the cost initially borne by the City of Ansonia while the claim is being reviewed by the city's insurance carrier.

Alderman Knapp MOVED to ADOPT Resolution #4; SECONDED by Alderman Nihill. A voice vote was taken and the MOTION PASSED 13-0.

Adjournment

Alderman Nihill MOVED to adjourn; SECONDED by Alderman Radin. A voice vote was taken and the MOTION PASSED 13-0.

The meeting adjourned at approximately 10:20 p.m.

Respectfully submitted,

Patricia M. Bruder, Secretary
Ansonia Board of Aldermen