

DERBY BOARD OF ALDERMEN REGULAR MEETING

DERBY CITY HALL – OCTOBER 23, 2008 - 7:00 P.M.

MINUTES

The Honorable Mayor Anthony Staffieri called the regular meeting to order at 7:10 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Kenneth J. Hughes, Beverly Moran, Joseph M. Bomba, Ronald Sill, Scott M. Boulton, James Allaire, James J. Benanto, Anthony Szewczyk

Absent: David M. Lenart

Also Present: The Honorable Mayor Anthony Staffieri
Philip Robertson, Chief Administrative Officer
Keith A. McLiverty, City Treasurer
Alan Schlesinger, Finance Director
Henry J. Domurad, Jr.
David L. Kopjanski, Building Official/Zoning Enforcement Officer
Philip A. Hawks, Fire Marshal
Ron Culmo, Director, Public Works Department
Chief Eugene L. Mascolo, Derby Police Department
Deputy Chief Gerald Narowski, Derby Police Department
Lt. Salvatore Froscono, Derby Police Department
Robert Hughes, Chair, Derby Police Commission
Leo DiSorbo, Derby Police Commission
Dr. Steven Tracy, Superintendent of Schools
John Saccu, Director, Bureau of Youth Services
Vincent Vizzo, Derby Emergency Management Services
Andrew Cota, Facilities Inspector, City of Derby
Joseph Moore, Facilities Inspector, City of Derby
Leo Moscato, Jr., Director, Derby Municipal Parking Authority
Louise Pitney – Democratic Registrar of Voters
Ernestine Gaudio – Republican Registrar of Voters
Ken Dupke – President, Derby Police Union
Paul Varsanik, Board of Apportionment & Taxation Member
Carolyn Duhaime, Board of Apportionment & Taxation Member
Richard DiCarlo, Cultural Commission
Laura Wabno, Town & City Clerk
Joseph T. Coppola, Corporation Counsel

ADDITIONS/DELETIONS/CORRECTION TO AGENDA

Mr. Hughes said he would like to make the following additions to the agenda:

- New Item 7b. – Letter from Tim Stankye
- New Item 8.5 – Commodore Hull Committee – Correspondence
- New Item 13a. – Resignation of Alan Schlesinger as Finance Director
- New Item 13b. – Appointment of Henry J. Domurad, Jr., as Finance Director – Discussion & Possible Action

- New Item 14.5 – Refund of Excess Taxes Requested through October 16, 2008

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to approve the additions and to adopt the agenda as amended. **Motion carried.**

PUBLIC PORTION

Mayor Staffieri said he would like to read the following into the record:

September 29, 2008

The Honorable Tony Staffieri, Mayor
City of Derby
City Hall
1 Elizabeth Street
Derby, CT 06418

Dear Mayor Staffieri:

I am writing to extend my sincere thanks for the assistance your Police Department provided to the City of New Haven by covering shift responsibilities for New Haven Police Officers during the recent services for Sergeant Dario Aponte.

This support provided much needed relief to the New Haven Police Department and freed up our Officers to take part in both the wake and funeral and to attend to their own grief without the added burden working their shift.

It is gratifying that the bonds between our police forces are extraordinarily strong and that we can rely on mutual aid under the most circumstances. Your support is greatly appreciated.

Very truly yours,
John DeStefano, Jr.
Mayor – City of New Haven

September 24, 2008
Mayor Anthony Staffieri
City Hall
1 Elizabeth Street
Derby, CT 06418

RE: Grant #20081725: To support Derby Youth Service Bureau's Teen Safety Program designed to reduce youth deaths caused by automobile crashes.

Dear Mayor Staffieri:

On behalf of the Valley Community Foundation I am extremely pleased to confirm that at its meeting on September 8 the VCF Board of Directors voted to approve a Grant in the amount of \$1,000 to the City of Derby, f/b/o the Derby Youth Service Bureau, in support of the project described above.

We are also gratified by the generous support of this project from one of VCF's Donor Advised Funds: **The Joseph Pagliaro, Sr., Family Fund**, which provided \$600 toward the

Grant awarded. Michelle Pagliaro Haywood (c/o 390 River Road, Shelton, CT 06484) is one of the Pagliaro Family Fund's donor advisors.

Your Grant is one of thirty-one awards totaling \$171,100, which represent some of the most important and innovative work happening in the Valley.

Within the next week, your organization will receive additional correspondence from us concerning the details of this decision.

We wish you every success in implementing this project.

Very truly yours,
VALLEY COMMUNITY FOUNDATION
James E. Cohen President

Mayor Staffieri said the person we have to thank for getting this award is John Saccu.

Mayor Staffieri also noted that Lt. Sal Froscono went way above his work experience as a police officer to oversee the proper installation of the new roof at the Derby Police Department and he thanked him for his hard work on this project.

Tom Lionetti, 79 Sunset Drive, Derby, CT – Could we speak about this transfer station when we do (inaudible) because I don't know what it's about. I mean from what it says here – discussion and possible action – what do you mean. How can we publicly speak on something when we don't know what to speak on?

Mayor Staffieri – During the time period when we bring this up if you have any questions you can.

Mr. Lionetti – Okay. Just one other thing I think we should give the Registrar of Voters a raise because they really work hard and they do a good job and I think they deserve that raise. I don't know too much about the ex-Chief but I know (inaudible.) One other thing Mr. Mayor I told you I thought Mr. Mascolo did a good job on his report when I went to the Police Commissioner's meeting but I would like to say this – if we have any Supernumeraries that live in Derby such as Mr. DeFala I think that if the City has any openings that they should give our guys the job and I don't care about anybody else. Take care of Derby's finest. He did a good job. Thank you.

Ken Dupke, President, Derby Police Union – I would like to reserve the right to speak after the Police portion under the same guidelines that Mr. Lionetti said because that's a topic that we have to discuss and it would only be fair to us (inaudible.)

Mayor Staffieri – Sure.

Dan Waleski, 21 Elm Street, Derby, CT (Concerned Citizen and Zoning Advocate) – This past Tuesday evening the Planning and Zoning Commission after an ambitious agenda adjourned shortly after 11:00 p.m. It was an extraordinary evening of serious and attentive deliberations on significant zoning issues. Your trust and faith in your appointments and fellow commissioners has been well placed in their membership. The Chairman, Corporation Counsel, and consulting engineer have contributed much to the overall success of the Commission. It was heartwarming to have been present at this meeting and I simply thank your administration for your leadership and direction on

behalf of our community. The second item that I want to mention is today I received in the mail Connecticut Magazine for November it lists the Top Ten Thirty-Five High Schools in Connecticut. Derby is not on the list nor is there anyone from the Naugatuck Valley on the list. It only lists thirty five out of the maybe one hundred fifty schools in the State. I just want to point it out that the article is in this issue – you may want to review it. And I'm happy to be able to point this out because our distinguished Superintendent of Schools is here tonight, Dr. Tracy, and I'm sure he would be interested in reviewing it also. So it's just for your general information. Thank you Mr. Chairman.

Paul Varsanik, Park Avenue, Derby, CT – Let me just first off start by saying that I'm not necessarily against the raise for the Registrar of Voters; however as a taxpayer I feel that that raise needs to be budgeted and that needs to follow the normal budgetary process. So if it's this Board's pleasure to grant Ms. Gaudio and Ms. Pitney a raise I would urge this Board to make it effective July 1, 2009 and not put it into effect immediately. As for the Blight Inspectors same thing. Mr. Moore and Mr. Cota have done a first rate job in performing their responsibilities to date; however once again you're trying to authorize a raise that hasn't been budgeted and that needs to follow the normal budgetary process as well. I just urge this Board to make that effective July 1, 2009 as well. As for the gas allowance that is a City-wide line item so I would urge the Board to give them that \$1,200 gas allowance but defer that raise until July 1st. As for the Transfer Station as we all know it's a rather hot topic in town and it was abruptly implemented on July 25th of this year. I'm not certain what action this Board plans to take tonight but the ninety day trial period has ended or will soon come to an end. If it's this Board's intention to keep the Transfer Station under control of a Contractor I urge the Board not to grant a waiver just to award the Contract – please put it out to bid. Thank you for your time.

Arlene Yacobacci, 10 Lombardi Drive, Derby, CT – I'm just questioning about the resignation of Alan Schlesinger and the appointment of Henry Domurad. Is that a temporary appointment or are you posting the job so you could interview applicants? I'm just wondering why it isn't going out to be posted. Thank you.

Alan Jeanetti – I would like to speak when the Transfer Station comes up.

Mayor Staffieri – Sure.

Mayor Staffieri asked three times if anyone else would like to address the board.

Hearing no one else from the public wishing to address the board...

PUBLIC PORTION CLOSED

APPROVE MINUTES OF THE SEPTEMBER 15, 2008 SPECIAL MEETING

A MOTION was made by Mrs. Moran with a second by Mr. Sill to approve the minutes of the September 15, 2008 Special Meeting as presented. **Motion carried.**

APPROVE MINUTES OF THE SEPTEMBER 25, 2008 REGULAR MEETING

A MOTION was made by Mr. Benanto with a second by Mr. Bomba to approve the minutes of the September 25, 2008 Regular Meeting as presented. **Motion carried.**

COMMITTEE REPORTS – Community Relations

o *Blight Designation – 189 Derby Avenue*

Mr. Szewczyk said the Community Relations Committee met and it is their recommendation to place 189 Derby Avenue on the Blight List.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to place 189 Derby Avenue on the Blight List. **Motion carried.**

Mr. Szewczyk said he would also like to commend Ron Culmo and the Public Works Department for the fine job they did cleaning up at Witek Park. He noted that there had been a tractor in the pond for approximately two years, which they were able to remove and they have cleared the pathways.

Mr. Hughes read into the record a letter received from Tim Stankye:

Dear President Hughes:

I am Timmy Stankye son of Karen and Richard Stankye. I am currently working toward the rank of Eagle Scout. One of the requirements of Eagle Scout is to do a service project that would help better the community. Being involved with Derby Youth Soccer I have noticed at the present time we do not have a sign for the soccer fields at Witek Park. You and I have discussed the matter and you liked the idea. I have also talked to Mayor Anthony Staffieri along with Parks & Recreation Director Dennis O'Connell and they also said that it was a great idea. What I am proposing, if approved by my troop, is design a sign similar to the ones at Bradley School and the Derby Public Library, lead a group of Scouts to construct it, install it, and plant some flowers and shrubs around it. I will work with you as to the final design and location of the sign once I receive all my approvals. What I am going to need from you is a letter stating that you and I have discussed the project and the City approves of it. Thank you for all your help with this matter. If you have any questions please feel free to call me. Sincerely yours, Timothy B. Stankye.

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to approve the project proposed by Timothy B. Stankye with guidance from Mr. Hughes and Mr. Boulton to assist Timothy with the location of the sign and the details of the plan. **Motion carried.**

DEPARTMENT REPORTS

Mayor Staffieri praised Dr. Tracy for the fine job he has done to date and noted that it is truly a welcomed sight to walk through the corridors of Derby High School and note that the students are in their classrooms and not in the corridors as it was in the past. He said it is like a whole new school.

o *BOARD OF EDUCATION REPORT – (Dr. Steven Tracy, Superintendent)*

Dr. Tracy thanked Mayor Staffieri for his comments and noted that he owes him a lunch up at the school. Mayor Staffieri said he still wants to pursue the Student Liaison committee where he would sit down and have lunch with the students at least once or twice a month. Dr. Tracy said he would certainly welcome that and he extends the invitation to everyone in the room. He said he is pleased to report that Fran Thompson has begun his new work as Principal of Derby High School and noted that the person

who is leading the top school in the State according to the Connecticut Magazine article, which Dan Waleski referred to, came out of the management team at Daniel Hand High School, which is the same school where Fran Thompson comes from. Dr. Tracy said he wants to thank Sally Bonina, the Middle School principal and Matt Bradshaw the assistant principal for their help prior to Mr. Thompson's arrival.

Dr. Tracy said the schools are fully enrolled and fully staffed and they have experienced an increase in enrollment at the younger grade levels, particularly in the Kindergarten class at Irving School. He noted that progress continues on the new Middle School and he thanked Keith McLiverty and the Building Committee members for all their hard work. He then thanked Phil Hawks, the City's Fire Marshal for coming up to the High School to review the Fire Code. He said that he, Dave Nardone and the Fire Marshal toured the school to view the areas where they are not up to code to see how those issues can be rectified. Dr. Tracy thanked the Mayor for the invitation to the Columbus Day celebration held at City Hall. He then told the Board members that the students at Derby High School have prepared a short film outlining changes which they would like to see at the school. He informed the Board members that Victoria Smey is the new Derby High School representative to the Board of Education. The Derby Board of Education will conduct its fall planning conference on November 5th. He said the 2010 budget will also be reviewed at that meeting.

Mr. Bomba asked Dr. Tracy what the students said was the biggest need for change at the High School. Dr. Tracy said they mentioned the facility itself – heating, roof leaks, etc... He said they also talked a lot of the need for students to take more responsibility and noted that the film was totally unscripted. He said they also expressed concerned over favoritism at the school. Dr. Tracy said he would be happy to share the film with anyone who would like to view it. Report placed on file.

○ **CULTURAL COMMISSION REPORT – (Rich DiCarlo)**

Mr. DiCarlo informed the Board members that the annual Halloween event is scheduled for Friday October 24th with a rain date of Sunday, October 26th. He said they are currently planning the Christmas tree lighting ceremonies. Also the minutes for their August 2008 meeting have been amended and resubmitted to the Board. Report placed on file.

○ **PUBLIC WORKS DEPARTMENT REPORT – (Ron Culmo, Director)**

Mr. Culmo asked if anyone had any questions on his report. Mr. Hughes asked if any progress has been made on the trap rocks on the Greenway. Mr. Culmo said they were sprayed about a week ago. He also informed the Board members that the Police Department apprehended a few youths doing graffiti on the Greenway. They will have to clean up the graffiti and do additional painting. Mr. Szewczyk asked about the Public Works Department involvement with the EPA and cleaning up of O'Sullivan's Island and the barge that is to be installed at O'Sullivan's Island. Will the work be done soon in order to get the barge installed? Mr. Culmo said that it is all contingent on the work that the EPA is doing at the site. Mr. Szewczyk asked Mr. Culmo to contact them for an estimated date of completion.

Mr. Hughes said he and Mr. Culmo have discussed employee attendance. He stated that he has a discrepancy with the numbers and said he would like to review this with him. Report placed on file.

SIDEWALK REIMBURSEMENTS

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to approve the following sidewalk reimbursements: TEAM, Inc. – 30 Elizabeth Street - \$1,188.00; Grillo Realty, LLC – 121-123 Olivia Street - \$3,857.04; and Griffin Hospital – 300 Seymour Avenue - \$1,207.80. **Motion carried.**

- **BUILDING DEPARTMENT REPORT – (David L. Kopjanski, Building Official/Zoning Enforcement Officer)**

Mr. Kopjanski informed the Board members that the Middle School project is underway and he expects to be on site two to three times a week. He said the concrete work commenced this week. Lowe's is still ahead of schedule although the northwest corner of the property is still causing them problems. They are still on schedule for a December opening. The Dollar Tree Store is also ahead of schedule and will probably be completed ahead of the Lowe's Store. He said what could hold up the opening is the parking lot and the off-sight improvements on Route 34/Sodom Lane.

The work needs to be 100% completed before the State Traffic Commission (STC) is going to allow the Department of Transportation (DOT) to allow the City to issue a Certificate of Occupancy. Mr. Hughes asked Mr. Kopjanski if they are going to address the timing of the lights. Mr. Kopjanski said that is included in the plan that was submitted to both the STC and the DOT. Report placed on file.

- **FACILITIES INSPECTORS' REPORT – (Andrew Cota, Joseph Moore)**

Mr. Kopjanski noted that both inspectors, Andrew Cota and Joseph Moore, are present this evening. There were no questions raised. Report placed on file.

- **FIRE MARSHAL REPORT – (Philip A. Hawks, Fire Marshal)**

There were no questions asked. Report placed on file.

- **FIRE DEPARTMENT REPORT**

There was no one from the Fire Department present.

- **POLICE DEPARTMENT – (Chief Eugene L. Mascolo)**

Chief Mascolo said everyone should have received his report and asked if the board had any questions. No questions were raised. Report placed on file.

- Supernumerary Recommendation – Board of Police Commissioners, Discussion & Possible Action

Please note - The recording secretary has chosen to type this part of the meeting verbatim.

Chief Eugene L. Mascolo – Okay I would like to – if there's no questions – I would like to get into the issue of a reduction in our Supers – bottom line up front what I'm looking for is a reduction in our Super ranks to zero under Charter Section 45 – and you should have a copy of that in the packet that I sent to you. And the reason I need to do that is I just don't have any work for our Supers any longer and I can't justify the investment in the program for next fiscal year. You may ask why am I here now. A number of things caused the Police Commission to ask me to do a comprehensive review of the Super program. One of them is the fact that for the second period two Supernumeraries have filed for Unemployment Compensation, so I'm in the second twenty-six weeks of paying unemployment compensation to two of our Supernumeraries. We recently had to settle a lawsuit that raised some concerns about the program and I'm preparing for

budget development for the next year and because of these concerns the Commissioners asked me to take a look at the program. My review caused me to recommend to the Commissioners and they voted to have me come before the Board. My evaluation determined that it did make sense to eliminate the program. And because of the lead time I need to fulfill my requirements in the layoff process I need to start the process now so I can make the appropriate adjustments for budget time. The dilemma is there's just not enough work for our Supers. We recently changed the way we schedule at the Police Department. Some of the terminology has been we've gone to a full-time department. We've always been a full-time department but our old system relied primarily on Supers for replacements. Our new system relies on our full-time police officers for replacements. Under the old system, '06-'07, Supers worked extensively. Some of our Supers worked full-time hours and more. Under the new system, last fiscal year, Supers worked only about 40 shifts, which is about 5 shifts per Super if distributed amongst all the Supers and all the Supers don't work. So the environment didn't provide any more work this fiscal year of anything. We're starting to learn some of the rhythms of the new business and our full-time cops take virtually any work that's available. So far this year there's only been three shifts available for Supers in this fiscal year. I don't expect any change in that environment. I don't expect any change to the Regulars' first call-out process and I know the Union is here and I'm sure the Union President will speak, but I just – I don't expect that to change no matter what is said tonight. I don't believe our full-time officers will give up the Regulars' first call-out right. So because of that I don't anticipate any new work for the Supers under this system. To provide work for Supers we would have to increase the manpower we deploy out on the street and I cannot justify the additional manpower that really amounts to subsidizing the Supernumerary program. So basically no matter what we won't have a significant – really we'll have virtually no work for the Supers next fiscal year. I've heard a lot of questions about whether or not our manpower levels are fine. Our Contract includes a Minimum Contractual Road Strength of three officers on the road and what that consists of is generally an officer on the west side of town, an officer on the east side of town and a roving Supervisor. When we get up to full staffing of twenty patrol officers after the first of the year next year we'll have twenty patrol officers, thirty-one sworn full-time officers assigned to other duties throughout the department. Four sworn officers are provided under a full-staff department, which is one above the minimum staffing two out of three shifts a day, five to seven days a week. So five of seven days a week under a fully staffed, full-time department you'll have one officer above the three sworn minimum. To put the minimum staffing in perspective – I'm going to talk about minimum only – not the addition of one more for four – I'm going to talk about the minimum of three on the road. The minimum of three on the road provides about one cop per 1.8 miles of the City. That's just tremendous coverage; few places have that kind of coverage – one cop per 1.8 square miles. Our response time currently is under three minutes. It's rare for us to go over five minutes and that's just phenomenal. Few places provide that kind of response time. There's virtually no overdue reports. So based on the fact that there's no overdue reports it's an indicator that there's enough man-hours on each shift to not only staff the shift for the police demand, to patrol, and to produce the products that our officers are required to produce. So when you take the amount of man-hours that are available – three cops times seven hours – because say we give them an hour for work – if you take the police demand away from that shift basically there's enough time at twenty miles an hour for our guys to patrol all forty road miles of the City about three times – one twenty miles a night. That's called the "Bartel Method" of patrol allocation and the amount of self directed time available to patrol after police demand with three cops is enough to cover the entire City three times. Another way that we can look at whether or not

there's enough man hours on the street, enough cops on the street, is how many times we have to call for mutual aid. And mutual aid is necessarily a disaster – mutual aid is you know when our guys are tied up and we need cops to respond right away. So far this fiscal year we've only called for mutual aid twice and that's very, very reasonable. So those realities forced me to look at the viability of the Super program so I put some of the costs together. Last year for training we spent approximately \$12,000 on the Super program and generally we would budget the same proportionate to raises for subsequent years. Each Super gets a clothing allowance of about \$475, which program-wide is about \$4,275 so the total of those two costs is \$16,275.00. Unemployment Compensation last year was \$11,328.00 to our two Supers that continued to work but also collected unemployment and are continuing to collect unemployment. So I'm not sure if I'm using the right terminology but what I call "overhead" last year was \$27,600.00. So if you take Super pay, which is about \$189.00 you multiply it times the forty total shifts they work, which is about \$7,500.00 we paid \$35,173.00 for the forty shifts last year – that's about \$880.00 per shift every time the Super worked. Remember they only worked three times so far this year so that cost goes way up per shift. I've heard a lot of comparisons between a Supers \$189.00 and the Regulars wage at overtime. The daily overtime wage for a regular is \$362.95 – their overhead is already accounted for. So when a Super comes out to work overtime I don't have to figure in overhead because it's already a cost in the budget so you really have to compare that \$362.95 a day to the \$800.00 a day it costs me for a Super. Basically Regulars are about \$517.00 cheaper per day than a Super. And there's some additional issues. Many Supers have not worked for extended periods. I have some guys that have not worked for years that are on the force and there's been some guys even when there was work available – even when we had a lot of work available – just consider last year – last year alone Supers refused 180 assignments – that includes shift work, outside work. So even last year they only worked 40 and there's been 180 shifts that have been refused – shifts and overtime work. And what happens when a police officer doesn't work it creates some training and liability issues. There are certain tasks, and I'm going to go into them in a second, that require constant exposure and constant maintenance and you get that from being on the job. If you're not on the job for an extended period of time the first thing that we have to do is bring you up to baseline. So these officers that really haven't worked – some of them in over a year and at least one of them for many years – they have to be brought to a baseline of training before I can certify them to work again. Now they're certified police officers – that's not the issue – the issue is internally the lack of work has degraded their skills to a level that I'm not comfortable with them coming on the road. So not only do I have to bring them up to a baseline level, which my Field Training Officer tells me (inaudible) wide once they get up to that level in order for those skills not to degrade again they have to work continuously and there's no work for them – there's no work for them. There's a Contract item – let me talk a little bit about risk and then I'll get into the Contract item that tells us about what Supers should work. The issue, in addition to the cost issue, is about risk. And when we assess risk what we look at is we look at low frequency, but high risk tasks. High frequency, high risk tasks on the job training prepares police officers to deal with them. When the tasks are low frequency but high risk it creates an increased opportunity of issues. It could cause a bad decision that relates to constitution harmed. It can cause an inappropriate use of force, which could result in somebody getting hurt. So these tasks that we have to keep our police officers up to speed on are actually enumerated by the certifying agency in the field training program. And some of the low frequency, high risk tasks are use of force, domestic violence response, high risk motor vehicle stops, high speed pursuits. An officer who doesn't get exposure to these tasks on a consistent basis, not only because they're low

frequency anyway but if they don't have work experience they have no opportunity at all to get exposed to these tasks it increases risks for us significantly. And it has nothing to do with the quality of our people, the quality of our Supernumeraries. They have provided honorable and dedicated support for a long, long time. It just has to do with the facts of keeping any human being qualified for these perishable low frequency, high risk tasks. In addition to duty time any sworn police officer is obligated to act 24/7 even during their off-duty time. So we have a risk with our police officers – our part-time police officers, our full-time police officers – number one on the job, but number two when they're off-duty they're obligated to act. If they act off-duty, even if we don't provide work for them, this risk extends to off-duty time. In addition to the low frequency, high risk tasks there's complex tasks and it presents a different kind of risk. If you don't work consistently you're less prepared to deal with a complex task. It creates issues with presentation in Court and on top of it, it could create some issues with a bad decision causing a violation of someone's Constitutional Rights, which can cost us some money and on top of it we need to protect our citizens from that. So these complex tasks take consistent experience and I pulled some of those tasks off with the assistance of my Field Training Coordinator I pulled some of these tasks off of the FTO task list like I did with the low frequency, high risk tasks and some of them include accident investigation, DUI enforcement, evidence collection & seizure, juvenile matters, arrest & search warrant preparation and report writing. So the dilemma, in addition to the costs, is that those important skills are very perishable, they require constant exposure to maintain competence. So what we have it's not that our Supers are bad but we have Supers that don't work consistently for months or years it significantly increases the risk because they don't have the on the job training experience. So this is really nothing new – would you hand out item number one (**attached to minutes #1.**) This is really nothing new if you look at Section 24.2 of the Union Contract it stipulates that – it designates that any Super that does not work four shifts per month – if I provide them the opportunity to work – if I provide at least six opportunities and a Super doesn't work four times under that Contract item they can be terminated. So because I haven't been able to consistently provide opportunity for a long time and because under the old system, that needed to be changed, we relied on Supers more the City did not pursue that section and terminate any of these officers who haven't worked for awhile. But what I'm saying is this is nothing new and the four shifts per month, basically about one per week, is a standard that's been around for quite a while. Like I said not only do they need to work consistently, but they need to be brought up to a baseline. To bring them up to a baseline is a significant cost. There's no work to get them to work consistently. To have them work those four shifts per month is about an \$81,000.00 increase to my budget. So if they don't get a slice of the replacement work, which no matter what anybody says I don't see it happening, if they don't get a slice of that work to get those four shifts per month its about another \$81,000. I don't need the police demand so my perspective is it that it would amount to a subsidy. I've also heard questions about why we don't just hire Supers to become Regulars. Since I've been Chief we've hired nine officers and there's a possibility of hiring another three. The reason we haven't hired any Supers to the full-time ranks is none of them have taken the recruit test. Now the Supers are saying one they shouldn't have to take a test; and two if they do take a test it should only be a written test and an oral test – would you please hand out item number two (**attached to minutes #2.**) Item number two is Section 47 of the Charter. Section 47 of the Charter mandates that Supers need to take a test to become Regulars. Now Section 45 of the Charter says that only Supers shall become Regulars – so keep that in mind – that only Supers shall become Regulars. Item number 47 – Supers need to take a test. So Supers have to take a test before I can give them a job – that's number one. Now please hand out item number three and item

number four – I'm sorry to keep you jumping up and down. In item number 3 and item number four you'll see Section 3.3 and Section 22.5 of the Union Contract (**attached to minutes #3 & #4.**) Now the Supers also say that the Union Contract does not supersede the City Charter; it absolutely does. The Union Contract supersedes the City Charter for issues appropriate to Collective Bargaining. Promotion from Super to regular is an issue appropriate to Collective Bargaining. And this is from my professional opinion and legal advice that we've gotten from labor counsel and the Union and the Supers will have a different opinion and I'll address that in a second and that's okay, I'll address that in a second. What you see under Section 3.3 it's the section that enables the Derby Police Department to hire police officers off the street; in other words police officers that haven't been Supers. Because of the issues around hiring police officers off of the street, we negotiated in with the Union that any Super that takes that test will get 7.5 points added to their final score over an outside candidate. In addition to those Supers getting 7.5 points added to their score, the City has an option to reach around any outside candidate and take the first Super. And what I can say is since 1997 when that item was included in the Contract all six Supers hired to regular were hired under the enhanced screening processes that I'm going to talk about in Section 22.5 and a few of them have been hired over outside candidates. So number one 3.3 expands on the Contract because the Contract supersedes the Charter and gives Supers extra benefits over outside candidates. Item 22.5, which is part of the Union Contract, designates that no individual – nobody – no individual shall become a regular Derby Police Officer unless they take a polygraph exam, a physical fitness exam, a medical exam, a drug test, a psychological test and a few other items. No Super has participated in any of the three processes that have occurred on my watch so far. Now Supers have claimed that they didn't know about process number one and number two so prior to process number three, which we just completed, I sent a letter to all our Supers telling them that we have a test coming up. None of them took that test. That's why we don't have the ability to hire any Supers to regular officer because number one we have to comply with the Charter give them a test, number two we have to comply and want to comply with the increased screening issues under Section 22.5. If they don't get in the game they can't be considered for this job. If they get in the game, if they pass all these items, the City has the right to reach around outside candidates and grab one of our Supers and we've done that for Kimmy DeMayo, we did that Scott Todd. And there's been many Derby residents who have taken the test and who have gotten hired right off the street. So the bottom line is again there's just not enough work to justify this program. It's not that our Supers are bad, it's just the program under the current Collective Bargaining Agreement is broken. So what I'm asking the Board of Aldermen to do is reduce the staffing to zero so I can start the lay-off process. I said I would address my interpretation of the contract versus the Union's interpretation of the Contract and the Supers' interpretation of the Contract. What I'm asking you to do is reduce the program to zero so I can start the lay-off process. Now there's already a couple of labor actions in relation to this issue now and there will be more. I'm sure the Union will file grievances – and I shouldn't put words in the Union's mouth, but I expect the Union to file grievances and Municipal Prohibitive Practices. Once you reduce to zero and I begin the process these issues, the issues that we have with the Union, will get resolved by the Labor Board. But we have to start the process to even get there. So I'm asking to reduce staffing to zero. I will start the lay-off process in accordance with the Contract and we will address these Supers' issues, which like I said I'm briefing you from my professional opinion and the opinion that I've gotten from labor counsel, but the Labor Department will address the issues that the Supers have once I start the lay-off process. If you don't reduce to zero we have to look at some other way to address this issue. If you don't reduce the program to zero I will have to budget for the overhead. I

will have to spend that money but next year there will not be any work for these Supers. Like I said it's not that our Supers aren't fantastic people that have provided great service for us, it's a business decision and in these tough times I have to look very closely at my budget and I am the guy that gets sued for negligent hiring, negligent retention and failure to train if I put our Supers out on the street unprepared – even though in their hearts they feel they're prepared – they will not be prepared to deal with those low exposure, low frequency, high risk tasks and they will not be prepared to deal with these complex tasks. So I'm asking you, again, to reduce the level of the program to zero so I can start the process that will ultimately be resolved in labor actions and (inaudible.) Does anybody have any questions?

Alderman Joseph Bomba – I mean the report is excellent. If you read through the report it is very self-explanatory and your explanation here tonight is pretty self-explanatory. My concern is that if there's an overlook as to maybe there's a need for a program like that would you have a problem maybe in three to six months coming back to the Board and letting us be assured that there isn't an issue without a Supernumerary force.

Chief Mascolo – It's been a year and a half. We've modeled out the current system. Supernumeraries are just not required. Nothing will change in six months. I've heard issues about full mobilization of the department and possible Workers' Comp issues – we handle Workers' Comp with overtime payment to Regulars. And that's a normal thing – it's a normal and common process in public safety staffing. So personally I need to get this started now or we will be into the budgeting process for next fiscal year and we will extend this program another year and I will be back here saying the same things. So in my professional opinion and history has actually demonstrated, we do not need officers, Supernumerary officers for replacements. And there will be no massive demand that will require a reserve force of Supers. And what you need to consider about the reserve force argument, like the Workers' Comp argument, or say a total mobilization of the department in regard to a total mobilization of the department I have other resources available to me to deal with that blip on the radar screen. I can call State Police, I can call mutual aid – that's number one. Number two under the low exposure, low frequency, high risk paradigm, really the liability equation, if I encounter a problem of acute demand the Supers still will not be ready to come out and work if I can't provide them with consistent work. So if I can't get them brought up to speed, which is going to cost me about \$30,000 and then once up to speed continuously get them to work. If six months, eight months from now I need these guys for some issue they won't be trained. So I will not feel comfortable bringing these guys out unless they're trained, brought up to a certain level and unless they work consistently, and like I said before, the Chief of Police is the police officer that ultimately gets sued for negligent retention, failure to train and failure to Supervise. If I put these police officers out on the street under current conditions it significantly increases risk for all of us. And like I said we already paid out about a \$17,000 lawsuit because you know we had an issue with the program. So I hope that answers your question. Are there any other questions?

Alderman Anthony Szewczyk – A couple of them. There's about 160 something towns in Connecticut. Do you know roughly how many of them currently do have Supers?

Chief Mascolo – I don't have an absolute number but what I can tell you is no town used Supers like Derby used to use them as the First Replacement Program. No town in the State does that. What I can with confidence is few towns have Supers. Few have

them and none rely on Supers the way that Derby does. So I can't give you the exact numbers but Derby is an anomaly for our Super program.

Alderman Szewczyk – Okay well I can understand based on what everyone seems to be saying that the Super program in Derby doesn't have a future – I understand all that. But I also understand that apparently tests were available for the Supers to become full-time police; however the reality of a lot of humans doesn't occur until the bell hits at midnight, you know, and it looks like the bell is about to gong here. So for those who didn't take this seriously or whatever just so like they have some opportunity would you be adverse to like extending to the former Supers an extra year for them to become full-time police together with their extra test score.

Chief Mascolo – Tony I would not and the Chairman of the Commission is here and I won't speak for the Chairman but we had extensive discussions with the Commission. We have been through this many, many, many, many times. There is a tradition in history of promoting part-time cops to full-time cops. The part-time program for a lot of guys really amounts to us paying them for their clothing allowance and their training and carrying a badge. But even when work was available many of them did not work for an extended period of time. On top of it when the clock got to a quarter to eleven we sent them a letter that said this test is available – they didn't take it. I need to move this forward. I hate to have to pressure the board but it's time to move this thing forward. And what will happen when I come back I will come back under the same situation and allowing the program to last another year so our officers get a chance to take a full-time job will not fix my training issues. It will not fix the fact that at some point if I need these cops they will be, from a liability point, untrained and it does not fix the problem that even when they're not working they're off-duty and are obligated to act. So it's those low frequency, high risk tasks like the one we got sued for – use of a Taser – it's those low frequency, high risk tasks that I'm worried about. And I'm standing in front of you all now publicly telling you about the increased risk. If I don't act pursuant to that increased risk now everybody is on notice and it creates a further increased risk because now I know, or should have known, about this risk. The comprehensive review caused me to look at this differently. It identified these facts, it caused me to evaluate the training component of the program and it is an extremely risky endeavor to keep this program the way it is. You will be spending at least \$16,000.00 of taxpayers' money for no Super work next year – it will amount to a subsidy. I need to get this thing started. It's a new economic environment and a tough budget year next year – I would like to get this thing going. I can't give you any flexibility from my perspective in that item Tony, I'm sorry.

Alderman Szewczyk – Okay but they would be allowed you know to take the exam and whatnot.

Chief Mascolo – Any Supernumerary just like anyone who is qualified can take a test for full time – even if they're not Supernumeraries – even if they are not Supernumeraries they can still take this test. The test is available to anyone. They can take this test and they will be considered like anyone else if they pass that test.

Mayor Anthony Staffieri – I think what Tony is saying is that there's three positions – two or three positions possibly coming up – someone is leaving the department and retiring – that we still extend that courtesy. These Supernumeraries take the test and they pass the test and we reach over and we grab them over everybody else. I would definitely say yes.

Chief Mascolo – Well Mr. Mayor here's the problem with that – we already have a list for the openings in the foreseeable future. We have two in the Academy now, we have to replace George Kurtyka, Jimmy Garofalo is leaving us – we already have a list for those two – and Kimmy DeMayo may go to work in West Haven – we already have a list for those three openings. I'm hiring off that list. The list we have for the three openings, and they're the only ones anticipated in the near future – I don't anticipate anybody else to leave, I don't anticipate any other issues – this is the test that I notified these guys about and they didn't take it and we have a list. So there's nothing coming on the horizon and I have to examine the implications of affording to someone not in the Bargaining Unit and not a official Super I would have to investigate my ability to afford the rights under the Contract for entry other than hiring. So I mean if you reduce the program to zero what I'll do is I'll investigate the ability to extend the same benefits under the Contract to any Supers that are laid off and that can be part of the Impact Bargaining that's required once I notify the Union that I have to lay off. So if you reduce the program to zero it isn't a done deal yet. It just starts the process and as part of the process Impact Bargaining with the Union is required and there is a number of things that are pursuant to that and I will promise to you that under Impact Bargaining we will investigate extending the benefits under the Contract – those 7.5 points – the ability to reach around outside candidates if they pass – I will attempt to negotiate that under Impact Bargaining. But again it's my professional opinion that we need to get this thing going or we'll just be back with the same arguments. Any other questions?

Alderwoman Beverly Moran – Gene just because we just saw the Contract, the negotiated Contract tonight, do you know how many grievances are filed against the department for what's going on?

Chief Mascolo – You know it's really a complicated environment and initially two Supers came forward and were interested in working more. So the issues over the Supernumerary Program started with the reduction of work from the old system to the new system. I mean there was at least one Super that made over \$50,000 a year under the old system and that was a totally disproportionate use of part-time resources. So that old system is no way to justify whether the part-time system should be (inaudible) part-timers don't make \$50,000 a year and there's tremendous issues with that. So under the new system, last fiscal year, when the work was reduced the Supers came forward and said hey we want to work more. Now for me, and I agreed to the Contract where Regulars get called first and I don't oppose it, but for me if a Super gets included in the rotation for replacement work – like in other words all full-time officers say no for replacement work and maybe you include Supernumeraries in that rotation, every time a Super comes out its \$189.00 versus the \$362.00 on the average. They came to me and I presented a proposal to the Union that they should include the Supers in the regular rotation – the Union would not do it. If I'm not mistaken they even had a meeting and the Union, which is dominated by Regulars and I don't blame the Regulars because its their full-time beans on the table, and on top of it I want these well trained officers so I don't disagree with it and we were all part of negotiating this with the Union the Union would not allow Supers into the regular rotation. So because of that I became contrary to what the Union wanted to do but an individual police officer can file a grievance so two Supernumerary police officers grieved that issue. Now when the issue was first grieved the Union and only the Union can elevate that issue past the Commissioners' level to arbitration. The Union chose not to elevate the issue. But recently because the concern over the program has become escalated those two officers filed again about and if I get the items in each grievance wrong I apologize,

but those two officers filed again and maybe part of one or both of those items became being handed the full-time job. So there's at least two grievances out there in relation to this issue. Now the first one is dead because the Union wouldn't bring it forward. The second one revisits many, if not all, of those issues. So those issues – the issues of them not getting the work and the issues of hiring – if they don't get addressed under that grievance – I don't want to speak for the Union but I'm pretty sure that we'll see other grievances and other actions that will further review this in front of the Labor Board and the Labor Board will decide for the City which way it has to go. So it's a complicated environment because the Supers want to work. I wouldn't mind them working but the Regulars first program excludes them and like I said the reason I say the Regulars aren't about to add them to the rotation they've already refused to elevate one of those grievances to arbitration and it's clear in the Contract that Regulars will get called first. As long as Regulars get called first and I don't add any extra work there will be no work for these Supers. No matter what anybody says tonight I got to tell you I don't anticipate the Regulars giving up time and a half – it's their full-time job. And just one more point about that under the old system Regulars, believe it or not, work Monday through Friday. That's all they work – they work Monday through Friday but policing is a 24/7 operation so we had to do something for the weekends. When we had 35 Supers the Supers pretty much staffed the weekends. Through the years as the Super program degraded the City needed full-time cops to work the weekends. So our full-time cops work Monday through Friday and then they had the option to work weekends at extra pay. When we went to the new more efficient system, that's about \$200,000 cheaper than the old system, when we went to the more efficient system the Regulars needed to be compensated in some way for the money they lost under that old system – under the weekend system. One of the ways they're compensated is by the regular officer first program. And I think I was able to determine the average guy lost somewhere around \$12,000 a year by going to the new schedule that we have and going away from the Regulars' ability to work on weekends. So this new Regulars First Program it's part of compensating the Regulars for losing their weekends. So there's a history behind why we are where we are and there's a reason why it should be Regulars first. Number one they deserve it because this is their full-time job, number two there's the training issue so I would rather have our full-time guys out there and number three it's for compensation for going from the old program, where Regulars worked weekends for extra money, to this new program where I don't need a weekend account because my shifts are covered 24 hours a day, 7 days a week under a program where our guys have staggered days off like every public safety organization around. Our guys work a four on, two off schedule now, which spreads them out across the week and like I put in the memo six officers on a shift provides me with four sworn officers on duty every day. In other words out of those six officers on the shift two are off every day, four work. That provides me with four sworn officers a day; one on the desk, three minimum on the road. When we get up to full staffing we'll have at least seven on the day shift and the evening shift, which will provide me with four officers on the road or five sworn officers per shift five of seven days a week. On top of it if you add the School Resource Officer once the School Resource Officer is available in the summer that will provide eight officers on the day shift. The department is well staffed and that's not going to change.

Mayor Staffieri – I'm a little confused. Supers are in the Union, right?

Chief Mascolo – They are in the Union.

Mayor Staffieri – So why did the Union exclude them from their protection to be – to not to be on the rotation.

Chief Mascolo – Well again the Union is here so they can answer that for you. But the transition from the old system to the new system was a significant change for our regular officers. Remember under the old system our Regulars worked Monday through Friday and that's where they took all their time off. Their extra work, which is – I need to staff the City 24/7 even under the old system – their extra work came from weekends. Because Supers primarily took care of replacement work during the week. Weekends made the Regulars on average I want to say \$8,000 to \$12,000 a year. Now when you change working conditions you have to compensate Bargaining Unit members in some way. So when we changed from the old system to the new system not only is it part of this type of scheduling system where your full-time officers when they have rotating days off not only is that part of any organization that does this, that Regulars get called first, in addition to that we had to provide them with some kind of compensation for the loss of those extra wages. This new program was part of it. So I didn't disagree with it – full-time guys deserve it and the regular officers that really are the core of our organization negotiated with us to do things this way and really there's no other way to do it Mr. Mayor. Even though – because I'm not trying to hang the Union out saying they did anything contrary to the part-time guys' interest, but the nature of this new program kind of demands that the Regulars get this work. So it sounds like the Union didn't take care of them but really it is very reasonable, actually encouraged, for the Union to have agreed to this program. Now unofficially in Contract negotiations I don't think any of us thought that our regular officers would take all this work. I don't think any of us thought it would go that way but a year and a half of experience now – last year and the first year only forty shifts worked, which comes down to five shifts per Super for the year. This year so far only three shifts worked. This is really the way public safety scheduling is done – staggered days off, 24/7 coverage by overstaffing of shifts so some officers are off while some officers work and on top of it when those officers – those regular officers take time off the slot when required is filled by another full-time regular officer. So yes its true the Union agreed to this but the City also agreed to it and it's just one of those allocation of resource things and conflicts that happen in every organization that kind of led to this. So I hear where you're coming from but I – but I mean that's my take on the Union issue and I'm sure the Union is going to comment. Any other questions?

NO OTHER QUESTIONS WERE RAISED AT THIS TIME.

Chief Mascolo – Thank you so much for your time. I tried to be brief I know it's a big agenda. It's a complicated issue but by all means if anybody has any questions – I mean I still encourage you do this now. It's not over when you do this; it just allows me to start the process. The Labor Board will ultimately decide what we're obligated to do for these Supernumeraries and on top of it I have to bargain over impact with the Union. I'm asking you to help me get this thing started. Thank you for your time.

Mayor Staffieri – Thank you Chief. Does anybody have any questions from the Board before I open it up to the public?

Robert Hughes, Chair, Derby Police Commission – At our October 6th meeting this was discussed basically in as much detail if not more. The Board of Police Commissioners made a motion and voted to present to the Board a recommendation that we do reduce the number of Supers to zero. So this is not just coming from the Chief. It's a

bottom line issue – it also brought up the training issue that we had not even considered.

Mayor Staffieri – And this was by all three Commissioners.

Commissioner Hughes – All three – it was unanimous.

Mayor Staffieri – Thank you Commissioner Hughes. Okay we're ready to open it up to the public.

Ken Dupke, President, Derby Police Union – I would just like to make a few comments beforehand. I won't get into the grievance or the (Inaudible) procedure. We have grievances filed for their protection and our protection. It's not the proper forum we'll do it before the department later. No reflection on you folks but we don't want to discuss our grievances here. Second - first some of the figures given today can be construed as misleading and inaccurate. We can't believe that 189 bookings went unfilled. There's a few other things in there we find the way they were presented can be construed as misleading. I would just like to say Supers are in our Contract. We (inaudible) this was a drastic Contract negotiation there last time and we opened more doors I think than we would when you open one door there are three more doors that we have resolved. We couldn't resolve all the issues. Asking for the Supernumeraries to be dropped to zero I think right now would be premature. We have Contract negotiations starting this January; the Contract is up in June. That would be the time to negotiate and settle this problem. The Supers have been here for years – everybody knows Supers. They're good - we do need them. It would be a terrible blow to the City to let these people go. People that work could risk their lives and die on the streets for our citizens. Just to reduce them for financial reasons that could be negotiated, I'm not saying that it will be, but it could be negotiated and maybe we could make some kind of conditions for them where they can work in the next Contract. But I would ask the Board to table this. Let us handle this during Contract negotiations, which would be the best place for it. I can answer any questions if the Board has any questions regarding what happened.

Alderman Kenneth Hughes – I have a question. Union President – how come the Supers were left out of the first rotation first time around?

Mr. Dupke – Well that proposal was a City proposal. The City came up to us and offered us this. So natural human nature we're going to take it. Did we think based on the past performances of full-timers working weekends and stuff like that, which was all we had to base on we figured after a few months the Supers would start picking up work. Unfortunately that didn't occur. And for us – we are not willing to reopen the Contract for any renegotiations at this point because we're coming close and it's always a danger to reopen Contracts – negotiations. So was it done purposely that the Supers got excluded? No – we just based it on the past history we had concerning the old program and the new one just (inaudible.) That's why I'm suggesting with the new Contract negotiations I'm sure things can work out and we can incorporate them (inaudible.)

Alderman Hughes – I mean based on just what you just said basically the work is not there.

Mr. Dupke – The work's not there right now because it's the first regular choice first. That could be negotiated in the next Contract.

Alderman Hughes – How can extra work be created though is my question.

Mr. Dupke – Extra work. That's all negotiations - I don't want to give up. We've been discussing this as a Union. It wouldn't be fair for us to show our hand to your hand. It's just that we would make proposals regarding the Supers. The City is not going to tell us what they're going to do in negotiations – you know that's how it works.

Alderman Hughes – I mean do you think it's fair for the City to subsidize the program if there is no work there?

Mr. Dupke – There's no work there now. New Contract there might be work. What do you got to lose?

Alderman Bomba – But under that premise though the number of Supers would be allowed to be changed by the Police Commission, the Police Chief, the Board. You know if that became an issue where there was work for them that could be changed. It's not like the program is being done away with.

Mr. Dupke – Why take the chance we're we would have to come back and fight it. Because once they're gone, they're gone – we know that – they're not going to bring them back. You got to keep them going; you got to keep these guys fresh. You have a valuable asset – you already got a lot of money spent on these guys training them, keeping them. You should wait until the Contract negotiations – work things out and see what we can do about it. They're not going to go away because they're under Contract and they have to be negotiated out. So it's better if we sit down at a fair table and discuss this over negotiations instead of ending up at the Department of Labor all the time like you said.

Mayor Staffieri – Any other questions? Anyone else from the public like to speak?

Chief Mascolo – I would just like to respond very briefly to what Kenny said. Well in the first place Contract Negotiations will delay this issue, Impact Negotiations will resolve it. And I'm not sure if I handed out the Contract section that empowers management to lay off. I don't have to negotiate lay-offs. Under advice of counsel we came to the Board first to seek a reduction to zero. To cover the Charter issues I have the right in the Contract under management's rights to lay off due to lack of work. So I don't have to negotiate that. What I do have to negotiate is impact – the kind of things that the President has talked about. That will happen in Impact Negotiations. So Contract Negotiations – Impact Negotiations two separate things. Contract Negotiations will delay this issue and will prolong all of the concerns I have. Impact Negotiations will resolve it. So I don't have to negotiate lay-offs I have that right. Again, anything that I say is from my perspective and the Union is, as always, in all the tension labor negotiations and labor issues that there's always going to be conflicting interests. But I do have a Contract section that entitles me to lay off for lack of work. Impact Negotiations will happen. As a matter of fact the Union already notified the City that Impact Negotiations are required and they'll start darn quick – a lot quicker than Contract Negotiations, which don't start until after the first of the year. As far as the City offering Regulars first rotation we had to put together a viable program that had any chance whatsoever of getting away from that old legacy schedule that could not be

supported by the nine Supers that we had on staff. Only five of them worked – there was over 1,000 shifts that I needed to cover with those nine Supers and the program is dead, never to be resuscitated because of police certification. What happens now every sworn officer has to be certified. The minute I hire somebody off the street and certify them they get hired as a full-time officer somewhere else. I have already lost around thirty officers that I have hired to be Supers because they were certified they went elsewhere. The Super program is never coming back. There'll never be enough Supers to provide for replacements because I had to present a program that was viable for full-time officers, compensate them for what they lost part of the program was regular First Call Out and there's no way, and it's my professional opinion, and if we go this way in the future it will bear it out, there is no way your Regulars are going to give that Super first call – my opinion and the Union President certainly can disagree with that. The Regulars' First Call Out thing is an item that will be part of our program, is part of every public safety scheduling program in the State and it will stay. As far as being misleading listen I'm not an actuary, I'm not an accountant. We got the figures that we could get to the best of our ability and they are for what they're worth. And you know we had someone do the research about 180 calls that were made. We had it revalidated and we had it revalidated again. And it was the best that we could do – we have the documentation. How you interpret it – I mean it's where you stand depends where you sit. So those conflicts and issues will get addressed in Impact Negotiations and will get addressed in these labor actions before the Labor Board. So I hope that answered any questions.

Alderman Szewczyk – Ok in my own words just to make sure I understood - what I heard is like under the Super program Derby is would train to be certified full-time police; however the actual Super once he started working you know if I was me why should I have a part-time job in Derby when I can be full timer in some other town in Connecticut making a lot more money. So in effect what it amounted to is Derby is training police for other towns?

Chief Mascolo – Right and the costs that were included the screening costs – the testing and screening costs, which are significant, 22 weeks in the Academy and at least 10 weeks in the Field Training Program. That is a significant amount of money we spent trying to prop up the Super program for many years. So a new program in '07-'08 didn't come around because we all of a sudden we had a flash of brilliance, it came around because of the Super program, which we had to have and I told you in the comments it takes about 26 Supers to work four shifts per week. So a program of 26 Supers would provide a reasonable amount of work for Supers, four shifts per week – I can not hire Supers off the street that will stay with us. As soon as I certify them other agencies want them because they don't have to invest in the screening, they don't have to invest in the training, and I want to say 36, at least 36 – I said 30 to be conservative – have left us for other places – Waterbury, State Police – I could go on and on and on.

Alderman Szewczyk – Which is too bad for those who stayed in Derby.

Chief Mascolo – I'll tell you I'm grateful for their service. A lot of those guys have other full-time jobs. I mean you got Tony Gianpaolo that's a full-time fireman in Greenwich – that's a great full-time job. You got Freddie Mahler who just left Derby to be a full-time fireman in Stratford who petitioned to stay a Super and we allowed him to stay a Super. So you got a guy who works at Sikorsky, you've got another guy that's a mortgage broker who drives a Mercedes – you know I mean I got to tell you the reason that our guys are with us are number one they're home-towners – we love them but some of

them stayed here and didn't go elsewhere because they've got full-time jobs. It's a complicated environment and when you look at this emotionally you want to take care of the faces that we all know but there's another side to this story. The other side to this story is 180 shifts gone last year unfilled. The other side to this story is guys that got some pretty solid full-time jobs and one of the Supers that wants to stay left us to be a fireman somewhere else. So I mean as long as we keep shaking this tree more and more of these kinds of things come out of it and I got to tell you I've kept a lot of it out of the public view – there's more. So I need this thing to move forward. It will be resolved in Impact Bargaining and Contract Negotiations will delay it well past next fiscal year. It took – how many months, 18 months to settle the last contract – that will put us further down the road. We'll have sworn guys out there that haven't worked in years with the power of deadly force. I need your help.

Mayor Staffieri – Anyone else from the public who would like to speak.

Dan Waleski, 21 Elm Street, Derby, CT – I'm not an expert on this subject and I'm pleased to say that since I haven't been involved in the police department at any time in my life. But from my public citizen's point of view I would like to just raise the following points. It seems to me the duties of the Police Department are basically to protect life and property and maintain law and order – that's it. The area of the Union is interest by law is basically hours, wages, and working conditions. Administratively it seems to me the Police Department are cumbersomely very, very bureaucratic. Derby should not be compared exactly to other larger towns in the State. I think in Derby the Police Department is very, very expensive to the taxpayers for a small City 12,000 people, 5.3 square miles it seems our \$2 million plus budget for the Police Department is a lot for our taxpayers. And so I would just like to mention these few things from an overall perspective in regard to the operation of the Derby Police Department. It isn't to say that the new Police Chief isn't trying hard to do what he can but certainly I think everybody will have to admit bureaucracy is really, really something to us citizens is really overtaking and somewhat upsetting. Thank you Mr. Mayor.

Mayor Staffieri – Thank you, Dan. Anyone else from the public like to speak.

Anthony DeFala, 22 Paugasset Road, Derby, CT (Supernumerary Force – Derby Police Department) – I'm a third-generation lifelong citizen here. My family in the past years have chosen to work in this City and live in this City - and I chose to do the same. One of my proudest days as an adult was the day I graduated at that Police Academy in 1994. I've been here for a long, long time and I am a loyal citizen and I'm proud to be a Derby Police Officer. Some of the things that were stated (inaudible) and what I heard at the Police Commission meeting – the last meeting – were accurate, but a lot of things weren't accurate. And I'm not here to dispute what my boss, my Chief said, but I am here to talk about the other Supers and I feel that just eliminating this program or bringing the staffing to zero would be totally unfair. There are resolutions to this solution. Some of them our Union President stated that there could be resolutions in the future Contract. You know someone who has been loyal to this City and who has lived here and worked here and like I said you know I am a third generation lifelong citizen. I think there's something to be said about that. You know I have no plans on moving, okay, I've raised two children here. Like the Chief stated prior to this new Contract we did work a lot. And those hours that I worked and those shifts that I worked I was proud to patrol the streets of this City and I was loyal to this City. And I'm proud of our community. And I firmly believe in the development of this City and I would like to remain a part of that. For me just to be pushed aside like an old shoe – get rid of us or

lay us off or however this process is going to take place to me is unjust. You know there are reasonable men and women in this room. There has to be another resolution to this. All I ask of the Board and each member, the Mayor, Corporate Counsel, Chief Mascolo, Deputy Chief Narowski and Police Commissioner Hughes is just to be fair in your decision. This issue I think should be tabled and discussed more. I don't think you can just make this decision tonight. I think at the very least allow this Contract, this (inaudible) Contract, which expires June 30th allow it to take its course. There's other resolutions to this. I'm a proud citizen of this town. I had many opportunities in the past to leave this town and I chose to stay. My wife has a business here. Those past generations that I spoke of earlier they had businesses here, they paid taxes here. My father was a school teacher here. My family has been here for a long, long time. I'm also speaking on behalf of the other Supers but I know this is more on a personal note, but I think everyone needs to know here there's a human factor here. This is – I know this is business like the Chief stated. You know as I previously stated I'm not here to argue every (inaudible.) I think our Police Department is doing well and I am proud to be a member of that department. So I just ask that your judgment and your decision tonight it needs to be fair. And I'm asking you to table it and I'm asking you to at least allow this Contract to run its course. Thank you.

Mayor Staffieri – Thank you, sir.

Alan Jeanetti – Here's a hard working guy who wants to make a little extra money being a Supernumerary and you guys are going to crucify him. It seems like you're all jealous of the guy making extra money. And I don't understand why. That's all I got to say.

Mayor Staffieri – Thank you. Anyone else from the public who would like to speak?

Steve Iacuone, 188 Mt. Pleasant Street, Derby, CT - I'm a Supernumerary for the City of Derby also. I believe the Supernumeraries are in line with the Chief; the program is broken but the avenue we're taking to fix it is wrong. Why do we always have to end up in arbitration? Why do we always have to end up in arguments? We can go back with the Union and come to the City with a reasonable (inaudible.) It's not a lot to ask its six months done the road. The budget is set – hey when June comes he can take the money that he's going to have to put away for us and use it as other monies for training or whatever else in the department. It's not a lot of money – it's not like we're going to make \$100,000 each next year. It would just be fairer to let us go to the end of the Contract than it would to just nip it in the bud now and end up having to go to the Labor Board or whoever. The money that you're probably going to spend going to the Labor Board is going to wash between now and June. Why go down that road?

Mayor Staffieri – Thank you. Anyone else from the public like to speak? Anyone else from the public like to speak?

Chief Mascolo – Final comment Mr. Mayor. All this has been done before. We've been through this many times. The budget is not set – one of the reasons I'm here is because I have to develop the budget for next year. Impact Bargaining will resolve a lot of these issues. There is no fix for this other than extra money to provide shifts for Supers above and beyond the police demand that I need. I need to move this thing forward. The Contract, if all goes well, starts 1 July '09 – it rarely does. This will drag this out for an extended period. Putting it in the appropriate arena, which there's going to be MPP's and Grievances anyway so we're going to have to pay for this anyway, I need to get

this in the Impact Bargaining process and before the Labor Board so we can resolve this issue.

Mayor Staffieri – Okay for the third and last time anyone else from the public like to speak?

HEARING NO ONE ELSE WISHING TO SPEAK...

PUBLIC PORTION CLOSED

Alderman Hughes – Mr. Mayor I just think that the Board needs to keep in mind that this came as a recommendation to us from the Board of Police Commissioners who this Board also appointed. It seems to me that based on the report and information given that a lot of this was vetted out already behind the scenes. I mean I think we all can agree, other than Scott, without really involving the Police Department so we have to just basically look at the facts presented to us. And also see where the facts are coming from and who they're coming from you know in terms of recommendations.

Alderman Bomba – I agree 100% with what Chairman Hughes just said. You know we're not involved in the every day aspects of the Police Department and the fact is that there was a lot of investigation done here and I do believe that the Chief and the Commissioners did their job and they're handing this off to us with a recommendation.

Mayor Staffieri – Mr. Sill what do you have to say?

Alderman Ron Sill – Tough situation. A lot of feelings on the table here – no doubt about it. I was thinking that there could be another way to resolve this thing, but I don't know. I still haven't made up my mind until they call my name I'll tell you right now.

Mayor Staffieri – Mr. Benanto

Alderman James Benanto – Again just to echo what he says. I see where each side is coming from. I would be a little torn myself right now.

Mayor Staffieri – I know Mr. Boulton has a conflict of interest so I won't ask him his opinion – let you off easy. Mr. Allaire...

Alderman James Allaire – A lot of emotion; lots of long years of service. You want to be fair to the Supers yet also fair to the taxpayers. Tough times are coming. Tough decision.

Mayor Staffieri – Mr. Hughes do you have anything else you want to say?

Alderman Hughes – No. I said my peace Mr. Mayor.

Mayor Staffieri – Mrs. Moran

Alderwoman Moran – I have a real tough time with this. Some of these papers we didn't get until tonight – the Union papers we never saw them until twenty minutes, half an hour ago. The Charter we have. It's very hard to decide this. I've known people who have been Supers forever and to say you're all done I don't think I can do that. Although I see where Gene is coming from – he presents a good package and I know

what he's trying to do. But to me I say we have to table it and give the Union a chance to see if they could straighten it out (inaudible.) Gene just said he could let them all go tomorrow so I don't know. This is a very hard thing to do, very hard.

Mayor Staffieri – Mr. Szewczyk

Alderman Szewczyk – This is a sucky decision to make. But it's like the writing is on the wall for the Supers. I would prefer to delay the thing as long as possible but as the Chief – I'm worried about the liability that the City would be exposed to based on what the Chief says that if a Super only works maybe a little bit a year of some major liability thing happening because he's gotten rusty on the job. I mean that's really what it seems to be coming down to here.

Alderman Bomba – Reality is that we're all elected into office to sit on this Board and make tough decisions – that's the bottom line. So we need to man-up, step-up and make a decision – it's simple.

Alderman Hughes – Mr. Mayor I don't see the point in delaying this on what that's going to serve. We all know, we all experienced what happens once the Union gets involved again. We've been there first hand. So just kind of keep that in mind when you say let the Union work it out with the P.D.

Mayor Staffieri – What's the pleasure of the board? Do I have a motion?

A MOTION was made by Mr. Bomba with a second by Mr. Hughes to agree with the decision of the Chief of Police, Eugene L. Mascolo, to go with a zero Supernumerary force.

Alderman Szewczyk – Can I make a friendly addition to the motion? With the addition that every effort is made by every other department in the City to give employment part-time to the former Supernumeraries. Okay like say basically I would like to give if there's part-time work in town if Public Works has an opening or something...

Mayor Staffieri – Corporation Counsel says it can't be done.

Atty. Coppola – Because there's other Unions involved.

ROLL CALL VOTE

Mr. Sill – No

Mr. Benanto – Abstain

Mr. Boulton – Recuse

Mr. Allaire – Yes

Mr. Hughes – Yes

Mrs. Moran – No

Mr. Szewczyk – Yes

Mr. Bomba – Yes

4 Yes; 2 No; 1 Abstain; 1 Recuse

MOTION CARRIED

○ **PARKING AUTHORITY REPORT – (Leo Moscato, Jr., Director)**

Mr. Moscato said everyone should have a copy of the Meter Revenue report as required by Charter. He said he would have the annual report for the next meeting. The Authority is currently reviewing the Engineering report they had prepared for the facility. There were no questions asked. Report placed on file.

REQUEST FROM COMMODORE HULL RACE

A MOTION was made by Mr. Sill with a second by Mr. Bomba to approve the request to erect two signs one by the former Downtown Development sign (Derby/Shelton Bridge) and one at the site in front of Tailgator's announcing the Commodore Hull Thanksgiving Day Race. The signs would be erected one month prior to the race. **Motion carried.**

NEW DERBY MIDDLE SCHOOL INVOICES – DISCUSSION & ACTION (Keith A. McLiverty, Chair)

Mr. McLiverty presented the following invoices with a brief explanation to the board for their approval:

- FIP Construction, Inc. – Invoice #08001.07 - \$746,701.00
- Complete Construction, Inc., - Invoice #63636 - \$5,838.80
- Test-Con – Invoice #5147 - \$2,035.00
- Bianco Giolitto Weston Architects - Invoice #11 - \$23,113.62
- Prestige Landscaping – Invoice #26213 - \$500.00
- W.B. Mason Company – Invoice #SLR-259-000 - \$69.95
- Gates Flag & Banner Company, Inc., - Invoice #143927 - \$214.24
- The Hartford – Inland Marine Policy #31MSZS6409 - \$24,053.00

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to approve payment of all the Derby Middle School Invoices as presented this evening. **Motion carried.**

Mr. McLiverty gave the Board members a brief update on the progress to date for the new Middle School. He stated that they have commenced pouring of the concrete and that the steel has been purchased. He noted that there were some dimensional differences between the concrete and the steel trades, which have been resolved.

RAISE FOR REGISTRAR OF VOTERS – DISCUSSION & ACTION

Mr. Hughes said this was discussed at our last meeting at which time it was tabled. He explained that they have not received a raise for the past eight years. There has been a lot of discussion regarding this matter since it is in the middle of the fiscal year. Mr. Hughes said the board members believe that a raise is deserving; however it would be a budgeted raise, which would commence for the next fiscal year – July 1, 2009.

A MOTION was made by Mr. Hughes with a second by Mr. Sill to approve a 3.5% pay raise for this year and a 3.5% pay raise for next year for a total raise of 7% commencing July 1, 2009. **Motion carried.**

RAISE FOR BUILDING OFFICIAL – 3.5% BUDGETED – DISCUSSION & POSSIBLE ACTION

Mr. Hughes said this situation is a little different since the raise was placed in the budget for this year. Mr. Bomba said he understands that this has been placed in the budget; however he has a problem with this since responsibilities have been taken away from Mr. Kopjanski and two more positions have been created to do this work. He said it seems as though Mr. Kopjanski is getting rewarded for something that wasn't being done.

Mr. Szewczyk said he sympathizes with Mr. Bomba. He said he is also involved in the sort of business that Mr. Kopjanski is in and you have to constantly be learning and expanding especially with the codes.

Mayor Staffieri said Derby is truly a hotbed of construction – Derby is not seeing the decline like most other communities. The new Cancer Center, Lowe's, Starbucks, the new Middle School. There is more work for our Building Inspector although we have taken away the blight duties.

A MOTION was made by Mr. Hughes with a second by Mr. Benanto to approve the raise of 3.5% as budgeted for the Building Official. **Mr. Bomba voted no. Motion carried.**

FACILITY INSPECTORS PAY DISCUSSION – MAYOR'S RECOMMENDATION - \$17.75 PER HOUR, \$1,200.00 FUEL ACCOUNT – DISCUSSION & POSSIBLE ACTION

Mayor Staffieri said he would like to remove the \$1,200 fuel account since it was based at \$5.00 per gallon – gasoline has dropped in price. He would now suggest changing it to 5 gallons per week, per inspector dispensed from the gas pump at the City Works garage.

Mayor Staffieri said he would like to read into the record some of the minutes from the July 24, 2008 Board of Aldermen meeting:

Mr. Sill stated that this really gives us the follow through that we never had. He said he has had conversations with them and they are very diligent in their work and they bring something to the City that we really lacked and he is all in favor of the position becoming permanent. Mayor Staffieri said we have to remember and this is something that the Board of Apportionment & Taxation has to taken into consideration in July is when we made the positions permanent. So back in April/May during the budget hearings these were not permanent positions.

Mr. Hughes said if we are going to extend the length of the position then in the very near future we will need to sit down with the Board of Apportionment & Taxation and the Facilities Inspectors' to readdress the pay scale.

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to make the Facilities Inspectors' position a permanent position with discussions regarding pay scales to occur between the Board of Apportionment & Taxation, the Board of Aldermen and the Facilities Inspectors'. **Motion carried.**

Mayor Staffieri then read the following into the record:

Last year we decided to do a test period for the Facilities Inspectors Program. We realized blight was an issue and we needed to address it. At the end of the trial period we agreed that the program was successful but we did not address the per hourly pay for our inspectors. I would like to suggest an hourly amount of \$17.75. They will continue working ten hours a week. Further I am suggesting we give them a gas allowance. They travel a substantial amount in working to see our City void of blight and therefore it is appropriate we include a gas allowance. The success of these two individual has produced substantial results. They are working with property owners with one goal in mind. They along with me all of you and every citizen of Derby wish to rid our City of the ugliness of blight. A blighted piece of property decreases value not only on the

blighted property but on the complete neighborhood. Not only does a blighted piece of property decrease value but it decreases attitude and pride of a neighborhood. We have an obligation to not allow that to happen. In my estimation they have been doing a great job and will continue to do so. They negotiate with property owners, not necessarily friendly and cooperative property owners. They negotiate time lines, rigid time lines but time lines established to meet our goal of eliminating blight. They are fair minded men but don't cooperate with them and you find they are tough as nails. We pay these two individuals less than what we pay a part-time clerk in City Hall. We pay them less than we pay a custodian. The work they do the success they have accomplished the skills required for the success certainly demand they be paid what I am asking. One more item I would like to address. Revenue – Collecting blight fines is a lengthy process but let's consider what is in that process presently. One property on our blight list, which is being contested in Court, would yield as of today approximately \$36,500. We are in the process of placing liens on a number of blighted properties. Those liens do not produce immediate revenue but will eventually. The present lien value of those properties as of this Monday is \$30,400.

For your information the City Hall Union Contract for the year 2008-2009 pays a full-time clerk \$17.71 and a custodian is \$18.02. A part-time clerk earns \$14.01 in that same Contract. Based on the substantial evaluation process the positive but strong interaction with blight violators and their abilities to positively rid our City of blight I believe being paid as much as a full-time clerk is reasonable. This is a program this Board created. It is a program this Board evaluated and approved to continue. The program is working. I realize the economics of today makes everyone uneasy. As property values are falling all over the world we have a program to slow that fall. I am asking for your continued support of this program and if the Board of Apportionment & Taxation feels the success of this program does not merit the additional cost that is up to them.

Mayor Staffieri said he is requesting \$17.75 per hour for two individuals at 10 hours per week each, which roughly equals \$2,500.00 each for a total of \$5,000. The work that they have generated on the cleanliness of certain properties speaks for itself.

Mr. Hughes says he feels that the Inspectors are doing a phenomenal job and the program is a very important program that the City needs. He said he is glad the Mayor read the minutes from the past Board of Aldermen meetings into the record; however the only thing that they never did was sit down the Board of Apportionment & Taxation. He feels this is going to leave the aldermen open to a lot of criticism giving raises during the fiscal year. He noted that is the only issue he is having with this. Mrs. Moran said giving raises during the fiscal year has always been a problem for her. She said they do a great job and are very deserving; however this is something that should be included in the budget. She said she has no problem with giving this raise on July 1, 2009 – the same as with the Registrar of Voters. Mr. Bomba said he agrees with Mr. Hughes – they do a great job and they are deserving of a raise and he would recommend giving them the money.

A MOTION was made by Mr. Bomba with a second by Mr. Boulton to grant half the pay raise effective immediately and half the pay raise effective July 1, 2009 and to approve the gas allowance of 5 gallons per inspector per week dispensed from the City gas pump located at the Public Works Department. **Mrs. Moran – no. Motion carried.**

RESIGNATION OF ALAN SCHLESINGER AS FINANCE DIRECTOR FOR THE CITY OF DERBY

Mr. Hughes read the following into the record:

Dear Tony,

It is with a heavy heart that I must tender my resignation as Derby's Finance Director. Although it has been my pleasure serving you and the City of Derby for over three years I must now leave for personal reasons. As you may recall I offered to join with you and your administration in our goal of providing the people of Derby with a cost-effective, well-run government at a critical juncture in our City's history. We have succeeded. Although you originally requested that I serve on an interim basis I was able to extend my service to you for the past twenty-four months when I returned from my U.S. Senate race. I can no longer accommodate an additional extension. As always I remain available to assist you with resolving any problems that confront Derby. I will also be glad to help you in your search for my replacement. Just as I enjoyed serving Derby's citizenry for almost twenty years as Mayor and State Representative I appreciate the opportunity you gave me to serve them once again. I wish you the best of luck in the future. Very sincerely, Alan Schlesinger, City of Derby Finance Director.

Mayor Staffieri read the following into the record:

Ladies and gentlemen of the Board of Aldermen and of the Public – this is a sad moment for me to accept this resignation. I have known Alan Schlesinger for more than 15 years. I knew of him as our State Representative for 12 years. I knew him as our dedicated Mayor for four years. Years that saw him enter office with a huge deficit and with great wisdom and discipline he turned that deficit into surplus. Having such a substantial education from the Wharton School of Finance of the University of Pennsylvania he has knowledge and tools to deal with the most sophisticated of financial issues. When you add his JD Degree from the University of Connecticut's law school, he has all the professional skills most of us can only dream about. Alan joined me early in my first campaign for Mayor and his advice has been without equal. I have been amazed at how outstanding is his mind, how honest he is and his loyalty is beyond question. When he first accepted by invitation to be our Director of Finance he did so reluctantly only after substantial insistence from me. On behalf of the people of Derby I have selfishly pressured Alan to stay on board. I apologize for my selfishness and wish Alan all the possible success in his future. I know he will allow me to call on him for his counsel and realize whatever advice he gives always has the best interest of the people of Derby in his mind. Alan, the people are in your debt for the many years of dedication, hard work and commitment to make Derby the shining light of the Valley. On behalf of the people and on behalf of me I thank you.

Alan Schlesinger – I just want to thank you Mr. Mayor for the opportunity to serve Derby again and the Board of Aldermen. I've enjoyed working with all of you as well as the Tax Board and the members of the Administration and the new Superintendent who I have enjoyed working with for the past few months. I think Derby has come a long way under your Administration and under this Board of Aldermen I wish you a lot of success in the future. I told Tony as well as other members that I have discussed this with that it was a very difficult decision. When I found out that Henry was available I felt that the City would be in good hands. I plan to stay on for an interim period so that Henry can pick up the ball and run so that there's no interruption of service from the Finance Department. I think that Derby will be served well in the future and I plan to help out in any capacity that I can within those time commitments. So I thank all of you very, very

much and it's been great working with you all of these years and I'm sure we'll work together in the future.

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to accept the resignation of Alan Schlesinger as Finance Director for the City of Derby. **Motion carried.**

FINANCE DIRECTOR – DISCUSSION & POSSIBLE ACTION

Mayor Staffieri read the following into the record:

Ideally we would need to find someone with substantial knowledge of budget creation and the monitoring of that budget. Knowledge of the Derby budget would be perfect. I would want to find someone fiscally conservative and who knows how to spend the taxpayers' dollars effectively and efficiently. Add to that I wish someone who has the maturity and wisdom to deal with the many human issues and differences, which naturally goes into the process of creating and maintaining a budget. And with all these wishes I had one additional issue. I wanted someone who loved our City as much as I do. These are the qualities, in a near perfect world, I would like. Lady and gentlemen of this Board of Aldermen I believe I have found someone who fits every one of my wishes. My suggestion to this board is a man of maturity, of wisdom, of very specific knowledge of our budget and of our budgetary process. He is conservative in believing more money is not always the answer in solving a problem. And with great pride I know he has a love for our City. He is well educated with a BA degree from the University of Bridgeport as well as his Master's Degree. He wishes to seek certification as an educational business manager, a subject this board has discussed indicating a desire to have a joint Director of Finance with the Board of Education. He has a much, if not more, knowledge of our budget and its process as anyone. My request is for this Board of Aldermen to approve my recommendation of Henry J. Domurad, Jr., as the City of Derby's Finance Director. As you may know Henry served as a democrat on our Board of Apportionment & Taxation for 16 years. 14 of those years he served as its chairman. No one can question his knowledge nor his love for our City. He is a thinking conservative thus the taxpayers can feel at ease their interest is always on his mind. I would ask for there to be a motion giving me authority to sign a Contract appointing Henry Domurad Director of Finance for the City of Derby.

A MOTION was made by Mr. Bomba with a second by Mrs. Moran to approve the appointment of Henry J. Domurad, Jr., as the new Finance Director for the City of Derby. **Mr. Sill abstained. Motion carried.**

APPOINTMENT – BARBARA BERRY – DERBY PUBLIC LIBRARY – BOARD OF DIRECTORS – DISCUSSION & POSSIBLE ACTION

A MOTION was made by Mrs. Moran with a second by Mr. Sill to approve the appointment of Barbara Berry to the Derby Public Library Board of Directors. **Motion carried.**

REFUND OF EXCESS TAXES REQUESTED THROUGH 10/16/08 – (Cinda Buchter, Tax Collector)

A MOTION was made by Mr. Szewczyk with a second by Mr. Bomba to approve the Refund of Excess Taxes paid through 10/16/08 in the amount of \$730.53 as per the request from Cinda Buchter, Tax Collector. **Motion carried.**

**EXECUTIVE SESSION – TRANSFER STATION, VIOLATIONS, CONTRACT NEGOTIATIONS,
PUBLIC POLICY ISSUES – ANNEX ASSOCIATES, ACTION CONSULTING & ASSOCIATES**

A MOTION was made by Mr. Hughes with a second by Mr. Boulton to go into Executive Session at 9:35 p.m. inviting Mayor Staffieri, Atty. Coppola, Ron Culmo, Henry J. Domurad, Jr., and representatives from Annex Associates to discuss Contract negotiations. **Motion carried.**

The meeting returned to regular session at 11:19 p.m.

TRANSFER STATION – DISCUSSION & POSSIBLE ACTION

A MOTION was made by Mr. Hughes with a second by Mr. Allaire to form a subcommittee to investigate the violations and claims regarding collection of fees prior to July 2008. The subcommittee shall comprise of Alderman Bomba, Alderman Boulton, Alderman Sill, and Alderman Hughes. **Motion carried.**

A MOTION was made by Mr. Hughes with a second by Mr. Bomba to continue to have Annex Associates run the Transfer Station until October 23, 2009. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mrs. Moran to adjourn the meeting at 11:25 p.m. **Motion carried.**

Respectfully submitted,

Patricia Finn
Recording Secretary

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN AT THEIR
NEXT REGULARLY SCHEDULED MEETING.**