

CITY OF DERBY
REDEVELOPMENT AGENCY MEETING
JANUARY 12, 2005

DERBY CITY HALL – ALDERMANIC CHAMBERS – 6:30 P.M.

MINUTES

Mayor Marc J. Garofalo called the meeting to order at 6:40 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: The Honorable Mayor Marc J. Garofalo
 John Orazietti
 Glenn Stevens

Absent: Vincent J. Guardiano
 Greg Russo

Also Present: Alderman Bruce Sill, Alderman Ron Sill, Alderwoman Linda Fusco, Richard Lutz, Mayoral Assistant, Warren Holcomb, Corporation Counsel

ADDITIONS, DELETIONS, CORRECTIONS TO AGENDA

A MOTION was made by Mr. Stevens with a second by Mr. Orazietti to adopt the agenda as presented. **Motion carried.**

PUBLIC PORTION

Jeff Auerbach, Derby Garden Center, Caroline Street, Derby, CT – I would just like to know from the board if we can get an update as to what's actually happening. It's very tough for the business people to run a business and go forward. We've been approached by people, we've been told things. When you're doing your planning it's very difficult to do that. It's unfair not to give us a constant update as to is something really happening? Is it six months? Is it a couple of years? What's really happening? We would just like to know. A truthful update as to what is actually happening. Is the developer on board? Has he signed the agreement? I've been told there's an agreement he's supposed to sign – did he sign it or did he not sign it? And if he did sign it then what commitment has he made to the City and what commitment has the City made to him? I would just like to know what's really happening. And just a suggestion the way I see the agenda is that after this the public doesn't get to ask any questions. If the board really has the intention of being an open board and keeping people informed, I would think at the end of the meeting we would have a chance to ask questions about what's discussed during the meeting. Otherwise you're really not an open-minded board. And I would just suggest that you give a few minutes to the public at the end of the meeting where they can address things that were discussed that they may not understand. But I really would like an update, a truthful update, as to where we really are with this so that I know how to run a business. Thank you.

Mayor Garofalo – Thank you. Anyone else from the public?

Markanthony Izzo, Olivia Street, Derby, CT – With the upcoming charrette I was just hoping that I had a chance to view the 1994 charrette that took place here in Derby. I've provided a copy to the Mayor and also to Starwood Ceruzzi if you would like to take a view of what happened back in 1994 and get some ideas of the people who came forward back then and maybe they can apply to nowadays. Thank you.

Mayor Garofalo – Thank you. Anybody else from the public?

Brian Calvert, Calvert Safe & Lock, Caroline Street, Derby, CT – At the last two meetings gentlemen have asked in regard to this shortened version of Main Street Revitalization and why it stopped there. And at the end of the minutes last time the Mayor did say he would speak to Mr. Ceruzzi, presumably, to find out why that was not in it or if it could be put in it. So my question to you at that time was I wanted you to speak to the developer and ask him if he would put in it there and you said I would do that. My question is did you do that? What's the answer? Now that you've had a chance to digest what we discussed last month, have you thought about the silliness of this plan? Have you thought anymore about changing it? Incorporating this block and/or the Mexican restaurant block and I've been hearing about the gateways to Derby. A few meetings ago it was quite a hilarious thing for you guys to all laugh about this yellow piece of stuff in the middle of the road there. That's not the gateway to Derby. Who cares about that? The gateway to Derby is here on this block or down there on this block. This to me looks like it's going to be nice – a little circle there where there's going to be a flag and come in here it's going to look beautiful. You come in here you're looking at the old Friendly Restaurant – it doesn't look good. If this does go ahead this block is going to be set way back here and this is going to be stuck out here. I find it offensive to myself to look at it. As an architect I can't even think whoever would have designed something like this. You got this majestic sweep of buildings that's going to look beautiful and then this thing stuck out here. I'm still looking for some input. Every gentleman on the board I'll give you a chance to answer that if you could.

Mayor Garofalo – The copies of the minutes were given to Mr. Ceruzzi and I did speak to them. And they're looking at it.

Mr. Calvert – Well what's your thoughts? See the thing is Marc, Mr. Mayor; I look at it this way. This gentleman is just a secondary player in this whole thing. We call the shots here. We say listen this is what we want done. You want to come here – he's going to make hundreds of millions of dollars – the City will make a few million and we'll get some nice buildings out of it and I'm all in favor of that, but the thing is we call the shots. We don't say would you do this or would you do that? We should say that has to be included even down to the little restaurant there – no big deal that's going to (inaudible). I see here you have a turning lane into here – no turning lane into here. Are these the arguments you're putting forward to this gentleman as to why you want this in here? No turn lane here, put one here. Set back here (inaudible) not even touched let alone set back. Again I have to impress to you gentlemen what do you think? You're the ones that make the decision. Mr. Ceruzzi doesn't make the decision. He just builds what you tell him to build. Or he leaves town – whatever he wants to do. But why aren't you including this and/or the Mexican restaurant at this point so that this

is a true gateway to Derby? That's my main question. I probably have a few more too depending on what you say. What do you consider the gateway to Derby to look like?

Mayor Garofalo – That's what we're going to decide through this process. What does it look like – we're not – this is the public portion. We took your comments; we gave them to Mr. Ceruzzi. That's a negotiation that's going on. Respectfully, Mr. Calvert, it is not a one-way conversation, it's a two-way conversation. It's a negotiation back and forth.

Mr. Calvert – Between you and Mr. Ceruzzi?

Mayor Garofalo – Between the City and Ceruzzi Development, LLC.

Mr. Calvert – But don't we have a right to know how you stand on it before you speak to this gentleman? You're speaking for me now. You're speaking for these people.

Mayor Garofalo – Right. And I...

Mr. Calvert – What do you guys think?

Mayor Garofalo – I relayed the point and I think that the minutes are clear, we're making it clear again today, and that discussion was held in July – May, June and July. That was already discussed. Regardless of any future discussion we already have a Preferred Developer Agreement in place and...

Mr. Calvert – I would have to question that.

Mayor Garofalo – You can question it all you want.

Mr. Calvert – No I am questioning it. First of all...

LOUD DISAGREEMENT COULD NOT DISTINGUISH VOICES

Mr. Calvert – Where is it? Where is this July plan?

Mayor Garofalo – It is...

Mr. Calvert – Where is it?

Mayor Garofalo – On file...

Mr. Calvert – Let's have a look at it. You mentioned it two or three times. I haven't seen it. Have these gentlemen seen it? Has anybody seen it?

Mayor Garofalo – Yes they have.

Mr. Calvert – I have two that are on the web site right now.

Mayor Garofalo – Are you going to let me finish?

Mr. Calvert – I have the floor. (Inaudible) then I'll let you speak.

Mayor Garofalo – Thank you very much. The public portion is not a debate. If you want to state your comments you can state your comments and then we're going to move into the meeting.

Mr. Calvert – So are you going to reply?

Mayor Garofalo – I'm trying to reply and every time I try to reply you're cutting me off. Because the answer is not going to change from last month, it's not going to change this month; it's not going to change next month. We voted on a Preferred Developer Agreement in July where we had multiple meetings over several years. That's a matter of record. It's on file in the City Clerk's office if you want to get a copy of it. The members of the board voted on it. The members of the Board of Aldermen voted on it in July.

Mr. Calvert – Are these what you're talking about? These are the two that are on the site. I'm not interrupting I'm asking. Is there another one in between here somewhere?

Mayor Garofalo – That's not the Preferred Developer Agreement. I think that is a prior...

Mr. Calvert – These are the only two ones we have access to.

Mayor Garofalo – That's the original – that was one of the maps that they had (inaudible).

Mr. Calvert – Then you came up with this other one in July. I don't know – this one goes back to July '03.

Mayor Garofalo – That's after July – that one is after July.

Mr. Calvert – So the next one that you preferred is the 270 units.

Mayor Garofalo – That's what we adopted. That's already been adopted.

Mr. Calvert – Okay, correct. Now you're going to change it again.

Mayor Garofalo – We may change it.

Mr. Calvert – That's why I'm saying when you change it will this be incorporated in it? Or can it be incorporated?

Mayor Garofalo – It can be if the City agrees and Mr. Ceruzzi agrees.

Mr. Calvert – Who will make this decision? Would it be made on the board...

Mayor Garofalo – The Redevelopment Agency and the Board of Aldermen.

Mr. Calvert – Just these gentlemen here.

Mayor Garofalo – Well there's two people who are missing.

Mr. Calvert – So there's six of you. Do we have any input on this last change you're going to make?

Mayor Garofalo – Yes you do. You're making it now.

Mr. Calvert – You're just giving me lip service – that's what you're doing here.

Mayor Garofalo – Mr. Stevens.

Mr. Stevens – In fairness this issue just popped up in last month's meeting. This is the first time I saw it last month is when you saw it. And that's part of an on-going process – the discussions, the public input, we all take that in. When an agreement is presented to us we will take all this discussion into consideration. I saw that the same night you saw it the first time. And we haven't signed anything yet except for the original plan, which did not show that bump.

Mayor Garofalo – Actually the bump that's not accurate. That's the exact same street line the way it is now.

Mr. Calvert – The street line the way it is now is up here. This is the projection of where it's going to be – there's a turning lane here.

Mr. Stevens – To reiterate your point the building – that plan has changed due to public input.

Mr. Calvert – Let me just – can I just say something and maybe I'll get off your back. What I look at is this is you originally went for a plan that was for 270 units. I don't really see too much public input for that. Okay so that was agreed and you got a Preferred Developer Agreement for that. You then decided that now we're not going to have the 270 units we're going to go to 500 or 700 units or what else. Why would we think that we're going to get input into that when we didn't get into the original one?

Mr. Stevens – That's why it changed because of the public input. We wanted to see the retail and everything else. That's why it changed – that's why the plan changed.

Mr. Calvert – Can we be assured then that this other change will not be incorporated until there is some public input? There would be no Preferred Developer Agreements and nothing signed that would (inaudible).

Mayor Garofalo – We don't sign anything until the board approves it – and then we sign it. The approval takes place and essentially it approves and empowers the Chair and the Chief Elected Official to sign it. It's only binding upon the approval of the...

Mr. Auerbach – I just want to comment if I may. I think what he's asking is before you sign off on these new changes will the public have a chance to comment on it before the board signs?

Mayor Garofalo – Yes. And that happened with the other one and we're going to have design workshops in the next month to accommodate any and all these types of issues. That's the time to do that.

Mr. Calvert – Okay in closing, can you make available to me maybe this evening or very shortly and these other people, this missing plan? The one you say that was approved in July. I haven't seen it. I don't know what it looks like. I don't know if anyone's seen it.

Mayor Garofalo – I don't know that there was a map. I don't remember. Just because it's not on the web site doesn't mean it doesn't exist – either it doesn't exist. Any of that stuff is on file – whatever we have is on file with the City Clerk.

Mr. Calvert – So what you're saying this map though see, the one that said July and you quoted (inaudible)...

Mayor Garofalo – No I quoted the Preferred Developer Agreement. I'm not...

Mr. Calvert – I can read the minutes back to you.

Mayor Garofalo – I have never said that there's a map.

Mr. Calvert – Well you said the agreement and the layout from July – this July. The agreement seven months ago.

Mayor Garofalo – Right.

Mr. Calvert – And it includes me and I haven't seen it. And you're saying you haven't seen it so what are you referring to?

Mayor Garofalo – The document – it's a document about this thick of the Preferred Developer Agreement. What the City's obligations are, what the developers' obligations are – it's a whole document. A map may be part of it. Off hand I can't remember to be honest with you. I don't remember if there was specifically a map or just taken off of what that first map – that orange colored map that is there.

Mr. Calvert – At this point these pair have no relation to what you're talking about. Either of these two. This pair has no relation to what you're discussing with this gentleman now.

Mayor Garofalo – The one on the left does not – in your right hand, my left. There's a map here in the document, which just shows the area that we're talking about – Phase IA and Phase IB. It just shows that area that we're talking about from Caroline Street west is the area and that there would be 270 apartments there. I mean this is on file – I know this is on file with the City Clerk. It has maps of the existing properties and maps of the proposed properties in Exhibits A-G. No matter what happens Mr. Calvert, I'm going to treat you with the utmost respect. Whatever happens I'm going to treat you with the utmost respect.

Mr. Calvert – I do you too. And I wouldn't want anyone to think different. I'm looking at survival with respect – I love you guys. You come in here, you're volunteers – you don't get paid for this – and I have nothing but respect for you. But I have to look at it realistically. You come and go – I don't. And what you do affects my entire future so I have to be a little bit forward, and maybe a little bit sharp at times, and my apologies if it offends you. But I'm looking at survival here and that's my main question on all of that. So what you're saying then this matter will be brought up in the – when? Just at the charrette or at the next meeting?

Mayor Garofalo – We're going to have a charrette and that's the time to bring that up. It was already raised with the developer; they're aware of it. And we will continue to make them aware of it.

Mr. Calvert – And my last question gentlemen – I don't want to steal anyone else's thunder – is what are you going to do about these barriers in town? That's part of this project and I think it's a disgraceful set of circumstances you have there. I still see the lights on in Hubbell's Shoe Store. Mr. Lutz I sat and looked him in the face and he said Mr. Calvert as soon as Hubbell's is out within one week that building will be down. Remember saying that? Yes you do remember saying that – of course you do. The thing is that building is still there, the lights are still on, and presumably the heat is still on – whatever else is running there. That's what the situation is with that.

Mayor Garofalo – As you know the matter is in litigation and soon as the litigation is cleared up the buildings are going to come down.

Mr. Calvert – Why don't you just board it up? Why are we paying for electricity and heat in there? Why don't we just board it up like the other buildings?

Mayor Garofalo – Because there is property that is going to be transferred to various City departments and there are still shoes and there's other property in there that is actually not the City's property.

Mr. Calvert – You don't have the key? The City does not own that building?

Mayor Garofalo – Yes we do.

Mr. Calvert – Presumably if you own it you would own the property inside. I think you get where I'm coming from. This end of town at this point is the gateway to Derby. Gentlemen come on – do something about it now. You know I hear it quoted in the paper (inaudible) in a couple of years. You're talking a couple of years? You anticipate this done by summer? Can I ask you that? Will this be gone by the summer? (Inaudible)

Mayor Garofalo – I don't know. I can't answer that right today. I can't answer that.

Mr. Calvert – Could you say you could get the City's Public Works Department to lift those things on the sidewalk? You were quoted as saying there's a 75 to 100 foot drop. I don't know where that is. You just put the fence on the sidewalk. Let people walk on the sidewalk. There's people who look at Derby and say well it's pretty good – it's got a hole here but it's pretty good. Can I ask you guys do you think that looks nice? Are you

proud of that? As a downtown revitalization board? You can't be proud of it. Why I'm asking you and I don't know if anybody else will is gentlemen clean this up. Let's get it done now – tomorrow. Send Mr. Parker down with a forklift to move those things. We got to live with it. There are a lot of you gentlemen and as I say you serve on these boards but you live out of town. I have to see this everyday – I have to hear my customers...

Mayor Garofalo – Respectfully Mr. Calvert every member of the board lives in Derby.

Mr. Calvert – Yeah but you don't have to come by here everyday but my customers and I do. And it looks bad and I think you agree it looks bad. We're looking out for the future of this town. I've invested a lot of money, a lot of time and everything in this town. And we're looking out for the future and I don't want it to go down in this administration as we've seen in other administrations. And I don't want to see that. The last big thing in the town was all the buildings knocked down – we got a bank and a parking garage out of that. I don't want to see a repeat of that. I lived through that. This I'm going to monitor. That's why I'm very vocal about it. I don't want to see that happen again.

Mayor Garofalo – Neither do we.

Mr. Calvert – Well there you go. So excuse me if I'm a little vocal. Anyway that's pretty much all I have to say at this point.

Mr. Auerbach – Excuse me Mr. Mayor I had raised some points – are you going to answer them during the meeting?

Mayor Garofalo – Yes. Any further public comment? Hearing none...

PUBLIC PORTION CLOSED

UPDATE ON SOUTH SIDE OF MAIN STREET REVITALIZATION PROJECT

Mayor Garofalo informed the board members that the Preferred Developer Agreement is being negotiated now. We hope to have a draft as soon as it is ready so we can bring that matter to closure. We should have some movement on that as soon as possible.

DISCUSSION ON IMPACT STUDY FOR SOUTH SIDE OF MAIN STREET REVITALIZATION PROJECT

Mayor Garofalo said he has full copies of the Impact Study that he will distribute to the board members and also the Board of Aldermen.

DISCUSSION REGARDING DESIGN WORKSHOP IN JANUARY 2005

Mayor Garofalo said we do have a copy of the videocassette from the 1994 charrette. Mr. Ceruzzi does have a copy and they will review it prior to the charrette. The architectural design firm that Ceruzzi has hired for the charrette is Streetworks, LLC. We will supply them with all the information that we have on file from the previous charrette. The workshop will commence on February 16, 2005. The site will be announced at a later date. It is approximately a 60-day process. The first 30 days is to develop a strategic direction and to allow them to prepare their renderings and

drawings. Throughout the second 30-day period we will have the public portion and input. It will be a workshop setting so that there will be an interactive dialogue between the architects and engineers. The end product will be a written and physical plan to show what the project will ultimately look like. Streetworks, LLC has recently done some work in Hartford. The work can be viewed at the following web site bluebacksquare.com. The other site that their work can be reviewed is at stoneridgefairfield.com. Mayor Garofalo said he would be putting together a comprehensive schedule so that everyone is aware when the meetings will be taking place. The City will also be turning over any and all information pertaining to the downtown project as well as the minutes of our meetings to Streetworks, LLC for their review.

DISCUSSION ON STATUS OF PREFERRED DEVELOPER AGREEMENT WITH CERUZZI DEVELOPERS

Mr. Oraziotti questioned the status of the Preferred Developer Agreement? What is the timeframe as to when they are going to respond? Atty. Holcomb said every single day that they don't get in touch with the City we contact them. We are exerting as much pressure as possible to make sure they respond as soon as possible.

REMINDER OF NEXT REDEVELOPMENT AGENCY MEETING ON FEBRUARY 9, 2005

Mayor Garofalo noted that the purpose of meeting on a monthly basis is to keep everyone informed. In the past there were gaps between meetings because we didn't really have a lot of new information to present and discuss. In an effort to keep everyone informed we would hold regular monthly meetings on the second Wednesday of the month at 6:30 p.m. at Derby City Hall. The minutes of the meetings are posted on the web site and can also be obtained at the City Clerk's Office for a fee. The next meeting will be held on February 9, 2005.

ADJOURNMENT

Without objection, the meeting adjourned at 7:12 p.m.

Respectfully submitted,

Patricia Finn
Recording Secretary

A TAPE RECORDING OF THIS MEETING IS ON FILE IN THE CITY CLERK'S OFFICE.