

BOARD OF ALDERMEN
OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING

TUESDAY, APRIL 14, 2015 – 7:00 P.M.

JOAN WILLIAMSON ALDERMANIC CHAMBERS

MINUTES

Chairwoman Barbara L. DeGennaro called the meeting to order at 7:47 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Barbara L. DeGennaro, Stephen Iacuone, Joseph DiMartino

ADDITIONS, DELETIONS, CORRECTIONS TO THE AGENDA

There were no additions, deletions or corrections to the agenda

PUBLIC PORTION

Ms. DeGennaro asked three times if anyone would like to address the committee. Hearing no one wishing to address the committee the public portion was closed.

APPROVAL OF THE MINUTES OF THE JANUARY 13, 2015 MEETING – DISCUSSION/POSSIBLE ACTION

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to approve the Minutes of the January 13, 2015 as presented. **Motion carried.**

APPROVAL OF THE MINUTES OF THE FEBRUARY 10, 2015 MEETING – DISCUSSION/POSSIBLE ACTION

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to approve the Minutes of the February 10, 2015 as presented with the following correction: the item regarding the Building Fee Schedule was asked to be deleted by the Building Official. Mr. DiMartino abstained. **Motion carried.**

REVIEW OF PROPOSED ORDINANCE TO CITY OF DERBY CODE ENTITLED “BOAT RAMP PARKING PERMIT” AND PROCEDURE THEREOF. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Ms. DeGennaro noted that we have received an outline of the Boat Ramp ordinance from Atty. Welch after his meeting with Chief Narowski.

Atty. Welch said it was problematic how to enforce it so the idea was just to do a parking permit – just use the lot at no cost to Derby residents. The only cost would be to get a permit (non-residents \$100.00 or you can't park in the lot.) Atty. Welch read Chief Narowski comments into the record: “This ordinance regulates parking at that specific location. From my personal observations the bulk of the traffic that I see are problems using the greenway trail and fishermen walking to shore fishing points. Don't forget that

this is a parking lot for an established park. The greenway trail currently has four trail heads and three of them currently allow parking again. If you are attempting to regulate use of the boat ramp then should we not be permitting the boat trailers to be permitting. If your intent is to regulate all parking then the ordinance works. So it's back to the point and the idea was get a parking permit if you want to park there. The Chief's concerns were a lot of people use that who aren't going boating.

Ms. DeGennaro said the other question she had pertains to the application. Who would handle the application and issue the permit. Would it be the Town Clerk or the Police Department? Mr. Garofalo said he would say it would fall under the Parking Division. They could enforce it as much or even easier than the Police Department. The Parking Division already has the mechanism to issue parking tickets. Ms. DeGennaro said the Police Department would be the ones to enforce it since it's an ordinance. Mr. lacuone questioned if we make this permanent parking down there are we responsible for the upkeep of the lot and the creation of handicapped spaces? Atty. Welch said it is your responsibility now. He noted that the Chief also had a couple of issues – is it a city parking ticket, which would carry a \$10.00 fine or is it a state infraction. New tickets would have to be printed and signage installed – all of that carries a price tag.

As there were several people in attendance who wished to speak on this topic the committee reopened public portion...

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to re-open public portion. **Motion carried.**

Carlo Sarmiento, Building Official

I highly recommend you put a limit on the size of the boats that can be launched from there. I have launched a boat from there for many years and it's a 16' duck boat – they're very rough, very tough and it's very difficult to do. I don't know if we're going to go into the liability part of it. If somebody tries to launch a 25' boat from there and get stuck because it's not going to happen. I'm telling you right now so you should definitely look into how big a boat you can launch from there, especially low tide is a huge effect on what you're doing there. At low tide you can launch a kayak maybe – that's about the only thing you're going to launch. At high tide the current is very strong so you got to be very careful and very quick when you're launching anything from there – that's it.

Carmen DiCenso, Jeanetti Drive, Derby, CT

What the police are addressing is once the site is clean if a mother and father goes down there to park to have a picnic with their kids are they going to get a ticket?

Atty. Welch – Yes at the boat launch parking area. The area designated for the boat launch parking – unless they get a permit.

Mr. DiCenso – So they're a Derby resident with a permit – so does the person coming from Shelton that doesn't have a permit how are the people from Derby supposed to know they're supposed to get a permit to go have a picnic with their kids?

Atty. Welch – We talked about this already – the parking lot is just permit parking only.

Anthony DeFala, 23 Paugasset Road, Derby, CT

I've had discussions with the Chief about this and think we should possibly target the trailer instead of the vehicle. So if you want to launch a boat and it's on a trailer that's the vehicle that should be permitted. Because it is a trail head and the department is down there daily and there's a lot of walkers. The elderly park down there whether they're from our town or other towns we have people coming from all communities to use our trail way and I don't think it would be a good idea to charge a retired couple that doesn't want to walk the hill of the greenway to park in that parking lot to get a permit. I mean you have retired people that – the elderly use that trail because you're basically on the flat of the greenway – you don't have to go up any inclines so they walk actually the new loop that was put in by our town. So you're going to sort of get people to shy away from using what we want people to use. We want to promote people to come into town, especially retired people and they do. They park in that trail area because they avoid the grades and they use the lower area. Although I think permitting is a good idea I think we have to be careful on who we target as the permit. A trailer to launch a boat you have to use a trailer. That should be the vehicle or the trailer that needs to get the permit – not a vehicle that's just going to park there and use that trail. That's a public park – that's another thing we have to be care of. It's not – it's a public park. It doesn't say a Derby Public Park – it's a public trail park that everyone can use. And if we're going to start charging people for that I don't think it's a good idea to promote people to come to our town. I just think it's a bad idea. I do agree with charging the boaters. At any given time during the summer there's 15 to 20 trailers down there. Those are the vehicles that we should be targeting – that have the double jet skies – that have the fishing boats – they're the people that we should be targeting. If you want to launch a boat off that launch using a trailer you should have to get a permit. That anyone that uses that daily to go walking in that lower section.

Ms. DeGennaro asked if anyone else wished to speak. Hearing no one...

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to close the public portion. **Motion carried.**

Ms. DeGennaro said we've had the discussion whether to permit a trailer or a vehicle. If we're going to permit we need a specific area that would be designated to people using the boat launch – not the people walking on the greenway – that's not our intent. She said people come here to launch because we don't charge and they do across the river.

There was also a discussion as to how long the permit would be valid for. Atty. Welch said it would go from January to December – for the year. Mr. Iacuone said he still feels that it should be a city ticket and not a state infraction because you would have to ticket the actual operator for the state ticket. If someone is parked there without the permit you can issue a city ticket. Ms. DeGennaro noted that this can be brought up again next month in conjunction with whatever happens to our parking division. There

was a discussion about the ticket and the language that appears on the ticket. Mr. lacuone asked about the boat launch grant that the city applied for a couple of years ago and whether or not we ever received the money. Ms. Finn said her recollection was there were several obstacles such as the vicinity of a pump out station and whether or not there would be an attendant that prevented us from getting the grant. Mr. lacuone said he seems to remember that the O'Sullivan Island contamination was also a factor.

Atty. Welch asked if the committee wanted him to pursue revision just back to the trailer – only permitting the trailer and where would you obtain the permit. Ms. DeGennaro said we need to look at this again as we did with the vendor permits. Atty. Welch said he would draft another revision for the committee's review. Mr. lacuone said we should stay with a parking ticket so we don't have to worry about the state ordinances. Ms. DeGennaro said we would also have to draw up an application. Atty. Welch said he would work on that also.

A MOTION was made by Ms. DeGennaro with a second by Mr. lacuone to TABLE this item until next month's meeting. **Motion carried.**

DISCUSSION OF INSTALLMENT PAYMENT SYSTEM FOR CITY OF DERBY REAL ESTATE PROPERTY TAX BILLS. DISCUSSION/POSSIBLE ACTION TO THE FULL BOARD OF ALDERMEN

Ms. DeGennaro said two months ago Denise Cesaroni came forward with some information regarding an installment system for taxes.

Mr. McLiverty said the question was from an economic standpoint can we absorb going to a four payment plan for real estate. He then went through various scenarios for this system. Mr. McLiverty stated if we go to a four payment plan we'll have a cash crunch going from the third quarter going into the fourth quarter, which is a value significant enough that we are not in favor of a four payment plan. He reviewed the reasoning behind that statement.

Ms. Cesaroni said changing motor vehicle would be very difficult and very confusing for the tax payer. It would also be a huge workload burden upon her office. She noted that she accompanied the Mayor to the Elderly Commission meeting and it was stated that even with a four payment system it is still a burden for them to make the payments. For the City it would increase the service of the City – postage would go up – getting the statements out would be an additional cost. Ms. Cesaroni said the towns that she has spoken to that went to a four payment system many are looking to go back to two. Atty. Teodosio said he agrees with Mr. McLiverty and Ms. Cesaroni.

The committee took no action.

REVIEW OF ENGINEER SERVICES FEE SCHEDULES – PRIME AE GROUP, INC., MILONE & MACBROOM, INC. AND FRED D'AMICO ASSOCIATES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN.

Ms. DeGennaro said everyone should have a copy of the memo from Mayor Dugatto regarding her appointment of Prime AE Group as the City Engineer. Ms. DeGennaro questioned the work that D'Amico Associates would be responsible for. It states for work below \$10,000. She said Prime could have contractual work under \$10,000. Are we precluding anybody else that might come forward that you might want to hire in the future?

Atty. Welch said D'Amico Associates is assisting on the small projects where there is a cost savings. We had three quotes and D'Amico Associates was the lowest of the three on hourly rates. We will be able to use them on the smaller projects that don't exceed \$10,000. It doesn't exclude using Prime AE. Having Public Works use D'Amico has to be approved by the Board. The City has the right to go out to bid for contract work and the City Engineer has the right to bid on that work. Atty. Welch said perhaps at the beginning of the new fiscal year he would propose that the City use of State bids and you waive those bids. Currently the Charter doesn't provide for that. Ms. DeGennaro asked if we are bound to use these engineers exclusively. Atty. Welch said not at all.

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to recommend to the full Board of Aldermen the Rate Schedule for Prime A/E Group, Inc., the City Engineer Appointed by Mayor Dugatto in accordance with their updated billing rate schedule provided that it is the same rate as the current rate schedule. **Motion carried.**

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to recommend to the full Board of Aldermen that any contractor work as described in Section 35-89 provided that it is below \$10,000 pursuant to the Board of Aldermen's resolution of September 25, 2014 may use the contract engineer D'Amico Associates at the rates offered in his fee schedule for 2015. **Motion carried.**

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to recommend to the full Board of Aldermen that the fees for Milone & MacBroom, Inc. be approved for their 2015 Rates for any services that they are presently working on to their conclusion prior to the new City Engineer being appointed. **Motion carried.**

CITYWIDE FUEL DISBURSEMENT SYSTEM ALLOCATIONS AND USAGE AND POLICY THEREOF. DISCUSSION AND POSSIBLE ACTION.

Ms. DeGennaro presented a 2nd draft of the policy to the committee members. She noted that she has not discussed this with Anthony DeFala, the City's Street Commissioner. Some of her concerns are she wanted to be specific as to what fire department vehicles, gas cans, etc... are in the policy. Presently on the citywide fuel disbursement sheet it is confusing as to the breakdown of items pertaining to the fire department. Mr. DeFala said that each specific piece of machinery has a FOB and noted that his list is accurate. He did state that there have been a few kinks in the system but the system is doing what it is designed to do and the department heads

were notified if something was amiss. Ms DeGennaro asked if gas cans were regulated. How would we know that the gas in the can is being used correctly? Ms. DeGennaro said she just wants to make sure all vehicles appear on the sheet. It was decided that Mr. DeFala and Ms. DeGennaro would meet to go over the disbursement sheet.

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to TABLE this item until next month's meeting. **Motion carried.**

REVIEW OF CITY OF DERBY CODE CHAPTER 172, STREETS AND SIDEWALKS, ARTICLE I §172-2, §172-3, §172-4 AND §172-13 AND PROPOSED CHANGE TO INCLUDE FINE VIOLATIONS OF SAID ORDINANCE SECTIONS FOR FAILURE TO REMOVE SNOW AND/OR ICE. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Ms. DeGennaro said this item was asked to be brought to this committee Mr. DeFala and Atty. Welch. Additional sections have been added. Atty. Welch said this was brought up after speaking with Mr. DeFala and noting how bad the winter was. The ordinance provides that the City may remove the snow and then charge the owner of the property. There is also a fine for not removing snow and/or ice. Ms. DeGennaro said there were other parts that deal with marquees. Atty. Welch said we can add fines to all the sections.

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to TABLE this item until next month and wait for proposed change from Atty. Welch. **Motion carried.**

REVIEW OF BUILDING DEPARTMENT FEE SCHEDULE, CITY OF DERBY CODE CHAPTER 64, BUILDING CONSTRUCTION, §64-2 FEES-BUILDING OFFICIAL CARLO SARMIENTO. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Carlo Sarmiento, the City's Building Inspector, said he worked through the schedule and Derby by far has the lowest fees in the area. Even with the proposed changes we're still the lowest. Ms. DeGennaro asked about the State Education Fee of \$.26. Mr. Sarmiento stated that his department currently pays the fee.

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to TABLE this item until next motion. **Motion carried.**

DISCUSSION OF PROPOSED NEW ORDINANCE FOR NON-RESIDENT PROPERTY OWNERS, THEIR AGENTS AND/OR LANDLORDS TO REGISTER AND PROVIDE CONTRACT INFORMATION TO THE FIRE MARSHAL'S OFFICE. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Ms. DeGennaro noted that this item had gone to the Community Relations subcommittee and they in turn forwarded it to this committee.

Philip Hawks, the City's Fire Marshal, said he is not sure how this has been written up. He said it is difficult to track down owners addresses especially when it is an LLC. Atty. Welch said this would be a huge administrative task. He also noted that we would have to publish notification – and give a time period for owners to respond. Mr. Iacuone suggested sending the form out with the tax bills. Atty. Welch said he looked

at East Haven and Shelton's plan and tried to make it fit for Derby. Everyone agreed that it definitely needs more looking into and a system set up to track the responses.

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to **TABLE** this item until next month. **Motion carried.**

ADJOURNMENT

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to adjourn the meeting at 9:20 p.m. **Motion carried.**

Respectfully submitted,

Patty Finn
Recording Secretary

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE BOARD OF ALDERMEN OPERATION & PROCEDURES SUBCOMMITTEE AT THEIR NEXT MEETING.