

BOARD OF ALDERMEN
OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING
TUESDAY, MAY 12, 2015 – 7:00 P.M.
JOAN WILLIAMSON ALDERMANIC CHAMBERS
MINUTES

Chairwoman Barbara L. DeGennaro called the meeting to order at 7:15 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Barbara L. DeGennaro, Stephen Iacuone, Arthur Gerckens

Absent: Joseph DiMartino

Also Present: The Honorable Mayor Anita Dugatto
Keith A. McLiverty, City Treasurer
Marc J. Garofalo, Town & City Clerk
Anthony DeFala, Street Commissioner
Michael J. Kelleher, Fire Commissioner
Louise Pitney, Democratic Registrar of Voters
Andrew Cota, Blight Officer
Thomas Welch, Corporation Counsel

ADDITIONS, DELETIONS, CORRECTIONS TO THE AGENDA

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to delete item #11 – Discussion of proposed new ordinance for non-resident property owners, their agents and/or landlords to register and provide contact information to the Fire Marshal's Office. Discussion/Possible Action and recommendation to the full Board of Aldermen. **Motion carried.**

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to add a new item #14 – The review of proposed additional position creation with job description entitled "Assistant Town/City Clerk" in Town/City Clerk's Office – Discussion & Possible Action and recommendation to the full Board of Aldermen and move adjournment from #14 to #15. **Motion carried.**

PUBLIC PORTION

Ms. DeGennaro asked if anyone would like to address the committee.

Marc J. Garofalo, Town & City Clerk

May I speak during item #14?

Ms. DeGennaro said it would be fine.

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

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

APPROVAL OF THE MINUTES OF THE APRIL 14, 2015 MEETING – DISCUSSION/POSSIBLE ACTION

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to approve the Minutes of the April 14, 2015 as presented. **Motion carried.**

REVIEW OF PROPOSED NEW 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 informed the committee that Corporation Counsel, Tom Welch, has presented us with an amended Boat Ramp ordinance along with an application and a permit per our discussion at last month's meeting.

Atty. Welch said actually he believes the direction to him was boat trailers. The issue with people walking, etc...so if you're going to launch a type of watercraft using a boat trailer that's the only thing that is permitted. No charge for Derby residents and non-residents would pay \$100.00.

Ms. DeGennaro said one question we discussed is where someone would obtain a permit. The permit would be from the Town & City Clerk's Office. Would this be the only thing required? Atty. Welch said yes – there is a space on the permit for a license plate number and there is also a space for the size of the trailer.

Mr. Iacuone said he would make a couple of little changes on the ordinance. The first sentence where it says “boat trailer used to launch” he would put “any watercraft” and he would spell out for it to say City of Derby Boat Launch Trailer Permit and then issued from the Town & City Clerk's Office.

There was then a lengthy discussion as to where the permit would be affixed – on the trailer or the towing vehicle.

Mr. Iacuone said the actual sticker should have the size of the trailer and the registration plate number so it can be easy to discern that that is the sticker for that particular trailer.

Anthony DeFala, the City's Street Commissioner, said he is an avid boater and when he used to get his sticker to launch in Milford it was a sticker that went on the vehicle that coincided with the registration marker on the trailer. He said the motor vehicle really had nothing to do with it. You would give them the plate number of your trailer and that sticker was displayed in the windshield. He also said you need to be concerned about signage. You need to make sure it states by permit only or you're going to have a lot of problems with people accidently parking down there.

Ms. DeGennaro said the way its worded says all permits shall be displayed as to be easily visible. She asked if we want to add specifically where it should be displayed. Mr. Iacuone said it needs to be in a specific spot – maybe adjacent to the State of CT registration tag. It needs to have the description of the trailer and the registration plate number. A 16' trailer needs to say a 16' trailer and the registration plate number on the sticker. Ms. DeGennaro said she thought the permit was the sticker. Mr. DeFala said in Milford the permit is the sticker. Mr. Iacuone said it needs to be on the trailer in case another vehicle is used to tow it. Mr. DeFala said putting the sticker on the trailer is sometimes a problem since you submerge the trailer and it falls off from the water. He suggested having it on the vehicle.

Atty. Welch said we have reviewed the ordinances from Stratford, Shelton and Milford. He said the purpose we were doing this was the people who were parking down there to go walking and we said let's just put permit trailers only so we're not worried about the vehicle because a lot of different people use it. We talked about making the whole area permit parking only – you can't use the area unless you had the permit.

Mr. Iacuone suggested putting it on the trailer and if it comes off they have to go get a replacement, which they may be charged for.

The Committee reviewed the proposed ordinance. Mr. Gerckens questioned if watercraft should be changed to vessel. Ms. DeGennaro said we have already looked at that. Atty. Welch said the Chief of Police said vessel would refer to the size. He said he can look into that and bring it to the full Board of Aldermen meeting – whatever is deemed most appropriate.

Ms. DeGennaro asked Marc Garofalo, the Town & City Clerk, if he would like to add anything. Mr. Garofalo said he believes making the sticker as simple as possible and supplying a backup spreadsheet to the Police Department for enforcement with all the corresponding backing data instead of having a sticker that is too complicated. Mr. Iacuone said in his opinion the Police Department is not going to be amenable to that. They're handling five different things at once and a call is made to look up the tag. It just doesn't seem doable.

Mr. Gerckens said since we have looked at some other towns what do they do? It was noted that Milford and Shelton both put the stickers on the car.

Atty. Welch said our thing is you can't use the lot without a permit. Ms. DeGennaro said we want to prevent people from parking there who aren't there to launch a watercraft. Other cities and towns charge to launch watercraft and we don't.

There was a discussion as to how many and where the permit(s) would be displayed.

A MOTION was made by Mr. Iacuone with a second by Mr. Gerckens regarding the Boat Ramp Trailer Permit to leave the first paragraph alone and add the following to the second bullet under permit application – Tag should have the size of the trailer and registration number of the trailer.

Ms. DeGennaro suggested the following **Friendly Amendment**:

Instruction Corporation Counsel to make the changes as moved and recommend this to the full Board of Aldermen.

Mr. Iacuone and Mr. Gerckens accepted the Friendly Amendment.

MOTION CARRIED.

**CITYWIDE FUEL DISBURSEMENT SYSTEM ALLOCATIONS AND USAGE AND POLICY THEREOF.
DISCUSSION AND POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF
ALDERMEN**

Ms. DeGennaro said we've been discussing fuel policy over the past few meetings. After last month's meeting she received a list of all vehicles that are in the system from Commission DeFala. The list will be provided to the full Board of Aldermen.

Ms. DeGennaro then read the following into the record:

This department administers the City Wide Fuel disbursement system for all authorized users in the City. The facilities for the fuel system are located at the Public Works Complex on Coon Hollow Road. The system includes two (2) 10,000 gallon underground storage tanks (1 gasoline, 1 diesel), corresponding pumps, leak detection system, video surveillance system and a 24-hour authorized dispensing system.

The computerized system allows constant monitoring and reporting of all transactions.

The list of all authorized city-owned vehicles is included. An authorizing card/Fob assigned to each vehicle enables each transaction for that vehicle. Additionally, each authorized user in the system must enter a personal identification number for each transaction allowing allocations of fuel for the performance of City duties.

The following Fire Department/Storm Ambulance Corp. apparatus are included on the system:

Fire Department:	Engine 11	Engine 12	Engine 13	Engine 14	Engine 16*
	Truck 15*	Utility 17*	Brush 4*	TAC 51*	
Storm Ambulance Corp:	Rescue 18*	FD9*	FD10	Hazmat 1	Hazmat 2*
	1 Kilo 1	Chief's Fly Car		Marine 1	Marine 2
	Marine 3	Marine Rescue 1		Decon Trailer*	
	Ranger				

Each Fire Company (Storms, Hotchkiss, Paugasset and East End) has a gas can allocation. Each Vehicle/Apparatus that has a gas can aboard is designated with an asterisk (*).

The vehicles shown on the list and the Fire Department/Storm Ambulance apparatus are allocated gasoline/diesel as needed unless otherwise noted herein.

City-owned vehicles including police vehicles are to be utilized for City of Derby business only. There will be no exceptions. Violating this policy will result in disciplinary action.

The following list of officials is recommended for specific allocation of fuel for their private vehicles, which are utilized in the performance of their duties:

<u>Mayor</u>		AS NEEDED
<u>Fire Department</u>		
Fire Chief (City Vehicle)	FD-1	AS NEEDED
Fire Commissioner	FD-5	32 gals. Per month
First Assistant Chief	FD-2	32 gals. Per month
Second Assistant Chief	FD-3	32 gals. Per month
Third Assistant Chief	FD-4	32 gals. Per month
<u>Fire Marshal's Office</u>		
Fire Marshal (City Vehicle)	FM-1	AS NEEDED
Deputy	FM-2	32 gals. Per month
Deputy	FM-3	32 gals. Per month
Deputy	FM-4	32 gals. Per month
Inspector	FM-5	32 gals. Per month
Inspector	FM-6	32 gals. Per month
Inspector	FM-7	32 gals. Per month
Inspector	FM-8	32 gals. Per month
<u>Building Department</u>		
Building Official		AS NEEDED
Blight Officer #1		32 gals. Per month
Blight Officer #2		32 gals. Per month
<u>Parks & Recreation Director</u>		AS NEEDED
<u>Youth Officer</u>		AS NEEDED
<u>Public Works Commissioner</u>		AS NEEDED
<u>TEAM Meals on Wheels (one vehicle)</u>		AS NEEDED

It is recommended the allocation for each of the authorized officials be 32 gallons/month with the exception of the individuals noted otherwise.

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to recommend to the full Board of Aldermen to approve the resolution for the City-wide Fuel Disbursement System Allocations, Usage and Policy.

DISCUSSION ON MOTION

Ms. DeGennaro asked Atty. Welch if we should do it in a form of a resolution. Atty. Welch said to do it as a resolution.

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 we discussed this at last month's meeting and Atty. Welch has provided us with a recommendation that includes language for a fine. She said one question that she had is the recommendation is under 172-4 Atty. Welch recommends the owner. Atty. Welch said I did select the owner – even if they hire a management company to handle the removal it is ultimately up to the owner of the property to ensure that the work has been completed. Atty. Welch noted that a lot of these had no fines connected to them. He said if Public Works clears the snow then the owner of the property would have to pay the cost of having Public Works clear the snow in addition to also having to pay the associated fine for not having had the snow removed.

A MOTION was made by Ms. DeGennaro with a second by Mr. Gerckens to recommend to the full Board of Aldermen to adopt the new changes to Section 172-4 that states in addition to the owner, occupant or person having charge of said premises being responsible for the expense of said removal, the owner of the premises shall be fined \$100.00 every day that the violation continues shall constitute a separate offense.
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

Ms. DeGennaro stated that Carlo Sarmiento, the City's Building Official, is not present this evening. He has provided information to the committee via Andy Cota, the Blight Officer.

Atty. Welch noted that everything in bold are all changes. Ms. DeGennaro said one of the main questions that she wanted to ask Mr. Sarmiento was we raised the fees in 2013 – why are we jumping so much? Mr. Cota said Mr. Sarmiento feels that we should be revenue neutral and these are the appropriate numbers for the City to do the work.

Ms. DeGennaro said she is also confused regarding the \$.26 State Fee that is collected on all permits. She does not understand why we're not collecting the fee. Are we charging additional for that fee. Atty. Welch said we are. Ms. DeGennaro asked if the permit actually shows the schedule of values. Atty. Welch said he had a schedule of values but he's changing it. He's expanded it to be more specific.

Ms. DeGennaro said she would like to see the State Fee listed on the permit. People need to know what they're being charged for and we need to be able to account for this revenue. Mr. Iacuone asked if the department is self funding. Mr. Cota said the increase in the fess is what the surrounding towns are charging. Mr. Iacuone said he would like to know what is the number to cover the department. What is the department falling short every year? Mr. Cota said he is not aware of the number but he knows that Mr. Sarmiento wants to make the department self sufficient and this should be accomplished by bringing in additional revenue. Ms. DeGennaro said she just wants to make sure that people are aware of what they're paying for. She feels that the application should be clearer – much more transparent.

Mr. Iacuone said he thinks this should be brought to the Board of Aldermen meeting where it can be reviewed by the entire board. Mr. Gerckens said he would like to take action one way or the other. Unless we have some definitive answers from Mr. Sarmiento either TABLE it this evening or get in touch with Mr. Sarmiento to see if there is any way he can make the meeting tonight.

Mr. Gerckens said he has no problem recommending to approve provided that it spells out clearly on the permit what the charges are for.

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to recommend to the full Board of Aldermen to approve the permit fees as outlined in Section 64-2 as proposed by Building Inspector Carlo Sarmiento and request that the permit application reflect the specific fees being charged on the application. **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**~~

REVIEW OF PAST PRACTICE AND POLICY OF WAGE AND SALARY ANNUAL RAISES FOR NON-UNION CITY EMPLOYEES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Ms. DeGennaro said in the past few years there have been individuals who have come before the Board of Aldermen for requests for raises in conjunction with the Tax Board for positions. Those who didn't have a contract – basically non-union employees. She said she has tried to get the information from past meeting minutes where there have been raises given to the City Hall employees with contracts – Fire Commissioner, Fire Chiefs, Building Official, Registrar of Voters, Finance Committee were voted at the full Board of Aldermen and were given raises. Ms. DeGennaro said apparently money has been allocated by the Tax Board for raises; however there has never been a specific

policy – there has never been anything set up to tell the Finance Office that raises are to be given at a specific time. It's an issue that has come up in the past that needs to be resolved.

Ms. DeGennaro said the Registrar of Voters has come before the board in the past to get a raise. Ms. Pitney is here tonight and there was a 2% rate given in line with what the City employees' contract received. She doesn't believe the Registrar of Voters is still in line with whatever Registrars in other towns receive. Ms. DeGennaro said they're not bound by ordinance or a set salary – it's always been the practice to get something in place. She said in December 2012 there was an item on the Board of Aldermen agenda for non-union employees and there was a 2% raise granted. In 2010 there was an increase for those without a contract. Ms. DeGennaro said at another meeting in 2010 the Registrar got a raise in line with the City Hall employees although she doesn't believe the Fire Marshal got their actual raise last year. This definitely needs to be addressed.

Mr. McLiverty suggested the Board of Aldermen every January make a motion for the non-contractual employees – agree on a raise – and it then would go to the Tax Board during their adoption of the budget and it would either be funded or not.

Mr. Iacuone said we need to get the list from the Finance Office of all non-union employees so we know who to do and we don't forget someone.

Louise Pitney, Registrar of Voters (Democrat), said it happened to her with the Finance Department. She said they didn't know anything about the raise. Ms. Pitney had to bring them the meeting minutes and then they took care of it. She informed the committee that she only gets paid two times a year and this happens every year.

Mr. Garofalo said the reality of all of this was it was corrected in 2009. The Finance Committee cannot and should not be paying anybody any other salary than what was adopted by the board.

A discussion ensued as to how this problem can be rectified. Mr. Iacuone stressed that a list must be prepared and given to the boards to ensure that this doesn't keep happening. The information should be given to the Tax Board in January in anticipation of the upcoming budget discussions. Mr. Garofalo said there is a list that we can get to the Tax Board to move this along. Mr. McLiverty said Henry Domurad would be able to provide the list.

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

REVIEW OF PROPOSED POSITION CREATED WITHIN THE DERBY FIRE DEPARTMENT ENTITLED "DEPARTMENT SAFETY OFFICER/ASSISTANT CHIEF OF SAFETY" AND PROPOSED NEW ORDINANCE. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Michael Kelleher, the City's Fire Commissioner said everyone should have a copy of the proposed position and all that it entails. He said the term would run with the Fire Chiefs – not concurrent with the Fire Commissioner. The person selected would have to have the qualifications listed on the sheet. He said he and the four Chief's met recently to review the OSHA violations that the department received. He said the amount of fines last time was \$900.00. Mr. Kelleher said a lot of the surrounding town's fire departments have expressed their surprise that the Derby Fire Department doesn't already have this position. He said as it would be a salaried position it must come before the Board of Aldermen. Mr. Kelleher informed the committee that the Tax Board is already aware of this request and they were in favor of funding the position should it be approved. He said he would be in favor of the \$1,000 salary being taken out of his salary and noted that he did not request an increase from the Tax Board.

Fire Chief David Lenart informed the committee that there is a member of the public who reports every picture he sees to the CT OSHA. He stressed the importance of the Safety Officer position and noted that positions like this are unique to the volunteer service in the capacity that we are asking that it be done. Most volunteer departments rely on a regular officer – we don't want to do that. We want to focus a single individual for safety not only at an incident but for other tasks around the firehouse. Chief Lenart said in the past five years 26 firefighters were killed in the line of duty and a contributing factor was a lack of a safety officer on the scene. The Safety Officer is a critical component as it is his/her responsibility to monitor all aspects of safety for all members at a scene.

Ms. DeGennaro stated there is a significant amount of duties and responsibilities – it seems almost overwhelming for one person. Chief Lenart said they are also putting together a safety committee, which will be made up of a member from each company. The safety officer would also have the committee to work with. He said by creating the committee we will have five safety officers in the department although only the Chief Safety Officer will be receiving pay – the rest will be volunteering.

There was then a discussion as to the exact title for the position and the Charter issues. Mr. Kelleher said it would be the Department Safety Officer – he is not looking to have to have a Charter revision for this position. Atty. Welch said he can take what we have discussed this evening and what information has been provided to the committee and make it a new position and get it circulated to the Fire Department.

A MOTION was made by Ms. DeGennaro with a second by Mr. Iacuone to **TABLE** this until next month for Atty. Welch to investigate further and report back to the committee. **Motion carried.**

REVIEW OF PROPOSED ADDITIONAL POSITION CREATION WITH JOB DESCRIPTION ENTITLED ASSISTANT TOWN/CITY CLERK IIN TOWN/CITY CLERK'S OFFICE – DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN

Mr. Garofalo said this job description has already been negotiated with the union. He said the only new item under the description pertains to the website. Ms. DeGennaro noted that we already have one Assistant Town & City Clerk. Mr. Garofalo stressed that the only addition would be working on the website. Ms. DeGennaro asked Corporation Counsel if the union would have to approve the position. Atty. Welch indicated yes. Mr. Garofalo said he had a conversation already with Atty. Teodosio and it will be a union position unless we were to make it a standalone position. Mr. Garofalo also informed the committee that the Tax Board has agreed to fund it.

Mr. Iacuone said it's basically the same job with the addition of the work on the website. Mr. Garofalo said that is correct. He informed the committee that his department is extremely busy especially since Derby is home to Griffin Hospital – birth certificates alone keep them very occupied and now with the closing of Milford Hospital's birth center they're going to be busier than ever. Mr. Gerckens said he assumes this position would pay more. Mr. Garofalo said it would not – there is not another level with the bargaining unit.

A MOTION was made by with a second by to recommend to the full Board of Aldermen the revised job description of the Assistant Town & City Clerk as presented and the authorization to go out to hire. **Motion carried.**

ADJOURNMENT

A MOTION was made by Ms. DeGennaro with a second by Mr. Gerckens to adjourn the meeting at 9:29 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.