

BOARD OF ALDERMEN
OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING
TUESDAY, DECEMBER 8, 2015 – 7:00 P.M.
JOAN WILLIAMSON ALDERMANIC CHAMBERS
MINUTES

Arthur Gerckens called the meeting to order at 7:30 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Arthur Gerckens, Stephen Iacuone

Absent: Peter Olenoski

Also Present: The Honorable Mayor Anita Dugatto
Susan Cable, Interim Chief of Staff
Alderwoman Barbara L. DeGennaro
Alderman Carmen DiCenso
Marc J. Garofalo, Town & City Clerk
Marjorie Shansky, Esq.
Thomas Welch, Corporation Counsel

ADDITIONS, DELETIONS, CORRECTIONS TO THE AGENDA

The following items were added to the agenda:

- 6a. - Adopt Roberts Rules of Order
- 8 .- Signage – City of Derby State Property
- 10. Gilbert Street parking

Mr. Gerckens said Election of Chair will happen at the next meeting when there is a quorum

A MOTION was made by Mr. Iacuone with a second by Mr. Gerckens to add the three new items to the agenda. **Motion carried.**

ADOPT ROBERTS RULES OF ORDER

A MOTION was made by Mr. Iacuone with a second by Mr. Gerckens to adopt Roberts Rules of Order. **Motion carried.**

PUBLIC PORTION

Sharon Cane, 47 Gilbert Street, Apt. 3, Derby, CT

Ms. Cane said she came to the Community Relations Sub-committee meeting this evening and explained her parking situation. It was decided at that meeting that she should appear before the Operations & Procedures Sub-committee meeting.

Mr. Iacuone asked Ms. Cane if she possessed a handicap sticker. Ms. Cane said she does have one.

Barbara DeGennaro, 51 Paugasset Road, Derby, CT

Ms. DeGennaro stated that she is a former sitting member of this board and is now on the Community Relations sub-committee and Ms. Cane addressed this concern to that sub-committee this evening. Ms. DeGennaro explained the ordinance that the Board of Aldermen adopted covers from Mountain Avenue to High Street. She said that the understanding of the full Board of Aldermen was to see how the ordinance was working out and if there were problems then it would be revisited.

Marc Garofalo said he did speak to Ms. Cane's landlord, Mr. Lada, right before the last full Board of Aldermen meeting and recommended that he come to the committee meeting. Mr. Iacuone asked how many permits have been issued. Atty. Welch said he believes there are six. Mr. Iacuone said there are also concerns about parking in the fire lane in that area.

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

CITY OF DERBY BID REQUIREMENTS. DISCUSSION/POSSIBLE ACTION

Mr. Gerckens said one thing he would like to approach in the upcoming year is to tighten up bid requirements. He said he asked Atty. Welch to look into it. We need to make sure everyone has insurance and is bonded. Atty. Welch said he would suggest using the form that he has used in the past. He said there's nothing on the form that can't be changed.

Mr. Iacuone said we do 99% of this now. Why should we re-invent the wheel? He feels this needs more discussion – being too aggressive can sometimes result in no bids. Mr. Gerckens said he also agrees this needs further discussion. This is the first draft that we'll review. He feels that Derby is getting a reputation since we always seem to award to the same individuals.

A MOTION was made by Mr. Gerckens with a second by Mr. Iacuone to **TABLE** this item for further discussion. **Motion carried.**

SIGNAGE – CITY OF DERBY – STATE PROPERTY. DISCUSSION/POSSIBLE ACTION

Mr. Gerckens noted that signage is becoming a problem – every month we spend a lot of time on this. He said he asked Atty. Shansky to draw something up for the committee to review.

Atty. Shansky said she was asked to explain the jurisdictional divide between the Board of Aldermen, Planning & Zoning and the State of CT with respect to signage on City-owned property. She said the reason she included the State of CT is because of the right-of-way that also impinges on City-owned property through the downtown. Atty. Shansky said there was some interest in designating where signage could be placed. If it were simply City property it would be within your jurisdiction to grant the permission that started the conversation about the placement of signage. But the signage as to duration, size and location would be subject to the approval of the Planning & Zoning Commission under Section 195-65 of the zoning regulations. As to whether or not a sign goes on City property that's up to the Board of Aldermen to evaluate; but the sign itself is a Zoning question and under the regulations depending upon the purpose of the sign it goes first to the Zoning Enforcement Officer and then depending on how long it's intended to be up it might have to go to the Planning & Zoning Commission. Atty. Shansky said if the State right-of-way is implicated then an encroachment permit is required by the State of Ct. The City cannot simply give permission to put a sign in the State right-of-way. The permit application for the State right-of-way requires evidence of municipal zoning approval so it's multi-jurisdictional. That cross jurisdictional fact also applies in other areas where the Board of Aldermen has permitting authority – such as vendors. The Board of Aldermen is the authority that grants the vendor permit but it's the Planning & Zoning Commission that evaluates the propriety of the location of say a food truck vendor. The Board of Aldermen does not have the permission to give a food truck a location. The Board of Aldermen may authorize the granting of a permit but the location is zoning dependent.

Mr. Gerckens said he would like to select locations that the Board agrees will be allowable locations for sign placement. He would like to meet with Planning & Zoning so we can say these are the only locations where signage is permitted and these are the requirements of the location (duration, size, etc...) Atty. Shansky suggested having the Board of Aldermen communicate to the Planning & Zoning Commission the sites that they have selected for their review. Mr. Gerckens said if we can identify the sites and meet with Planning & Zoning to finalize the locations it would help with a lot of last minute signage requests. Mr. Gerckens said we know that the two most popular places for sign placement is the corner of Elizabeth and Main Streets and also the fence in front of St. Michael's Church. It was noted that the corner of Elizabeth and Main is a State road – permit fees, which are nominal, would have to be paid to the State. Also one of the State's requirements is that the sign must be made of breakaway material. Sightline issues were also raised. Mr. Iacuone also questioned whether banners would be considered the same as a sign. Enforcement of the sign placement would need to be reviewed.

No action to be taken this evening.

GILBERT STREET PARKING – DISCUSSION/POSSIBLE ACTION

Mr. Iacuone said he feels this needs to be reviewed further. He knows that there are also problems with vehicles in the fire lane on this street. Mr. Gerckens said we need to investigate how many people already have permits, how many vehicles are parking in the fire lane, how many spots are left, etc... Mr. Iacuone said he believes there are only

three more houses that don't have any driveways. He said he feels that we also may need to have the Chief get involved. Everyone was in agreement that this item needs further review.

ADJOURNMENT

The meeting adjourned at 7:36 p.m.

Respectfully submitted,

Patty Finn
Recording Secretary

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