

**BOARD OF ALDERMEN**  
**OPERATIONS & PROCEDURES SUBCOMMITTEE SPECIAL MEETING**  
**MONDAY, MAY 16, 2016 – 7:00 P.M.**  
**JOAN WILLIAMSON ALDERMANIC CHAMBERS**

**MINUTES**

Chair Arthur Gerckens called the meeting to order at 7:00 p.m. All rose and pledged allegiance to the flag.

**Roll Call**

Present: Arthur Gerckens, Stephen Iacuone, Peter Olenoski

Also Present: Alderman Carmen DiCenso  
Alderwoman Barbara L. DeGennaro  
Alderman Thomas Donofrio  
Anthony DeFala, Street Commissioner  
Henry J. Domurad, Jr., Chief Administrative Officer  
Marc J. Garofalo, Town & City Clerk  
Laura Brezina, Cultural Commission  
Thomas Welch, Corporation Counsel

**PUBLIC PORTION**

Mr. Gerckens asked three times if anyone else wished to speak. Hearing no requests...

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

Mr. Iacuone stated that the committee should be entertaining additions, deletions or corrections since this is a special meeting. Mr. Gerckens said it is noted that this is a special meeting.

**APPROVE MINUTES OF THE APRIL 12, 2016 OPERATIONS & PROCEDURES MEETING**

Mr. Olenoski said it states that Mr. Gerckens and I adjourned the meeting – neither of us was in attendance. Mr. Gerckens said since we weren't at the meeting the minutes can't be approved. The minutes were accepted. **Recording secretary will re-listen to the tape and make correction.**

**REQUEST TO USE A MEETING ROOM AT CITY HALL BE THE DERBY DEMOCRATIC TOWN COMMITTEE FOR MONTHLY MEETINGS. ADDITIONALLY, ALLOW THE REPUBLICAN TOWN COMMITTEE THE SAME OPPORTUNITY, PROVIDED THERE ARE NO SCHEDULING CONFLICTS. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens stated that there was a request from Linda Fusco of the Democratic Town Committee to use a meeting room at City Hall for their monthly meeting. He said even though it hasn't been requested the offer should also be extended to the Republican

Town Committee. Mr. Iacuone said this has been brought up in the past and they were offered the use of the fire house – he believes it was Hotchkiss Hose, and not City Hall. Mr. Gerckens asked if there was a problem with offering City Hall. It was noted that there could be potential conflicts. Mr. Iacuone asked who would be responsible for opening and closing City Hall. He believes that is why the firehouse is a better choice. Mr. Gerckens said we're getting off point – there has been no mention of the firehouse. He suggested any type of scheduling would have to go through Marc Garofalo. Mr. Garofalo said for the most part there is usually something going on every night at City Hall. He noted that the first and last weeks of the month are the slowest periods. Most meetings must be noticed 24 hours prior to the meeting. There are sometimes that non-noticed meetings go through the Mayor's office. Mr. Garofalo said there are several meeting rooms available and this really shouldn't be a problem. Mr. Gerckens said if we send this to the full Board of Aldermen we can stipulate so that there are no conflicts with the rooms this should go through the Town Clerk's Office. Mr. Iacuone said he still thinks City Hall is a bad idea.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to recommend to the full Board of Aldermen the request from the Democratic Town Committee to use a meeting room at City Hall for their monthly meetings provided there are no scheduling conflicts and that the same offer be given to the Republican Town Committee with the stipulation that this must be set up through the Town & City Clerk's Office. **Mr. Iacuone – NO. Motion carried.**

**DISCUSSION OF §172-8 OF THE DERBY CODE – REIMBURSEMENT OF SIDEWALK RENOVATION. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens said Mr. DeFala is here to explain this item. Mr. DeFala said the City gives homeowners 1/3 of the cost of the total sidewalk job. What's happened since he's been commissioner is the cost gets manipulated by the homeowner and the contractors and they whack the number up. He said he's been in this business for a lot of years and knows what it should cost per square foot. Mr. DeFala said the number gets whacked up so much that the City ends up paying for 70% of the job and in some cases all of it. Mr. DeFala's recommendation is to put a set dollar amount per square foot coverage for concrete and another different square foot price for asphalt. He said it really wouldn't matter how they did it or what size they did it as long as they follow the specs and inspection procedures.

Atty. Welch said so all of the unit prices would get deleted and we would just be looking at \$10.00 and \$6.00. Mr. DeFala said as long as they follow the actual specs there would be a set dollar amount. Mr. Olenoski asked how often that amount would be reviewed with respect to cost. Mr. DeFala said it could be reviewed every two years or yearly – whatever you recommend. He said it is a fair dollar amount for a concrete or asphalt sidewalk. Although he is not in favor of asphalt he did acknowledge there are a lot of asphalt sidewalks in town.

Mr. Iacuone said he doesn't know where Section B came from but if you read Section A it's 1/3 the cost of materials. It shouldn't be on the excavation form. Mr. DeFala said it is sort of misleading. Mr. Iacuone said that is why he wants to clarify it. Mr. DeFala again said as long as the specs are followed there should be no controversy with price of material or price of anything.

Atty. Welch said Barbara DeGennaro just indicated that these went up in 2007 so they're substantially higher than these numbers but you still want them all to come out. Mr. DeFala said yes. Mr. Iacuone said we would have to redo Section A – cost of materials and the other section reflect per square foot. Mr. DeFala said 99.9% of these jobs are based on square footage. Atty. Welch asked for instance – gravel refill - what happens to that? Right now it's \$35.00 ft.<sup>2</sup>. Mr. DeFala said he \$10.00 is a fair price and will cover everything. If concrete goes up – asphalt has come down – all that language would not be deleted but it would be modified to make it less confusing. He said he feels this would make it fair to everybody. Mr. Olenoski said we need to make sure our website is up to date. Mr. Gerckens said this needs to be reviewed further.

**THIS ITEM IS TABLED UNTIL THE NEXT MEETING.**

**NON-MOTORIZED VESSELS PERMITTED AT WITEK PARK. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens said we heard a citizen at last month's meeting talk about canoes and kayaks. He said he spoke to John Rak, the insurance agent for the City, and the City of Derby's liability insurance would not be affected. There would be a need for signage regarding rules and regulations. Mr. Gerckens said there was also discussion about restricting the use to the lower reservoir. He said he's not a big believer in restrictions. He feels we should open it up totally noting there are some beautiful reservoirs back there. There was also an indication that work is going to be done on the dam. Mr. DeFala said towards the end of summer, weather permitting, they plan on lowering the dam to almost empty to work on the front face of the upper dam. Mr. Gerckens said we people be able to use the reservoir until you're ready to begin your work. Mr. DeFala said yes. Mr. Olenoski asked if there were rules in place for fines. Mr. Iacuone said there should be a violation fees listed if the Police Department is to enforce. Mr. Gerckens questioned whether Mr. Iacuone envisioned motorized boats being used. He said yes, perhaps catamarans. Mr. Olenoski questioned the use of remote controlled boats. He said we have to define "motorized." Atty. Welch said on the violation we would need an Ordinance. Are we looking for an Ordinance or doing just some rules and regulations by the Board of Aldermen? Mr. Iacuone feels that an Ordinance should be in place. Mr. DeFala asked if the rear section of Witek Park would be opened for parking or only the front. He said once the games are over the coach would lock the gate. There could be access the rear reservoir off of Prindle Avenue by parking in the front lot. Mr. Gerckens said because of vandalism the gate to the fields should be locked. Mr. DeFala said he would also have concerns about people parking on Prindle Avenue since it is not posted "No Parking." Atty. Welch asked if the park is open sunrise to dusk. It was noted that it is. Mr. Gerckens said he feels there are still questions that need to be answered and suggested this item be tabled until the next meeting. He also asked Atty. Welch to look into some of the concerns that have been raised this evening.

**THIS ITEM IS TABLED UNTIL THE NEXT MEETING.**

**ANIMAL CONTROL SERVICES AGREEMENT BETWEEN THE CITY OF DERBY AND THE CITY OF SHELTON. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Atty. Welch said the Finance Director, through the Mayor's Office, approached the City of Shelton to discuss the idea of using their services. He said he looked at the agreement that we previously had with Woodbridge and changed that agreement to read Shelton. It was noted that the Town of Woodbridge wanted to charge the City \$70,000 per year for these services. Atty. Welch said the City never signed an agreement with Woodbridge for the \$70,000.00. He said he is not sure what the price used to be. Mr. Iacuone questioned whether this is something that can be brought up with Ansonia under the Shared Services Committee. Although Shelton is receptive to the amount that we offered we should at least ask Ansonia. Atty. Welch will have Sal Coppola, the City's Finance Director contact Ansonia to discuss.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to recommend for approval to the full Board of Aldermen to enter into the Animal Control Services Agreement between the City of Derby and the City of Shelton pending the results of the call from the Finance Director. **Motion carried.**

**FARMER'S MARKET LICENSE AGREEMENT. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens said there has been some interest to hold a Farmers' Market on the Derby Green. He called on Laura Brezina from the Derby Cultural Commission to explain what this would entail. Ms. Brezina said they would look to hold the Farmers' Market from Memorial Day to possibly the second week in October. It would be held every Sunday from 9:00 a.m. to 3:00 p.m. They have contacted local farms in the area, which total about ten. Atty. Welch said everyone should have the handout from the Mayor's Office which outlines the details of the market – day, hours, insurance, etc... There have also been discussions to have other vendors there selling food items. They will not be entertaining vendors that frequent Derby Day (selling trinkets, clothes, etc...) Also they would put a limit as to the number of these vendors. Mr. DiCenso said he would limit strictly to farmers. Atty. Welch said when they were holding the meetings they were thinking of things that would keep the people there.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to recommend for approval to the full Board of Aldermen to enter into the Farmer's Market License Agreement limiting non-farmer vendors to 10%. **Motion carried.**

**DISCUSSION OF §125-4 OF THE DERBY CODE OCCUPANCY PERMIT REQUIRED. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Atty. Welch said this was discussed at the last Board of Aldermen meeting. There was a recommendation to make a change to the second paragraph and that change has been made.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to recommend to the full Board of Aldermen the changes to §125-4 of the Derby Code Occupancy Permit Required. **Motion carried.**

**FIREWORKS DISPLAY AGREEMENT. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens said everyone should have the agreement in front of you. Atty. Welch said he has a rider that he will pass onto the full Board of Aldermen, which regards the number and type of fireworks in the agreement.

There was a discussion as to whether or not this was bid. Mr. Iacuone said he believes we use the same company every year. We may have to make a recommendation to have a bid waiver.

**A MOTION** was made by Mr. Iacuone with a second by Mr. Olenoski to recommend to the full Board of Aldermen to approve the Fireworks Display Agreement and also the Rider, drawn up by Atty. Welch. ***Motion carried.***

**RECOMMEND TO AUTHORIZE THE DISPOSITION OF COMPUTER HARDWARE BY THE DERBY PUBLIC LIBRARY. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Olenoski asked if they are doing some type of wiping or are they drilling holes into the hard drives? It was noted that if it was from an office it would be drilled.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to recommend to the full Board of Aldermen to authorize the disposition of computer hardware by the Derby Public Library. ***Motion carried.***

**RECOMMEND A COMPANY TO IMPLEMENT ENERGY SAVINGS IN THE CITY OF DERBY BASED ON PRESENTATIONS GIVE AT THE APRIL 12, 2016 MEETING OF THE OPERATIONS & PROCEDURES COMMITTEE. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Mr. Gerckens said he doesn't know how many people were able to see the presentation. Mr. Iacuone said we actually made the recommendation to send it to the full Board of Aldermen – they were going to keep it short and simple since there were only a couple of us at the meeting and now it's back to us again. Mr. Domurad said Mr. DiCenso didn't want to go through the entire presentation again since it took over an hour and a half. Mr. Iacuone said it was tough listening to the presentations – there were a lot of loose ends. One was focused on the parking garage, one with the schools – ConEd was focused on fuel cells. Mr. Gerckens said it feels like were not ready to make a decision and he feels that this board for the most part speaks its mind. Mr. Gerckens said he wouldn't want to send just one recommendation. Mr. Domurad said Mr. Iacuone is correct – the first company was focused on City Hall and the parking garage. The other two, Johnson Controls and Con Edison, were similar – they talked about WPCA and the schools. They are both looking at guaranteed savings that will be cost neutral for the City but Con Edison talked about municipal leases and borrowing and Johnson Controls didn't mention that part of the equation. Johnson Controls has worked with Thomason, North Haven and Norwalk Hospital. Con Edison has worked with Stamford. They were also being investigated by the F.B.I. for Bridgeport and Stamford work, which they said they were cleared of. Mr. Iacuone said it is a complicated thing to recommend to the full Board of Aldermen. Mr. Domurad agreed that it's not easy. Atty. Welch said after listening to it from a legal perspective that you can choose which the better proposal is. You're not comparing apples to apples. He said he feels that the full Board would have the same comments that we're discussing

now. Mr. Domurad was asked what company he felt would be the best fit with the City. Mr. Domurad said both he and Sal Coppola feel that Johnson Controls would be the company to go with. Mr. Iacuone suggested having Johnson Controls come in to meet with the Board and if there are any questions we could always invite the other two firms.

**A MOTION** was made by Mr. Gerckens with a second by Mr. Iacuone to recommend to the full Board of Aldermen to invite Johnson Controls to give a ten minute presentation to the next full Board of Aldermen meeting. **Motion carried.**

**ADJOURNMENT**

**A MOTION** was made by Mr. Gerckens with a second by Mr. Olenoski to adjourn the meeting at 8:04 p.m. **Motion carried.**

Respectfully submitted,

Patty Finn  
Recording Secretary

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