

**BOARD OF ALDERMEN  
ORDINANCE COMMITTEE  
MEETING AND PUBLIC HEARING  
OCTOBER 5, 2009**

The Ordinance Committee of the Board of Aldermen held a meeting and public session on Monday, October 5, 2009. Chairman Patterson called the meeting to order at 6:50 p.m.

MEMBERS PRESENT

J. Patterson, Chairman  
J. Blacketter, Vice Chairman  
N. Veccharelli  
A. Giannattasio (6:54 p.m.)  
V. Ditchkus

ALSO PRESENT

Mayor James L. Richetelli, Jr.  
Winthrop S. Smith, Jr., City Attorney  
Benjamin Blake, Chairman, BOA  
Lawrence Sgrignari, Esq.

Chairman Patterson read the public notice as it appeared in the New Haven Register on September 30, 2009 and declared the public session of the Ordinance Committee open at 6:51 p.m. regarding the following Ordinance:

1. An Ordinance repealing Article XVIII Planning & Zoning Department §§18-203 through 18-205 of the Code of Ordinances of the City of Milford and substituting Article XVIII Department of Permitting and Land Use §§18-203 through 18-205 by creating a Department of Permitting and Land Use ("DPLU").

Chairman Patterson stated he would entertain a motion to waive the reading of the Ordinance in its entirety.

Ald. Ditchkus and Ald. Blacketter made and seconded a motion to waive the reading of the Ordinance in its entirety. Motion carried unanimously.

Speakers in Favor:

S. Bergami, Jr. – 310 Tanglewood Circle – stated he is here tonight regarding the Kimball report. He stated he has read it in its entirety. He went on to give some background on himself, stating he is a 22 year resident of the City, President/CEO of Alinabal and also served on the Finance Board and currently the Police Commission. He stated he also is on the Board at the University of New Haven as well as serving other city organizations. He stated he wished to make the Board aware of this so they would understand his understanding of the process control. Reading from a prepared statement he commented about the process in the land use offices and the need to fix is immediately. He stated dealing with the system currently is time consuming and cumbersome, which means it needs to be fixed. He expressed his hope the Board would recommend this report to the full Board.

S. Studer – 75 Broad Street – stated he is here tonight on behalf of the Kimball Implementation Team (known as KRIT). He stated KRIT fully supports the proposed Ordinance. He stated the committee has fully remarks for the full Board, but he wanted to make the Committee aware that KRIT is here and available to answer any questions.

L. Carroll – stated he is an attorney here in Milford and was here tonight to encourage this Committee to look at the report. He stated the KRIT members spent countless hours compiling the report. He also stated he has appeared before the Planning and Zoning Board over 100 times. He stated he has no problem with the members that serve this Board as they serve the Board well and tirelessly for which he thanked them. He stated the problem is one of process and that the process just does not work. Attorney Carroll stated KRIT speaks to the process and the need to fix it. He also spoke of another report done back in 2004, adding he did not recall the name, but that report never moved forward to help expedite the process in Planning and Zoning. He reiterated the problem is not with the Board members, but getting to the Board. He stated he would respectfully ask this Committee to move this action to the full Board of Aldermen for consideration.

### Speakers Opposed

P. Fulco – 10 Kendall Green Drive – stated he also serves as the Chairman of the Inland/Wetland Commission, and as such was very interested in this report. He stated he was pleased and proud to note none of the negative comments affected the Inland/Wetlands Office and that he wished to recognize the fine work of Kathy Kutcha the office clerk and Mary Rose Palumbo the Inland Wetlands Officer. He also spoke of the initiative taken by Ms. Kutcha to take a DEP course so she could better understand her job and the workings of a wetlands office. He noted this was done completely on her personal time. Mr. Fulco also stated this office has enjoyed a good record of great customer service. He continued reading from a prepared statement as to the findings of the Kimball report, commenting “If it isn’t broken, don’t fix it”. He stated while there are some things he could agree with there were three things he just could not support. He stated he could not support the idea of cross training to perform the duties of the Zoning Enforcement Officer and expressed concern zoning issues would dominate time over wetland issues. He also stated he did not agree with a statement in the report that indicated the Inland Wetlands Office did not need a full time officer, which he stated he found perplexing. He stated the State Commissioner of DEP worked very hard to keep these two functions separate and it should continue. Mr. Fulco stated his third concern was the placement of the office not affecting agency meetings of the Inland Wetlands Commission and that they are able to carry on with their business. He continued reading speaking as to the duties of the Inland Wetland Officer at the meetings and her invaluable support, guidance and knowledge at these meetings. He stated functionally Inland Wetland needs to report to the Inland Wetlands Commission and they should be the ones that dictate the Inland Wetlands Officer activities. He referred to a second adage “You can’t serve two masters”. He stated this report was promulgated by Planning and Zoning and the Building Department and asked the Committee to keep Inland Wetlands out of this.

M. Lofthouse – 54 Maple Street – stated he spent the weekend going through reports over the last 5 years, i.e. the Bernstein report and Kimball report, etc. He asked the Board not to just vote for this report without first looking at it in detail. He also pointed out meetings were held at 8:30 a.m. a time when most citizens could not attend. He continued reading from a prepared statement, speaking as to some of the suggestions Mr. Sulkis has tried to implement, but they have all been shot down because of budget constraints. He also noted Mr. Sulkis has implemented a number of items from the Bernstein report. He also commented you just can’t have two masters. He questioned if the report is based on the Town of Danbury and stated if it is what Danbury does not have is a Director of Permitting and Land Use. Mr. Lofthouse also pointed out the report from KRIT does not spell out job requirements for the positions. He stated he disagreed with these positions and that the City would be putting someone into a position not acceptable to our citizens. He stated this just seems headed in the wrong direction. He stated the number one problem is permitting and agreed it is frustrating. He stated he agreed with a central permitting, but suggested having staggered hours for permitting. He also asked about hiring an Assistant Zoning Enforcement Officer, which is what Danbury has. He went on to speak concerning the

membership of this KRIT team stating the members all had a vested interest, whereas someone like Jack Jansen, former chairman of the Planning and Zoning Board should have served as a member of that committee. He also stated it is a lot of malarkey that it is the fault of Planning and Zoning and the personal attacks on the City Planner. He reiterated the central permitting was a good idea, but that they needed the tools to do this.

J. Jansen – 22 Russell Road – stated he was the Planning and Zoning Chairman for 4 years and stated he had meetings once a week with both the former city planner and the current city planner. He stated there are a lot of good things in the report, both the Kimball and Bernstein reports. He stated this Ordinance too much, too fast. He stated he agreed the system needs improvement, but questions how fast you do this. He encouraged the Board to take their time. He also stated it seems as though what is being proposed is another layer of management. He encouraged they needed to look at what they could do quickly and inexpensively. He reiterated they just don't need another office with a manager. He also questioned the proposal of cross-training, which he stated can sometimes be difficult because of the detailed processes in each department. He asked the Committee not to rush into this and also reiterated he is opposed to this additional management position.

L. Hebert – 15-16 Broad Street – commended the team that put together the KRIT report. She stated it is a system that is broken and little by little we can correct the system. She asked the Committee to take a look at the report, stating eventually this process can work.

B. Currier Bell – 24 Winthrop Court – stated she is an alternate member of the Inland Wetlands Committee, but she was here tonight as a Milford citizen. She stated the KRIT report is 30 pages long with recommendations as to how to change the processes for the building and land use processes. She continued reading from a prepared statement. She also commented as to the tools city employees have been provided and commented as to the restructuring. She also stated the KRIT report does not mention the city has not had a city engineer for 4.5 years. She continued reading commenting as to the structure and noted the city engineer who had been hired left after a short time because there was not structure. She stated Milford needs to go slow before any Ordinance is enacted.

K. Alagno – President/CEO of the Milford Chamber of Commerce stated she is here tonight on behalf of her Board. She stated they have had multiple conversations regarding operations of the Planning and Zoning and Building Departments. She stated they believe and wholeheartedly support the KRIT report. She stated they spent over 6 months working on this. She also noted there is a previous report regarding the same departments and questioned how many reports would be necessary before they move forward. She expressed her hope the Committee would make a quick judgment and move forward. She also stated the employees of the City should be brought into the conversations and made a part of the discussions.

B. Milton – 32 Elm Street – commented there was a lot she did not understand regarding the KRIT report. Reading from a prepared statement she questioned the primary objective. She asked the need to dismantle the departments and the need to spend thousands of dollars realigning the building. She asked who would benefit and more importantly who would bear the cost. She stated rushing through this Ordinance is depriving the people of their right to be heard.

A. Berman – 77 Pelham Street – stated she agreed with the comments of Mr. Lofthouse and the last few speakers. She stated the Inland Wetlands Agency leads you right through the process and stated the department should not be separated. She also commented it has taken Milford years to get this department separated from the others. She also pointed out city has not had a city engineer for some years now which has placed havoc in

the city. She stated those two departments, Engineering and Inland Wetlands need to be separate. She stated she would like to see a move towards separating the City Engineer and the Public Works Department. She also spoke as to contractors who have taken advantage of the process and stated it was time for them to see there are rules and regulations to follow. She expressed her hope the Board would not just squeeze this through.

K. Rose – Vice Chair of the Planning and Zoning Commission stated she wished to read a letter from the Chairperson, Jeanne Cervin who was unable to be here tonight. She went on to read the letter. Ms. Rose also commented there is no immediate urgency to implement this except for political reasons. She asked the Board to be thorough and informed when making their decision. She stated she also agrees with the comments of Mr. Lofthouse. State stated she works in the Bridgeport Building Department and commented the report was well put together, however, she does not agree with having a “land-use czar”. She asked the Board to proceed with caution. She also stated she asked last month that copies of the Ordinance be available to the public and she did not see any this month.

D. Sulkis – City Planner – read a statement (attached).

Chairman Patterson declared the public session closed at 7:55 p.m.

Ald. Blacketter and Ald. Veccharelli made and seconded a motion to forward to the full Board with a favorable recommendation an Ordinance repealing Article XVIII Planning & Zoning Department §§18-203 through 18-205 of the Code of Ordinances of the City of Milford and substituting Article XVIII Department of Permitting and Land Use §§18-203 through 18-205 by creating a Department of Permitting and Land Use (“DPLU”).

Ald. Veccharelli referenced Sec. 18-204 concerning the Executive Director and the language that the appointment is made by the Mayor. He stated in listening to his constituents there is some concern. He asked if there would be a problem with this being changed and having the appointment made by the Board of Aldermen. He stated this would make it less political.

Attorney Sgrignari introduced himself, stating he is labor counsel to the City and that he assisted with the drafting of this Ordinance. He stated this was reviewed extensively and that the provision in Sec. 18-204 is a provision that is required by the City Charter. He explained under the City Charter the Mayor is the appointing authority of all City department heads.

Ald. Veccharelli asked if this position would be a director. He also addressed the term “czar” that was brought up in public session several times and asked if the title could at some point be changed.

Attorney Sgrignari explained a department head is defined by the Charter and that the position of a department head is responsible to the Mayor. He stated it would be his recommendation as well as the goal tonight to implement the recommendation of the report and that this position is that of a department head. He reiterated the language in the Charter is a department head, which is clear.

Motion carried unanimously.

Being no further business, Ald. Blacketter and Ald. Ditchkus moved to adjourn. Motion carried unanimously.

The Committee adjourned at 8:00p.m.

Respectfully submitted,

Kathleen K. Huber  
Recording Secretary