

TOWN OF SOUTHTON

PARKING AUTHORITY

PUBLIC HEARING

JUNE 15, 2011

A Public Hearing was held by the Town of Southington Parking Authority on the subject of Overnight Parking in the municipal lots on June 15, 2011 at 7:00 p.m. in the community room of the Southington Police Station, Lazy Lane, Southington, CT. The public hearing was called to order by Chairman John J. Solury, Jr. at 7:01 p.m.

**Roll Call** Present at roll call: John J. Solury, Jr. chairman, Dolores Babkirk-Rodrigues Vice Chairperson, Commissioners Mark Dziubek, Michael Riccio, and Southington police officer Watson. A few minutes later Commissioner Mathew Florian arrived.

**Overnight Parking** Chairman Solury presented the issue for discussion: “Overnight parking in the municipal parking lot, as well as the Plantsville center parking lot.” Commissioner Riccio outlined the proposal: “... for the Parking Authority to establish overnight parking. If it were enacted upon tonight it would not be based on the recommendation of the Town Attorney, it would not be decided ... the number of spaces or the location. It would be basically to establish overnight parking—something that does not exist now.” He explained that “this was prompted by a request of one building along Center Street that has no parking, as well as two other building owners for a total of six spots on Center Street. Those requests total six parking spaces. Also on the agenda tonight, is a request for a parking waiver and there have been discussions at our meetings for that parking waiver, to allow, in order to gain a new parking lot downtown, the individual, Mr. DelBuono, would be ceding permanent rights to his land to the Town of Southington and in exchange for that, we would contemplate giving him the parking waiver. However, he has a need for currently existing private property—he houses six ... and he gave up his rights to those private spaces for a total of 12 parking spaces. Six for the parking lots that are currently under our control and to put this in perspective we have 700 parking spaces under our control, so we would be talking about six out of 700.....” Chairman Solury interrupted the speaker at this point. He clarified that the 700 number is not accurate. The correct number is around 500 including Plantsville, and Solury pointed out that parking waivers have been granted in excess of the current number of spaces available. The public was anxious to move on.

**ART CYR - 103 BERLIN AVE** He is in opposition to any overnight parking in any town-owned or leased municipal lot, whether it is 2, 8, 12 or 20 spaces. There may be 500 spaces. A lot of them are not in critical areas and from an operational point of view in the wintertime it is an absolute nightmare if there are cars parked when they do snow removal. Spring clean up presents an issue, or the painting of lines and as a taxpayer he does not believe that our municipally-owned, leased and maintained parking lots should be given to any private property owner. There are available parcels in downtown Southington, and probably Plantsville, for a private property owner to make arrangements for off street parking. The reason that this regulation (overnight parking), was placed was a problem with abandoned cars left in the town lots.

**PAMELA DePAOLO -- 54 DELAHUNTY DRIVE** President of DePaolo Furniture, she speaks in opposition of allowing overnight parking in the municipal lots. She thinks it is wrong for private property owners to ask for exclusive parking spaces in public lots. She feels that it is special consideration for specific landowners. The public parking, she says, is exactly just that and to make any special arrangements is inherently unfair. She feels that landowners who do not have parking space for tenants should enter into a private agreement to provide that. She pointed out specific examples. She feels that for the town “to enter into an agreement with one private property owner who is proposing some sort of development, which has not materialized and may not materialize for years, and do some sort of a swap” she thinks is shady and underhanded. None of this is clear cut and that means that the flood gates will be open so that everyone who has tenants will be allowed to secure private spaces, too. What about the rest of the merchants who share spaces? She feels that would be taking fair play off the table. “What makes them so special?” She says that this is an arrangement of convenience and special consideration for certain property owners.

**JOSEPH LePORE -- 719 EAST STREET** His wife owns 101 Center Street. This property has been in her family for 60 years and at that time there was no municipal parking. How can someone now say that they knew what they were buying back then. Things were more friendly then. Municipal parking presents a hardship to long-time property owners. He has no private parking spaces at all for that building. He needs 3 parking spaces. He pays taxes, too, more than 60 years now. He knows of no deal here.

**ANN MARIE CONATY --** She says the whole idea of municipal entities getting into a deal with Simon is distasteful. She thinks that it should be separated. The town has spent a lot of money getting municipal parking spaces and there is talk of spending more.

**BEECHER LaJOY -- 860 NO. PLEASANT STREET** He speaks about the Renaissance project in the center of town, due to great leadership, is on the path to vitality and potential great opportunity. He is opposed to restrictions so rigid that the downtown may become non-functioning and impractical. Overnight parking is a necessity for tenants who live in the downtown area.

**COREY KOSIENSKI -- 98 DORAL DRIVE** He is a Real Estate agent broker. His experience is that properties that offer no parking get a “certain type of tenant” who is more of a strain on the town. There are more transients who need bus service and taxi service, there are more non-working type tenants who have time on their hands. He worries that there are more people who are “kinda hanging around.” They use more services, are more apt to dial 911. He does business in this entire region, a broker with values, and he is aware of this. The commercial tenants can become discouraged, as well. Parking brings the better working-class tenants.

**ADAM SZEPS -- 12C LIBERTY STREET** He speaks about the quality of tenants that comes with proper parking arrangements. People who live in the downtown area deserve adequate parking. He wants it on the record that he is in favor of overnight parking.

**STEVE MOLNAR -- 23 SPRUCE DRIVE** He operates a business at 104 Center Street, he does not own the property. The overnight parking would have no negative impact on his business. He does feel that the quality of people that will live downtown, who drive to and from where they live will be a lot different from the type who rent apartments where there is no parking. He spoke of some of the

“interesting” people who roam downtown. He predicts that without overnight parking the town will have more of that. He definitely thinks that overnight parking will attract better people, especially if they are working in Hartford and they need a car to get to their jobs. Maybe they will eventually buy a house here. The tenants that he has seen who have a hard time to park have left the apartments because of the parking issue. He thinks it is a positive change to provide parking for tenants who live downtown.

**MICHAEL DOMIAN 58 DORAL STREET** He owns a building at 104-106 Center Street. He feels discriminated against because he has no parking space for tenants. Other taxpayers are utilizing the municipal lot during business hours and he needs the space during the night for his tenants to park. He feels that it will bring quality residents to the downtown area. He has no other parking option. He gave a long dissertation about his feelings in favor of overnight parking. Snow removal is a sticking point but he feels it is resolved simply: set the rules and enforce them, after three infractions remove the privilege. The residents are not there during the day. He feels that the better people who will choose to live here will benefit everybody. These residents will have more expendable income, they will frequent the restaurants and shops. He sees the downtown area evolving into a great, great area and he feels that the couple of parking spots he is asking for is not consequential. Anyone who is opposed to this, “how are they going to feel when people are hanging out on park benches or breaking into a car here and there?” He spoke of several other towns that provide overnight parking. They promote nicer buildings, more affluent people walking around with more expendable income. “That is the life blood of a downtown, it’s the people. A couple of bad apples will spoil it.” He doesn’t see anything preferential about this. He pays taxes. When other businesses are closed, that is when he wants to get the tax dollars that he pays.

**PAMELA DePAOLO** She asks to speak since she kept her comments within the time limit and Domian spoke “way more than five minutes.” The chair acknowledged her. She questions the comments made about class of people who live downtown and she disagrees. She is on Center Street all the time and at varied hours, but she does not see undesirable or transient people downtown. The people who work and live in these buildings must also park during the day; when they have a day off or on holiday weekends. Overnight parking extends into many more hours than overnight.

**JOSEPH LePORE** He has one additional comment. To find decent tenants is very hard. He lies about the parking.

**MICHAEL DOMIAN** He disagrees with Ms. DePaolo. He has problems with people urinating in his alleyway, he had to place No Trespassing signs because people were sleeping there and urinating in there. There are definite problems with residents and it is not good for business.

**MARK NOWOGRODZKI 60 DOGWOOD** He owns a shop on Center Street and he rents apartments above his shop. Parking is very important to his tenants. He lies about the parking. He knows that he cannot legally ask prospective tenants if they own a car. He has lost many good tenants because of the parking problem. He says the downtown has people living, not working, no cars. He feels that legal arrangements for downtown residents to park is needed very badly. He wants to see nice people walking around and sitting on the benches and nice families back and forth and dressing appropriately in downtown Southington.

**MARY ANN CONATY** She wonders about the enforcement of strict overnight parking rules. She thinks that if residents break the rules once they should lose this privilege. She also warns of other issues to arise especially in the light of the Ideal Forge project. She says that appropriate behavior and respect for property goes whether you are transcient or affluent working people and speaks of the way you were brought up.

**MICHAEL DOMIAN** In closing he presents Chairman Solury with a petition signed by those who were not able to attend this hearing.

**Adjournment** Commissioner Dziubek made a motion to close the Public Hearing at 7:43 p.m. Commissioner Babkirk-Rodrigues seconded the motion. All were in favor adjournment.

John J. Solury, Jr. Chairman

Town of Southington Parking Authority

## TOWN OF SOUTHTON

### PARKING AUTHORITY

#### SPECIAL MEETING

JUNE 15, 2011

There was a special meeting of the Town of Southington Parking Authority on Wednesday June 15, 2011, following a public hearing, in the community room of the Southington Police Department. The meeting was called to order at 7:45 p.m. by Chairman John J. Solury, Jr.

**Pledge of Allegiance** The Pledge of Allegiance to the American Flag was recited by all present.

**Roll Call** Present were Chairman John J. Solury, Jr., Dolores Babkirk-Rodrigues Vice Chairperson, Commissioners Michael Riccio, Mathew Florian, Mark Dziubek and Officer Watson of the Southington Police Department.

**Approval of the Minutes of May 11, 2011** Commissioner Riccio made a motion to accept the minutes as presented. Commissioner Babkirk-Rodrigues seconded his motion. The motion passed on a voice vote.

**Public Communications** There were no public communications.

**Commissioner Communications** Chairman Solury reported a recent meeting he had with Mary Savage Town Planner, Mr. and Mrs. Dean Michanczyk and Attorney Meccariello on May 17 regarding the acceptance of the Hearthstone parking lot in Plantsville. The signs that the parking authority has required are not completed. Therefore, the town has not adopted the parking lot.

He reported on the request to the Department of Finance to carryover of \$7000 from the general maintenance account to the next fiscal year. It came to light that there is a discrepancy in the balance. The correct amount left in that account is \$5500 and there is \$900 left in the sign account. Commissioner Riccio modified his motion of May 11, 2011 to reflect the correct amount in a new request for carryover. Commissioner Dziubek seconded his motion. The chairman asked for a roll call vote: Babkirk-Rodrigues-yes, Dziubek-yes, Florian-yes, Riccio-yes, Solury-yes.

Chairman Solury asked that the commissioners increase the stenographer's fee to \$125 beginning the new fiscal year since finance has approved it. Commissioner Dziubek made a motion to increase the stenographer's fee to \$125. This was seconded by Commissioner Florian.

**Submission of Bills and Payments** Chairman Solury acknowledged the stenographer's bill for this meeting in the amount of \$118 to be filed for payment. He also presented the landscaper's bill in the amount of \$740 as contracted.

**Signs** Commissioner Riccio presented the life size paper renditions of the proposed signs to be placed in the municipal lots. He pointed out that his goal was to create a highly visible and unique design and to incorporate a smaller, more aesthetic, rules of the lot notice on the same pole. One pole would be placed in each lot. Reflecting on the downtown Renaissance he noted the attention that was paid to detail and the

effect that it had on the overall success of the project. Commissioner Dziubek questioned legal state requirements in the event a sign will be on the state road. Officer Watson offered that the signs as presented meet legal standards. These signs would be considerably more expensive than what is being used. Riccio suggested that one or two be ordered and then replace the existing signs gradually as needed. There was some discussion. Commissioner Dziubek asked about going out to bid on this or at the least shop for a better price, but Riccio explained that this signage is specially created for Southington, the design is owned by the creator, and cannot be duplicated. Dziubek reminded the commissioners that the P signs presently used cost \$40. Commissioner Florian commented that for many years there has been discussion about creative signage for the Southington downtown and he pointed out that the quality of this sign is superior. Solury reminded the commissioners that there is only enough funding for one complete sign in the sign account and that is dependent on the carryover request being granted. Commissioner Riccio made a motion that the parking authority purchase two complete signs, if carryover and a fund transfer from the general maintenance account to the sign account is accomplished, to cover the required \$1210 for two. If a transfer is not possible, he motions that one set of signs be purchased. Existing poles will be used. The motion was seconded by Commissioner Florian. Solury said that he could support the purchase of one sign, to see it up, but not two. The chairman called for a roll call vote: Babkirk-Rodrigues-yes, Dziubek-no, Florian-yes, Riccio-yes, Solury-no. Chairman will submit a letter to finance asking for the carryover and the transfer of funds.

**Bank of America Lot Islands/Restriping** Commissioner Florian and Chairman Solury have been working to expedite this project. Several bids were received, the highest bid for \$10,247 was submitted by Deziel Paving Co., followed by \$4980 submitted by Barletta Contracting, then FPM Transport for \$4230 and the lowest bid was submitted by John Meade for \$3800. Meade was awarded the work by Attorney Sciota and John Solury. That project is underway and should be completed by the end of the month. The Town Planner, Mary Savage did stipulate that the contractor secure a zoning permit, provide an insurance certificate and schedule a pre-construction meeting with the planning department and the engineering department. Commissioner Florian felt that since this is a town project, engineered by the town staff that the contractor should be relieved of the zoning permit stipulation. Chairman Solury will discuss this with staff. Solury also reported on the restriping project. Tony Musto quoted \$430 to restripe just the area that is being altered. The building department has signed off on this but there are some issues to be addressed regarding disabled parking spaces. Carryover funds will cover this project.

**Parking Waivers - 122-130 Center Street** Solury reported that he spoke with the Town Planner who reported that the planning department was struggling with the issue since they have not been contacted by the applicant. He read a letter that had been sent to Mr. Simon DelBuono dated May 26 asking if he wished to withdraw his pending applications. Solury has received no further communications from the applicant and the planning department has had no response to their letter. Commissioner Dziubek, stating that since there appears to be no interest on the part of the applicant to pursue this, made a motion that the application be denied without prejudice at this time. There was no second to the motion. Commissioner Riccio spoke. He had a recent conversation with the town attorney about this. Attorney Sciota had not received a withdrawal letter from Mr. DelBuono. Commissioner Babkirk-Rodrigues suggested that the request be tabled. There was some comment that DelBuono had been present at the public hearing earlier but that he had left the building. Commissioner Riccio broke in. He has had a conversation with Mr. DelBuono today about this request. "The fact of the matter is that we do not have a letter in front of us withdrawing his request. There is no reason to not act on it. Mr. DelBuono

would like us to act on it.” Commissioner Riccio read a personal e-mail message from Simon DelBuono thanking him for keeping the application active. Commissioner Riccio made a **motion** to grant the parking waivers as requested for 122-130 Center Street with the following understanding: Mr. DelBuono will grant the Town of Southington permanent easement on all of the property he controls at 122, 130 and 142 Center Street, that is not encumbered by other site plans and that will affect the orderly development of his properties for staircases, egress and any exterior landscaping or outdoor dining. Commissioner Florian seconded the motion. Florian comments that he sees no “down side” to this plan. It is the first time that anybody in Southington has agreed to offer a permanent easement for municipal parking. There is nothing for the town to lose. Babkirk-Rodrigues asked how many waivers are in question. Solury answered 57 plus an additional 5 for 142. Florian mentioned that there is a deal on the table with Planning & Zoning. Riccio said that if Simon doesn’t grant the town a permanent easement on this property he gets nothing. Florian feels that all future municipal parking should require permanent easements. Solury spoke about several easements for parking which have not materialized. He is concerned about issuing more parking waivers without any conditions. Florian agreed that it can be frustrating but Planning & Zoning must follow through at their end. He is focused on getting all of this land tied up into a permanent easement. Dziubek doesn’t feel that the parking authority should go forward with the deal until DelBuono shows that he is willing to work with the town. He has shown in the last six months that he doesn’t want to work with the town. Riccio feels that granting of the waivers will force DelBuono to make a decision. There was some discussion about stipulations and time limits. Commissioner Riccio **amended his motion**, at Commissioner Florian’s suggestion, to include a three year time limit for DelBuono to secure site plan approval for 122, 130 and 142 Center Street. Otherwise, at that point this arrangement will expire. Solury expresses his concern that ultimately DelBuono will just flat out refuse to keep his promises to the town. He reminded the commissioners that an easement does not put parking in. Somebody has to foot the bill for that. Dziubek recalled that DelBuono has refused to put parking in before. Dziubek expressed his greatest concern; that the taxpayers of Southington are not on the hook to pay for his (DelBuono’s) parking lot. Florian announced that he had just texted DelBuono to ask if he was coming back, and he answered that he was under the impression that the meeting was closed. Solury reported that he has not been able to get a positive reaction from anyone on town staff regarding this project. Riccio explained that this central parking lot is a long term vision. Florian feels that it is a minor miracle to have a group of property owners moving in one direction and he feels that it is an opportunity not to be wasted. He feels that the town is not giving Simon anything unless he continues to move in the direction as discussed. This just gives him the ability to potentially merge with other landowners where there is the potential for several hundred parking spaces for public use. Riccio suggested that some on the panel have a vendetta against DelBuono. Dziubek answered that his remark was uncalled for and that there is nothing personal here-- it is important who is going to pay for this parking lot and he worries that “you are just looking to flip the bill on the taxpayers of Southington.” Following conversations among the commissioners, Riccio ultimately **amended his motion**, with the approval of Commissioner Babkirk-Rodrigues, to include the posting of an appropriate bond as approved by Planning & Zoning by DelBuono for the funding of the parking lot at all three parcels. Solury voiced his approval as long as the bond is posted and the taxpayers are off the hook for the paving of this lot. Solury warned that this action is setting a dangerous precedent. Other landowners have been required to maximize their property for parking. He cautioned that the panel is granting waivers to an individual who has land he could use for parking. The chairman asked for a roll call vote on Riccio’s motion with

amendments: Babkirk-Rodrigues-yes, Dziubek-yes, Florian-yes, Riccio-yes, Solury-yes. The motion passes unanimously.

**Overnight Parking** Commissioner Florian made a **motion**, incorporating Commissioner Babkirk-Rodrigues' written ideas, to approve the overnight parking for existing residential units, and present and future businesses in the CB zone, if they have exhausted all other options on their own property, excluding landscaping and patio areas, through the use of up to 20 windshield stickers to be issued by the town through individual application. Commissioner Riccio seconded the motion. There was a discussion. Solury referred to past comments of council people and letters submitted by citizens he has researched. He also refers to letters received by the parking authority from Pam DePaolo, Machiavelli's, Ron Serafino, Lou Perillo and Mike DelSanto. Commissioner Florian accused Solury of being disingenuous by "cherry Picking" past comments to bolster his own personal position. Solury defended his comments. He also referred to Attorney Sciota's previously voiced concern about jeopardizing existing leases by allowing overnight parking and enforcement difficulties. Commissioner Florian commented on the precious little private land in the CB zone and the need to continue to encourage development of private land and not make it into parking. He also feels that everything should be done to attract good quality tenants to downtown Southington, residential and commercial. Pitfalls of were discussed at length. The Town Attorney will draft the regulations due to the legal implications and town staff will implement the overnight parking plan. Dziubek reminds the panel that DelSanto has private land to accommodate these people and he asks, once again, why the town should foot the bill. Riccio states that the private options have disappeared because the town has taken over all of the private property. He wants to upgrade the quality of downtown residents. He feels that downtown needs vibrancy and that means people living, working and spending money downtown. Florian feels that the town took away the parking for the residents in the downtown area and should make some accommodations for them. Solury feels there is ample private parking downtown. The back and forth continued. Dziubek feels that more research is indicated. How many spaces are actually needed? How can they be fairly accommodated? There was a discussion about the semantics of instituting this policy. Solury bemoans the lack of any solid plan, other than the 20, no criteria who gets them, no criteria for enforcement. Florian says that this is typical government at its best, when you are against something, you throw red tape in the way. He addressed Solury directly: "When you don't want something to happen you throw up all the red flags. Mark Sciota will write the regulations." Riccio says that Sciota e-mailed him that if this passes, he will write the regulations and he will "come up" with the sticker criteria." Solury expressed his offense at the comments about throwing up red tape. There was a heated discussion. Solury inquired whether the Plantsville lot will be included. Consensus was not at this time. Solury suggested that this is opening Pandora's Box to a myriad of problems and he thinks it is detrimental to the town. Commissioner Riccio moved the question. The chair called for a roll call vote: Babkirk-Rodrigues-yes, Dziubek-no, Florian-yes, Riccio-yes, Solury-no. The motion passes with a simple majority.

**Adjournment** Commissioner Babkirk-Rodrigues called for adjournment at 9:37 p.m. Her motion was seconded by Commissioner Riccio. All were in favor of adjournment.

John J. Solury, Jr.

Chairman, Southington Parking Authority

Southington, CT