

**BOARD OF ALDERMEN**  
**OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING**  
**FEBRUARY 28, 2019 – 5:15 P.M.**  
**JOAN WILLIAMSON ALDERMANIC CHAMBERS**

**MINUTES**

Chair Barbara L. DeGennaro called the meeting to order at 5:17 p.m. All rose and pledged allegiance to the flag.

**Roll Call**

Present: Barbara L. DeGennaro, Bev Moran, Charles Sampson

Also Present: Andrew Baklik, Chief of Staff

Salvatore Coppola, Finance Director

Denise Cesaroni, Tax Collector

Philip Hawks, Fire Marshal

Pamela Gagliardi, Administrative Asst. to Mayor Richard Dziekan

Marc J. Garofalo, Town & City Clerk

Carlo Sarmiento, Building Official

Vincent Marino, Corporation Counsel

**ADDITIONS, DELETIONS, CORRECTIONS AND ADOPTION OF THE AGENDA**

Ms. DeGennaro said she would like to add one item:

**10a. Assistant Tax Collector Position – Discussion Only. Denise Cesaroni & Andrew Baklik**

Ms. Moran asked if we would need to go into Executive Session. Ms. DeGennaro said we couldn't go into Executive Session as we don't have the proper notice to have it. Atty. Marino said if we're talking about a particular person was that person sent notice that we would be talking about her. Ms. Cesaroni said yes she knows and is fine with Mr. Baklik and me presenting this. Atty. Marino said normally that would be in Executive Session and they would have the opportunity to participate. He noted that this is not necessarily about the individual person it is about the position. Ms. DeGennaro said as far as she is concerned it is about the position. Mr. Sampson said the information provided speaks about one specific individual that they want to have fill this position. Ms. DeGennaro said that's why she listed it as discussion only.

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Sampson to add the new item 10 a. Assistant Tax Collector Position – Discussion Only to the agenda. **Motion carried.**

### **PUBLIC PORTION**

Ms. DeGennaro said if you have an item on the agenda you may address the committee then. She asked three times if anyone wished to address the committee. Hearing no requests...

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

### **APPROVE MINUTES OF THE JANUARY 24, 2019 OPERATIONS & PROCEDURES SPECIAL MEETING**

**A MOTION** was made by Ms. Moran with a second by Mr. Sampson to approve the Minutes of the January 24, 2019 Meeting. **Motion carried.**

### **OPTIONS FOR POSSIBLE IMPLEMENTATION OF ELECTRONIC TIME AND ATTENDANCE SYSTEM FOR FINANCE OFFICE. SALVATORE COPPOLA, FINANCE DIRECTOR. DISCUSSION ONLY.**

Mr. Coppola passed out two handouts to the committee. The first is a cost breakdown of a proposed electronic time recording system, which would be \$1,800.00 to implement it and a total of \$4,617 per year to have the system in place. He said over the past year he has had discussions with Mr. Baklik, Mayor Dziekan and other department heads and it has come to our attention that there is a lot of leakage for time recording and the Finance Department doesn't always receive timely time sheets into the office, noting that there is a very small window to process time records. Maria Abel, who processes the payroll, has to manually input a lot of time records. This system will record the time for all employees who punch in and out. It would capture everything electronically. Mr. Coppola said there are two reasons this would be an asset for the City – it would save time in the Finance Office leaving more time for Human Resource work and it would also capture the leakage of time. Ms. DeGennaro asked if everyone would be on the system. Mr. Coppola said everyone would be on the system but noted there are exceptions because there is a resolution that says the Town & City Clerk doesn't have to report time and if we want to make this universal then that would have to change. He said the Registrar of Voters are part-time and there is no reason why they couldn't punch in and out. He stated that this isn't coming exclusively from him. Ms. DeGennaro asked if there are other vendors that provide this service noting that we would need price quotes. Mr. Coppola said they could look at other vendors; however, the difficulty would be the change to the payroll system. Mr. Sampson said this isn't a payroll system – it is time and attendance. Mr. Baklik said it would be integrated into our payroll system. Mr. Sampson said it should be presented as a single source solution. Mr. Baklik said it would also include the Police Department, which we would need to coordinate with them since there are so many different aspects of their pay. Ms. DeGennaro asked if it was discussed with the Union. Mr. Coppola said we still need to talk to them. Mr. Sampson said he is all for this and doesn't see what the Union could complain about. He said let the Union fight the policy. He said another problem we have is there are no policies or job descriptions for anybody in City Hall. We really need to work on those. Mr. Sampson said he just wants to make sure we're getting the right thing and we're not just band-aiding something. He said the last point he wants to make is he understands that the Town Clerk is an elected position and the resolution says they don't have to punch a time clock. How

do we handle those type of people – department heads are different they're salary. What is the safeguard for somebody who sits at a meeting all night, like Carlo, and spends four hours here what do we have in place to say Carlo take four hours off tomorrow because you just spent four hours here tonight? Mr. Coppola said we don't have anything in place. Ms. DeGennaro said there are ordinances that control salary, benefits – the building official is one of them, the tax collector, the town clerk is one of them – they're specific by ordinance. She said about two years ago there was a conversation regarding the town clerk's time sheets and a resolution was passed at that time by that board. She said those are things that would have to be addressed. Mr. Coppola said that typically administrators who are salary are not compensated for overtime and we don't put in for overtime and there is an expectation that we attend meetings at night. Atty. Marino said there is a distinction between an exempt and a non-exempt employee. A salary employee is exempt – they don't have hours per se, and a non-exempt employee is hourly, and you must compensate them for overtime. Mr. Sampson said what if Mr. Coppola said I'm not coming to the meeting tonight because it's outside of my hours. Atty. Marino said he can't say that if it's a condition of him employment that he has to attend the meetings. He said that would be in his job description. Mr. Sampson said he just wants to make sure it covers all the bases. He said he would hope Mr. Coppola would say that this is a sole source solution because it is a piece of payroll that we currently own. Ms. DeGennaro said that's why it's just a discussion – we're not voting on it tonight. Mr. Coppola said we first had GEMS and then to ADP, which was a disaster and lasted six months, and now for the last two years we've had Paycor – it's satisfactory – not ideal, and the move to Unis is \$100,000. Mr. Sampson said he just doesn't want to invest in something that will disappear shortly or be not what this City needs.

***The committee took no action.***

**DISCUSSION REGARDING THE CREATION OF AN ORDINANCE PURSUANT TO STATE OF CT PUBLIC ACT 1765 ENTITLED "AN ACT CONCERNING A MUNICIPAL OPTION PROPERTY TAX EXEMPTION FOR GOLD STAR PARENTS AND SPOUSES." DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.**

Ms. DeGennaro said she doesn't know if we need to take action on this item this evening. She noted that this was discussed at last month's meeting after a family contacted her and asked that she look into this. Ms. DeGennaro said that Atty. Marino has forwarded the Public Act and a copy of the Ordinance that was adopted in Milford. She said the family would have to apply for the tax break and it's only for the spouse and children. Atty. Marino said the clerk of Veterans Affairs in Hartford resides in Orange and he routinely comes to the Board of Selectmen meeting to update the board when there are opportunities to extend more benefits to veterans. He said there was a recent amendment not to the Gold Star Program but to the Veterans Tax Exemption program so I can share that information with you. Mr. Sampson said he read and re-read the information last evening and noted there are specific monetary limits. Atty. Marino said the Town of Orange did a financial analysis and he said Derby can do the same. He said he could also speak to the City's assessor about the financial impact.

***Without objection the item was TABLED until next month's meeting.***

**AUTHORIZATION OF 2019 ECONOMIC DEVELOPMENT APPLICATION FOR FINANCIAL SUPPORT FROM UNITED ILLUMINATING (U.I.), A SUBSIDIARY OF AVANGRID, INC., IN THE AMOUNT OF A \$15,000 GRANT FOR BROWNFIELD AND REDEVELOPMENT PURPOSES IN THE DOWNTOWN/SOUTH SIDE OF MAIN STREET AREA AND ACCEPTANCE OF SAID GRANT. ANDREW BAKLIK, CHIEF OF STAFF. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.**

Mr. Baklik informed the committee that the U.I. Company met with him, Mayor Dziekan and Carmen DiCenso regarding the Route 34 widening project and told them that there were funds available for Brownfields and recommended that the City apply for the \$15,000 that is available. He said he applied for the funding without first asking permission for the full Board of Aldermen/Alderwomen for which he apologizes. Mr. Baklik said we did receive a check for \$15,000.00.

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Sampson to recommend to the full Board of Aldermen/Alderwomen to authorize the application for the funding and accept the grant funds in the amount of \$15,000.00. ***Motion carried.***

**PROPOSED INTERLOCAL AGREEMENT FOR FIRE MARSHAL'S OFFICE MUTUAL AID BETWEEN THE CITIES OF DERBY, ANSONIA AND SHELTON AND TOWNS OF BEACON FALLS, BETHANY, OXFORD AND SEYMOUR. PHIL HAWKS, FIRE MARSHAL. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.**

Ms. DeGennaro noted that there is a copy of the agreement in our packet and Fire Marshal Phil Hawks is in attendance to answer any questions. Atty. Marino said he needs to disclose for the record that he has a technical legal conflict in that his office represents the City of Ansonia, the City of Derby, the Town of Seymour, and has done work for the City of Shelton and Beacon Falls. Atty. Marino said this is a standard interlocal agreement. He spoke to different officials in the different towns and explained his conflict in each.

Mr. Hawks said the intent of this, especially during the day time hours, a lot of area Fire Marshals, some who are part-time are at work. He said if there's a fire that doesn't come to the level that you don't need to call the State Police in to assist with the investigation it gives the ability to call other local marshals in to interview people, investigate the fire, etc... He said the reason we need agreement is if we go and assist another town with an investigation and there's no agreement and we're not sworn in on that town as a fire investigator and if it ends up being an arson fire it gets into a sticky situation. He said each town that decides to go with the agreement then the Fire Marshal's that are involved would be sworn in as a Fire Investigator. As far as insurance coverage the City that you're from would cover you, whatever you have as your salary would stay the same. Ms. DeGennaro said it's basically a mutual aid. Atty. Marino said this is identical in principal to what would do with the Police Department – it's an Assistance Agreement that says these towns are going to agree that when in need they're going to (inaudible.) He said he would need to further investigate the swearing in aspect, Workers' Compensation, etc... Ms. DeGennaro said perhaps a Resolution would be in order.

**A MOTION** was made by Mr. Sampson with a second by Ms. Moran to refer to the full Board of Aldermen/Alderwomen the Interlocal Agreement for the Fire Marshal's Office mutual aid between the Cities of Derby, Ansonia, Shelton, Towns of Beacon Falls, Bethany, Oxford and Seymour with the inquiries regarding the swearing in process and the report back from Corporation Counsel. **Motion carried.**

**ASSISTANT TAX COLLECTOR POSITION – DISCUSSION ONLY. DENISE CESARONI AND ANDREW BAKLIK**

Ms. DeGennaro asked if there is a negotiation going on between the City and the Union regarding this position why is it here. Usually we don't see anything at the Board of Aldermen until they've come to an agreement this is what we want to do. She said she also doesn't think this position exists. Are we back to creating this position? Atty. Marino regarding that position was it abolished or was it not funded? Ms. DeGennaro said she feels Ms. Cesaroni could answer that question. Ms. Cesaroni said it is not a new position – it does exist. It was never abolished. She said the funds were put into the wrong line item. The position was vacated under the Garofalo Administration and never refilled. There is an existing job description. Ms. Cesaroni said some of our job descriptions are out dated – duties get absorbed and that's why she's here this evening. Ms. DeGennaro asked if a Grievance was filed. Mr. Baklik said we could have handled this administratively. He doesn't know whether or not it should be before this committee at the moment. Ms. DeGennaro said the Finance Office has presented the green bar sheet that shows the Tax Collector's position and the clerk's position. Mr. Baklik said it exists on the Chart of Accounts. Ms. DeGennaro said this doesn't show it and she wants to know are we creating a position? She said she's not trying to cause problems and she knows the Tax Board isn't happy with the Board of Aldermen/Alderwomen because of Johnson Controls. There was a discussion if the position exists, which it appears it does, but it hasn't been funded. Atty. Marino said he feels the most diplomatic way of stating this is there is a suggestion of an existence of a complaint that can be avoided when there's an action to take what is believed to be corrective steps to address existing work conduct that is beyond the description of the existing employee and is in doing job descriptions that go to the position that has yet not been funded. So, going to your question as to whether it exists if it is not funded but it is on paper but there is not money to afford to pay it then what is the affect of that? Ms. DeGennaro reiterated her earlier stance that she does not feel that this should be before this committee. Atty. Marino said he is not involved in the labor negotiations, one of his partners is, if we go back to the Collective Bargaining Agreement and if in that document that position had been established and existing and never deleted or eliminated through the Collective Bargaining process it doesn't matter what everyone thinks because the BOAT doesn't have the ability to defund something that the City is contractually liable to pay and the Union has not agreed to go away. If we go back through the Collective Bargaining process and it was eliminated so be it – if the answer is no and the BOAT took actions to defund the position they did not have a contractual right to do so.

***The Board took no action on this item.***

**ADJOURNMENT**

**A MOTION** was made by Ms. Moran with a second by Mr. Sampson to adjourn the meeting at 6:18 p.m. ***Motion carried.***

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patty Finn".

Patty Finn

Recording Secretary

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