

BOARD OF ALDERMEN
OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING

JUNE 27, 2019 – 5:15 P.M.

JOAN WILLIAMSON ALDERMANIC CHAMBERS

MINUTES

Chair Barbara L. DeGennaro called the meeting to order at 5:21 p.m. All rose and pledged allegiance to the flag.

Roll Call

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

Also Present: The Honorable Richard Dziekan, Mayor (arrived at 5:35 p.m.)

Keith A. McLiverty, Treasurer

Andrew Baklik, Chief of Staff

Salvatore Coppola, Finance Director

Dennis O'Connell, Parks & Recreation Director

Marc J. Garofalo, Town & City Clerk

Vincent Marino, Corporation Counsel

ADDITIONS, DELETIONS, CORRECTIONS, AND ADOPTION OF THE AGENDA

Ms. DeGennaro said she would like to add a new #13 – Sale of City Tax Liens to a 3rd Party Company with adjournment now #14.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to add the new #13 – Sale of City Tax Liens to a 3rd Party Company and make #14 Adjournment.
Motion carried.

PUBLIC PORTION

Ms. DeGennaro asked three times if anyone would like to address the committee. No one wished to address the committee.

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

APPROVE MINUTES OF THE MAY 7, 2019 OPERATIONS & PROCEDURES SPECIAL MEETING

A MOTION was made by Ms. DeGennaro with a second by Ms. Moran to **TABLE** the Minutes of the May 7, 2019 meeting as presented. **Motion carried.**

APPROVE MINUTES OF THE MAY 23, 2019 OPERATIONS & PROCEDURES MEETING

A MOTION was made by Mr. Sampson with a second by Ms. Moran to approve the Minutes of the May 23, 2019 meeting as presented. **Motion carried.**

DISCUSSION REGARDING PARKING SPACES AT GILBERT STREET RESIDENTIAL PARKING LOT, CITY OF DERBY CODE, CHAPTER 186, VEHICLES AND TRAFFIC, ORDINANCE ARTICLE X §186-58 ET SEQ. ENTITLED GILBERT STREET RESIDENTIAL PARKING LOT. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro noted that this is the same list as last month, which shows 13 permits issued for the 17 regular spots and 2 handicap spots. She said she has been by the lot and there are not 13 occupied spots. Mr. Sampson asked if they need to come back yearly to re-apply. Ms. DeGennaro said we can always get in touch with the landlords at the buildings to see if those individuals still require use of the spots. Atty. Marino asked if the Ordinance requires them to re-apply. Mr. Sampson said he doesn't believe so. Atty. Marino noted that's the problem – people move out of town, sell their car, etc. Mr. Sampson said Chief Narowski informed him that this is the latest list. Atty. Marino said he sees three options – 1.) Revise Ordinance 2.) Issue Unlimited number of passes 3.) or go with First Come, First Served for the 17 regular and 2 handicapped spots. Mr. Garofalo reviewed the Ordinance and informed the committee that it states it must be renewed annually. Atty. Marino said if you haven't issued them in whatever time it states is the latest updated list then they are not in compliance. He suggested having the passes issued on a calendar year basis – Jan 1. To Dec. 31 for renewals. There was a discussion as to how the committee should approach this – whether a letter should be sent to the landlords or just a notice put on the windshields of those who are currently parking. Mr. Sampson asked if we could reach out to the parking authority. Ms. Finn said her office is currently going through an audit of all the parkers at the Derby Parking Garage and would be happy to assist the committee with drafting a letter to be sent to the landlords who presently have tenants with parking passes.

A MOTION was made by Mr. Sampson with a second by Ms. DeGennaro to have Ms. Finn from the Derby Parking Garage prepare a draft letter for the Gilbert Street parking lot landlords directly affected **Motion carried.**

UPDATE AND STATUS REGARDING THE DERBY SENIOR CENTER BANK ACCOUNT AND ITS OWNERSHIP AND/OR CONTROL. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN

Ms. DeGennaro said she had this placed back on the agenda as the committee has yet to receive a report.

Sal Coppola, Finance Director for the City of Derby provided information pertaining to the account. The first page is a 1099 Interest Statement with the recipients' ID #4172 and a Money Market Account. The second page of the statement is a Money Market statement and the third page is the year 2000 990 Tax Return filed. He noted there are identical employee ID numbers on the bank account.

Atty. Marino said the bank account is owned by a 501C3, which may be defunct. He said he has learned that the interest of the donor was to have the money used for transportation for the Seniors. Atty. Marino said they will be meeting with the Senior Center board on July 9th and said the proper process should be the 501C3 take an action to gift the money to the City for the purposes intended and have the City create

a line item for that purpose. He said Valley Transit is looking to sell a van for \$5,000. Atty. Marino said the names on the account are Suzanne Foster, Howard Jack and Susan Churchill. They can make a Corporate Resolution to gift the money to the City in order to set up the proper line item.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to **TABLE** this item until next month's meeting. **Motion carried.**

UPDATE REGARDING THE REVOLVING LOAN ACCOUNT OF BENANTO REAL ESTATE, LLC.
DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF
ALDERMEN/ALDERWOMEN.

Ms. DeGennaro said she has this on the agenda this evening as Atty. Marino was not at the last Board of Aldermen/Alderwomen meeting.

Atty. Marino said the Statute of Limitations is good until November 2019. He would recommend commencing legal proceeds to collect the unpaid balance. Ms. DeGennaro asked if he has everything necessary to move forward. Atty. Marino said he does.

A MOTION was made by Mr. Sampson with a second by Ms. DeGennaro to recommend to the full Board of Aldermen/Alderwomen to have Atty. Marino pursue an action against the borrowers or firm. **Motion carried.**

DISCUSSION REGARDING CITY OF DERBY EMERGENCY VEHICLES ACCESS TO THE BOAT LAUNCH AREA AT O'SULLIVAN'S ISLAND. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro said this item came before the board last month. She has an email from OEM (Office of Emergency Management) stating they don't have access to the river. Ms. DeGennaro said she has been reviewing the ordinances going back as far as 2012. Atty. Marino said the City does have a verbal agreement and it should be followed up with that individual to have it put in writing. Ms. DeGennaro said the problem regarding access is there are now concrete barriers in place. She said they would have to move the barriers and install signage indicating that the launch is for emergency vehicles only. Atty. Marino said we would need to put the State on notice that they are creating a liability. It was noted that Derby does have an Intermunicipal Agreement with Shelton. Mr. Baklik said Monday is the final inspection for the bridge and at that time he will bring the boat launch situation to the State's attention.

A MOTION was made by Mr. Sampson with a second by Ms. DeGennaro to **TABLE** this item until next month's meeting. **Motion carried.**

**DISCUSSION REGARDING THE POLICIES, PROCEDURES AND PROPOSED JOB POSITIONS
CREATION FOR MAINTENANCE AND USE OF THE JOSEPH PAYDEN FIELDHOUSE, PAYDEN
PARK BASEBALL FIELD AND RYAN FIELD ATHLETIC COMPLEX. DISCUSSION/POSSIBLE
ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.**

Dennis O'Connell, Parks & Recreation Director informed the committee that Andrew Cota, the Chair of the Parks & Recreation Commission is out of town, so he is here in his place in case there are any questions.

Ms. DeGennaro said she believes Mr. Cota created these policies and indicated after reviewing them she noted that some changes need to be made and recommends that Atty. Marino review the policies before moving forward. Mr. Sampson said he read the Charter and Parks & Recreation does have the authority over parks and playgrounds and Public Works has authority over facilities. He said he feels that Parks & Recreation and the Public Works Department need to get together to work out who is going to be responsible for what. It is estimated that three people be hired. Mr. O'Connell said there's plenty of work to be done noting that the facility is planned to be very well attended. He said the plan calls for Public Works to continue do everything that they currently do. Ms. DeGennaro said funding was requested under the Special Working Balance although new positions weren't created. Is there a possibility of giving some hours to the janitors that we currently have on staff? Mr. McLiverty said you can't give any time over 40 hours or it would be time and a half. There was a discussion as to when the facility will be opened. Mr. Sampson informed the committee that Dr. Conway said the opening date is scheduled for August 25th. Mr. Sarmiento said the facility will not be opened until a Certificate of Occupancy is issued. Ms. DeGennaro said she would like to attend the next Parks & Recreation meeting to review these policies as she feels they need to be tightened up. It was noted that the next Parks & Recreation meeting is on July 8th. Atty. Marino said a policy for the catering hall needs to be reviewed noting there isn't a facility quite like this one around here, so it really is unchartered water. He said he could see the interest in utilizing a facility such as this one. Ms. DeGennaro said she would like to offer the changes that she would incorporate into the policy and send the draft to Atty. Marino for his review prior to the Parks & Recreation meeting. She commended Mr. Cota for taking this on but it could always be tweaked.

A MOTION was made by Mr. Sampson with a second by Ms. DeGennaro to **TABLE** this item until next month's meeting. **Motion carried.**

**DISCUSSION REGARDING THE SALE OF CITY TAX LIENS TO A THIRD COMPANY VENDOR.
DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF
ALDERMEN/ALDERWOMEN**

Atty. Marino told the committee as part of the budget mitigation plan one of the steps was the sale of the tax liens that are currently held by the City. He had the Tax Collector run a schedule of what the total amount would be if we sold all the liens on hand and that total came to \$1,353,113.40, which is a July 2019 number. Atty. Marino said he spoke with Atty. Marcus of the Marcus Law Firm – his firm represents many of the third parties that acquire tax liens from various municipalities. He said if we were to go this route we would need to follow what our Charter requires in obtaining these services


(RFP – RFQ – Request for Proposals or Request for Qualifications.) Atty. Marino said he would investigate this prior to the full Board meeting. He said he would be asking from the Board of Aldermen/Alderwomen is a recommendation to sell, if necessary via the RFP process, what we will be receiving within 24 hours of legislative body approval of the sale is 100% of the monies that we're entitled. Atty. Marino said we've been working with the credit rating agencies and we're trying to project to those agencies that we are taking this budget matter very seriously and we have set out a plan and we're starting to accomplish what we said we were going to. In addition to the principal and interest we will also be reimbursed for all the legal expense that is outstanding that the City has not been paid for and we can also negotiate a premium, which is not uncommon for some of these vendors to pay. Atty. Marino said that's the process – it's by way of an agreement – a contract that we assign to them for all the liens, they step into our shoes and they are contractually obligated to buy all future liens related to any accounts that they have acquired. He said once a taxpayer is current their obligation to acquire ceases. Atty. Marino said the only thing that he is trying to reconcile, and he is working with Marcy from the WPCA, is their liens that relate to the properties that we're selling tax liens for because if we don't do that and the WPCA go to collect and they foreclose they will potentially be behind – they will take the property subject to the liens owing to this third party and we don't want to have to pay a third party off in order to protect the WPCA. Atty. Marino said to the extent that there are payment plans in place we can sell those to them, and they will honor the payment plans.

A MOTION was made by Mr. Sampson with a second by Ms. DeGennaro to recommend to the full Board of Aldermen/Alderwomen to sell all the real estate tax liens as per the City Charter process. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sampson with a second by Ms. Moran to adjourn the meeting at 6:27 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.