

BOARD OF ALDERMEN

OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING

MARCH 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: Salvatore Coppola, Finance 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 one item:

14a. Adoption of Resolution for the Small Cities Program to apply for a grant not to exceed \$1,500,000.00 for improvements to Cicia Manor.

A MOTION was made by Ms. DeGennaro with a second by Ms. Moran to add the new item 14 a. Adoption of Resolution for the Small Cities Program to apply for a grant not to exceed \$1,500,000.00 for improvements to Cicia Manor. **Motion carried.**

PUBLIC PORTION

Ms. DeGennaro asked if anyone would like to address the committee.

Tom Lionetti, 79 Sunset Drive, Derby, CT

Mr. Lionetti said he thought the Mayor would be attending this meeting. He said the Mayor holds the highest position and yet he is the lowest paid. He feels that a raise for that position is in order and he would suggest a \$30,000.00 increase and also add the Pension Plan to the position. He believes this would also draw more candidates to run for the position. Mr. Lionetti said he feels the position of Mayor, Board of Aldermen, and Treasurer should be four-year terms and perhaps this could be discussed during the Charter Revision.

Ms. DeGennaro asked three more times if anyone else wished to address the committee. Hearing no requests...

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

APPROVE MINUTES OF THE FEBRUARY 28, 2019 OPERATIONS & PROCEDURES SPECIAL MEETING

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to **TABLE** the Minutes of the February 28, 2019 meeting until our next meeting. **Motion carried.**

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

Mr. Coppola told the committee that he has no further information other than what was discussed at the Board of Aldermen/Alderwomen meeting. He did research through the Secretary of State's Office and the 990's haven't been filed so it is no longer a non-profit although the corporate entity is still filing their annual returns with the Secretary of State. Mr. Coppola said the members listed are Suzanne Foster, Susan Churchill and Jack Howard. Atty. Marino said he doesn't know if there have been tax returns filed noting that the last one he has is from 2000. He told the committee that there is approximately \$25,000 in the account and the name of the entity is a separate legal corporate name – it is not the City of Derby and it has its own EIN (Employee Identification Number.) Atty. Marino said it would not be uncommon to have a charitable 501C3 because you wanted to raise money to donate special items where you would not want to get involved with the community. He said historically how this account came into being is unknown. Mr. Coppola said he believes someone passed away and donated the money to help defray the costs of individuals wanting to go on trips. Atty. Marino said he feels the primary concern, as with any money connected to a municipal arm, is we want to make sure there are proper financial controls. He said this is not money given to the Senior Center by the municipality and it's not money within the umbrella of the municipality. He said unless you're going to take the position that because it's currently seated with an entity that is connected to the City by way of an Organization – the Senior Center – the oversight of that account should be with the Finance Department just as a checks and balance. Their executive committee can vote to spend it as they have historically done. They would then submit a requisition to the Finance Department, which would serve as a checks and balance against misappropriation or fraud. Ms. DeGennaro asked what would make them different from say monies that come into the high school for the cheerleaders? She said she feels that they should have some autonomy in what they're doing but also due to our history with past instances in Derby she does think the City should know what's going on with the money. Mr. Sampson said he's sure we can recommend to the BOAT (Board of Appropriation & Taxation) to establish a specific line item for these funds. It was noted that is where the problem lies as it is not City funds. Atty. Marino said the BOAT could establish the line item and carry it over year to year and they can submit requisitions for expenditures. Ms. DeGennaro said she would question the separate EIN. The committee continued to discuss the best options on how to handle this account. They agreed that further investigation as to the history of the account needs to be reviewed. Atty. Marino and Mr. Coppola will meet with the Senior Center to discuss various options.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to **TABLE** this item. **Motion carried.**

DISCUSSION REGARDING CREATION OF A VETERANS' TAX ABATEMENT ORDINANCE PURSUANT TO STATE OF CT PUBLIC ACT 18-102 AND/OR CREATION OF ORDINANCE PURSUANT TO STATE OF CT PUBLIC ACT 17-65 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 brought this up at last month's meeting in order to start a discussion of creating a new Ordinance. She told the committee that the Ordinance that is in the packet this evening is from Orange. Atty. Marino said the Orange Ordinance is more expansive and they have just revised it. He said the intent is to express gratitude. Atty. Marino suggested that this be referred to the City Assessor and have her provide a number. Ms. DeGennaro said she isn't aware of what is the median income for Derby. It was noted that this information could be obtained from CCM (Connecticut Council of Municipalities.) Ms. DeGennaro asked if this would be in addition to the Veterans Exemptions that are already given. Mr. Sampson asked if 12-81 is defined as anyone who served during war time or is it for all who served. Mr. Garofalo said in order to qualify for the Veterans Exemption you would need three months active service and then they would have to file a DD214.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to forward this to the Tax Assessor with a request for more information. **Motion carried.**

PROCEDURE FOR PROGRESS REPORTS TO THE BOARD OF ALDERMEN/ALDERWOMEN FROM JOHNSON CONTROL/ECG ENERGY IMPROVEMENT PROJECT AGREEMENT PREVIOUSLY APPROVED BY THE BOARD OF ALDERMEN/ALDERWOMEN. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro asked the representative from Johnson Controls if they have started the project. Johnson Controls is deep in the mobilization process. There was a brief discussion as to when reports and invoices should be presented to the committee. It was noted that Johnson Controls would present two notarized invoices. Atty. Marino suggested that Johnson Controls should attend the first Board of Aldermen/Alderwomen meeting in case there are any questions. Mr. Sampson asked that the invoices and any other paperwork be submitted to the Town & City Clerk's Office by the first Wednesday of each month, so it is included in the Board of Aldermen/Alderwomen's meeting packet. It was noted that the work would commence in May.

A MOTION was made by Ms. DeGennaro with a second by Ms. Moran to recommend to the full Board of Aldermen/Alderwomen to have a monthly report commencing in May be recorded with the Town Clerk and have it presented to the Board each month similar to the department head report from Johnson Controls regarding the progress, and expense. **Motion carried.**

REVIEW OF MID-YEAR TAX SUSPENSE LIST DATED MARCH 19, 2019 (GRAND LIST YEARS 2004-2017) FROM DENISE CESARONI, TAX COLLECTOR. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro noted that the Grand List for 2016 is not included. The committee members reviewed the list and noticed several names. Atty. Marino stated that taxes aren't collectible after fifteen years. Ms. DeGennaro suggested that this be sent to the full Board of Aldermen/Alderwomen for their review and comment and then sent back to this committee.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to recommend to the full Board of Aldermen/Alderwomen to have the suspense list reviewed by the entire board for any names they might know and then re-sent to the Operations & Procedures Subcommittee for further review and recommendation.

Motion carried.

ADOPTION OF RESOLUTION REGARDING THE INITIATION OF ACTION FOR THE AMENDMENT OF THE CHARTER OF THE CITY OF DERBY PURSUANT TO SECTION 7-188 OF THE CONNECTICUT GENERAL STATUTES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro said we need to first adopt the resolution that we want to initiate a Charter Revision before we can put a committee in place. Atty. Marino noted that there are strict timetables with a Charter Revision, and he will have that information for the full Board of Aldermen/Alderwomen meeting.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to recommend to the full Board of Aldermen/Alderwomen to adopt the resolution to initiate action for the amendment of the Charter of the City of Derby pursuant to Section 7-188 of the CT General Statutes. **Motion carried.**

APPOINTMENT OF A CHARTER REVISION COMMISSION FOR THE CITY OF DERBY PURSUANT TO SECTION 7-190 OF THE CONNECTICUT GENERAL STATUTES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to **TABLE** this item. **Motion carried.**

DISCUSSION REGARDING THE CREATION OF AN ORDINANCE FOR COLLECTION OF FEES FOR THE CITY OF DERBY FIRE DEPARTMENT'S SPECIAL SERVICES AT FIRES, RESCUES AND HAZARDOUS MATERIAL RESPONSES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN/ALDERWOMEN.

Ms. DeGennaro noted that there is no representative from the Fire Department at the meeting and recommended that this item be tabled until next month.

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

PROPOSED AMENDMENT TO CITY OF DERBY CODE, "TAX INCENTIVE ORDINANCE"
APPROVED ON OCTOBER 11, 2018, BY THE BOARD OF ALDERMEN/ALDERWOMEN.
DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF
ALDERMEN/ALDERWOMEN.

Mr. Sampson said he asked that this be put on the agenda this evening. He said as it is this ordinance seems too strict and everyone tends to focus on what "historic" means. Historic doesn't necessarily mean that the building was built in the 1700's; he believes it is structures built prior to 1950. They can also actually have an historic value to those of us in the City – for example if we were to move out of City Hall to a new City Hall and a company wanted to come into this City Hall although it was built in 1987 it may have historic value to us because the building served as our City Hall for twenty or so years. So, if a company wanted to come and re-do this building and put millions of dollars into it that is what would fall into the adaptive re-use. Mr. Sampson said the language that he has asked Corporation Counsel to add would allow for those types of instances. He said someone had looked at the property of the former Derby Cellular and they wanted to manufacture fish tanks. Should they wish to invest \$4 million into that building they should be able to apply for some sort of tax incentive under the adaptive re-use as it is taking a building that has some historic value to the City and making it something better and putting it back to use. Atty. Marino said that he is trying to be true to the statute, which requires having a historical significance without a true definition of saying its on some historical registry. Mr. Sampson asked that this item be tabled until the next meeting.

A MOTION was made by Mr. Sampson with a second by Ms. Moran to **TABLE** this item until the next meeting. **Motion carried.**

ADOPTION OF RESOLUTION TO THE SMALL CITIES PROGRAM FOR THE CITY OF DERBY TO
APPLY FOR A GRANT NOT TO EXCEED \$1,500,000.00 FOR IMPROVEMENTS TO CICIA
MANOR. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF
ALDERMEN/ALDERWOMEN.

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93-3 83, as amended: and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commission of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the City of Derby make application to the State for \$1,500,000.00 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement, therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Aldermen/Alderwomen:

That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,

That the filing of an application by the City of Derby in an amount not to exceed \$1,500,000.00 is hereby approved, and that the Mayor is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the City of Derby.

A MOTION was made by Ms. DeGennaro with a second by Mr. Sampson to recommend to the full Board of Aldermen/Alderwomen to adopt the resolution to the Small Cities Program for the City of Derby to apply for a grant not to exceed \$1,500,000.00 for improvements to Cicia Manor. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sampson with a second by Ms. Moran to adjourn the meeting at 6:20 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.