

DERBY BOARD OF ALDERMEN SPECIAL MEETING

TUESDAY, JUNE 14, 2016

JOAN WILLIAMSON ALDERMANIC CHAMBERS

MINUTES

NOTE: Beginning of the Tape did not record.

The Honorable Mayor Anita Dugatto called the Special Meeting to order at 8:00 p.m. All rose and pledged allegiance to the flag.

Roll Call

Present: Carmen DiCenso, Barbara L. DeGennaro, Stephen Iacuone, Ronald Sill, Arthur Gerckens, Thomas Donofrio, Anthony Staffieri, Peter M. Olenoski, Jr., Joseph DiMartino

Also Present: Leslie Creane, Chief of Staff
Keith A. McLiverty, City Treasurer
Laura Brezina, Cultural Commission
Thomas Welch, Corporation Counsel

PUBLIC PORTION

Mayor Dugatto asked if anyone would like to address the board.

Marc J. Garofalo, Town & City Clerk

Mr. Garofalo noted that the Boards have pledged allegiance to the flag five times this evening – noting that it is Flag Day.

Carmen DiCenso, President, Board of Aldermen

Mr. DiCenso led everyone in a Moment of Silence for the victims, families and the entire community of Orlando, Florida following the terrible tragedy that occurred on June 12, 2016.

Hearing no one wishing to address the board the Public Portion was closed.

EXECUTIVE SESSION – Sterling Opera House Grant Federal Investigation – Strategy and Negotiations

A MOTION was made by Ms. DeGennaro with a second by Mr. DiMartino to go into Executive Session, inviting Corporation Counsel, at 8:06 p.m. **Motion carried.**

FRIENDLY AMENDMENT

There was a Friendly Amendment to the Motion to also invite City Treasurer, Keith A. McLiverty into the Executive Session. **Motion carried.**

A MOTION was made by Mr. Olenoski with a second by Mr. DiMartino to come out of Executive Session and back into Regular Session at 8:36 p.m. **Motion carried.**

REGULAR SESSION

STERLING OPERA HOUSE GRANT FEDERAL INVESTIGATION – DISCUSSION/POSSIBLE ACTION

No action to be taken.

REVIEW OF JOB DESCRIPTION OF POSITION OF CHIEF OF STAFF – DISCUSSION/POSSIBLE ACTION

Mr. DiCenso explained to the board members that he requested this item be placed on the agenda this evening due to an article that he read in the Valley Independent Sentinel a few weeks ago. He took offense to a member of the Board of Apportionment & Taxation (BOAT) stating that the Board of Aldermen (BOA) approved this. (The article that Mr. DiCenso is referring to ran June 2, 2016 and the article byline read "Tax Board Questions New Position in Mayor's Office.")

Mr. DiCenso said the fact is correct that Ms. Creane is very professional and qualified to do the job. There is no question as to her qualifications or capabilities. He read from the minutes of the April 2015 BOA meeting that Mr. Gerckens motioned to amend the position description for the Chief of Staff by changing the starting salary from \$68,000 to \$60,000. All other items of said position description shall remain unchanged. Mr. Iacuone asked to amend the motion to include that the salary increases will be based on city hall employees not the police department. Mr. Gerckens accepted the amended motion. Mr. Sill seconded and the motion carried.

Mr. DiCenso said there is also a memo from Atty. Welch's office regarding the compensation and benefits of the chief of staff. He noted that the Board of Aldermen adopted the current position on April 28, 2005. Atty. Welch said the Mayor does not request any change in the position description other than to reduce the compensation from \$68,000 to \$60,000.

Mr. DiCenso read the position description into the record. It states that this position is an exempt salary position and shall be considered full-time. He said he just wants to put that out there for the Board of Aldermen. When this was proposed to us it was proposed as a full-time position – not a part-time position. Mr. DiCenso said that Mayor Dugatto and her staff went looking for a full-time chief of staff and found it impossible to hire a \$60,000 chief of staff/economic development person. The Mayor then came across Ms. Creane who has a great resume. He would like the Mayor to explain the situation.

Ms. DeGennaro said before we do that we are not talking about job performance – we're talking about job description, which was proposed to us as at that board meeting last year as a full-time position. The public comments made now by the Mayor state it's a part-time position. We've had discussions in the past that we have other individuals that worked in the City, one in particular who was the assistant building official who resigned year, during that time I believe that salary came out to \$50.00 per hour.

Ms. DeGennaro said the job description (chief of staff) proposed to the Board of Aldermen (last year) voted on a full-time position at a salary of no more than \$60,000.00. So somebody is getting paid \$60,000.00 for a part-time job. This is not what we were told, this is not what we voted on, and this is not what was presented to us. I don't know how to remedy this but we need to. Because we as a Board who voted last year that's what we voted upon. And it came back that the Board of Aldermen approved this position at \$60,000.00 and the person is working part-time. It doesn't sit well. Again it's the job description that we voted on.

Mayor Dugatto asked the date of the meeting where this was voted on. Ms. DeGennaro said it was the April 23, 2015 meeting. It was presented to us with the actual job description of the chief of staff position that was approved by the Board of Aldermen in 2005. She said the minutes were attached and were part of their package. What we got is what we voted upon.

Mayor Dugatto said she did have some conversations with the board about not being able to find a full-time person at the rate of \$60,000.00. We were using consultants – we had Susan Cable for a little while who was being compensated out of that salary line item to do some grant writing and working with state and federal officials. Ms. DeGennaro said she doesn't believe that the Board of Aldermen approved that person.

Mayor Dugatto said the salary that the Board of Aldermen approved was up to \$60,000.00. We couldn't find someone for a full-time position so we offered consulting work. We used the line item to do the public engagement – it was all work that was pulling the City forward to help our economic and community status. Mayor Dugatto said a lot of work was done on the public engagement. She said at the time the focus wasn't on a full-time community development person. We were doing things on a project based basis. Mayor Dugatto said it was consulting and pushing projects forward with extra staff. She said she probably should have come back to the board to say that it isn't a full-time position. She will accept that as her fault but stated that she has always moved forward in the best interest of the City.

Ms. DeGennaro asked Mayor Dugatto that the job description that the Board of Aldermen if it's her indication and the Tax Board's indication that it's a part-time position. Mayor Dugatto said that is correct – she still can't find a full-time position. Atty. Welch asked how much the average salary was requested to do the job. Mayor Dugatto said the last administration paid \$83,000.00. She said we needed to save tax dollars and we didn't need a high caliber person at the time since we were in a transition period. She said we are now changing our zoning and have hired Milone & MacBroom, Inc. who has been working diligently. The Mayor said she did what she thought was the best for the City. She did not go over the allotment that was agreed upon. Mayor Dugatto said do we now raise it to \$83,000 because \$60,000 isn't going to do it or do we accept the fact that it's not a full-time position. Ms. DeGennaro said that perhaps that is something that needs to be addressed again. She said we're talking about the specifics of the person and we do that accordingly – in executive session and all those things that go along with that.

Mayor Dugatto said the Board of Aldermen's charge as a group is salary only – not qualifications. Ms. DeGennaro said the charge was we were approving the position – a full-time position. Mr. Olenoski asked what the part-time hours that have been put in are. Mayor Dugatto stated that Ms. Creane is present this evening. She has been working diligently on many things and she is at City Hall on Tuesdays and Thursdays. Mr. DiCenso said he knows that Ms. Creane is here those days, because he is usually at City Hall on those days. He said he does not know her total hours.

Ms. DeGennaro said once again we're not here for her job performance. We're here based on statements that were made publicly and what we voted upon as a Board. Mr. Olenoski said as far as the work that is being done if it is part-time is she behind or on schedule and is she meeting the deadline. Ms. DeGennaro said once again we are not here about job performance and asked Atty. Welch for his opinion. Atty. Welch said the items now being discussed pertain to job performance.

Mr. Olenoski said we agreed on the price of \$60,000.00 to get that job done. He said he doesn't care if it's full-time or part-time as long as the work is getting done. Mr. Sill asked if the fifteen hours a week are broken down into a per hour rate for the \$60,000.00 salary. Mayor Dugatto said if we were to hire a full-time highly qualified economic development person it would be roughly \$125,000.00 per year. Ms. DeGennaro said she doesn't care about that – we have someone who is being paid \$60,000.00 per year to work 15 hours per week.

The discussion then turned to what the former economic development director was paid, which was \$83,000.00 per year plus benefits. Mr. Sill said that is ancient history as to the former economic development director. Ms. DeGennaro said it breaks down to approximately \$77.00 per hour. Mayor Dugatto noted that she does not receive benefits. Mr. Gerckens said the Board of Apportionment & Taxation (BOAT) had the opportunity to not fund this position. He said he feels we have a great opportunity here. There is no contract so if things don't work out then she's gone. Mr. Olenoski said he feels we are getting our monies worth.

Mayor Dugatto asked what is the clear question. Ms. DeGennaro said the issue is we voted for a full-time position. She said maybe if she knew it was going to be a part-time position for \$60,000.00 that she might not have voted favorably to approve it. Mr. DiCenso said his reason for bringing this up is we approved \$60,000 for a full-time position.

Mayor Dugatto noted that she has had talks with the board along the way. Ms. DeGennaro said she doesn't remember being in any process with the Mayor. She said she was not involved with Susan Cable or anyone else. Again this has nothing to do with job performance – its job description.

Ms. Creane addressed the board and said she was hired at a rate of \$60.00 per hour. She said starting in June she's going to be working 20 hours per week. Mr. Olenoski said that works for him. Mr. Iacuone said the whole thing is somebody wants to do something – they do it and then we find out about it. He said if something changes – just come and tell us. We just spent 35 minutes arguing about nothing. Mr. Olenoski

said he does agree with that. We agreed to full-time and now it's part-time and it makes us look bad. He said the job just needs to be done and it seems like it's getting done.

MOVE TO AUTHORIZE THE DERBY CULTURAL COMMISSION PERMISSION TO USE THE DERBY GREEN TO CONDUCT A MEMORIAL SERVICE FOR THE VICTIMS OF THE ORLANDO SHOOTING TO BE HELD FRIDAY, JUNE 17, 2016 AND OFFER THE CITY'S CONDOLENCES TO ALL OF THE VICTIMS AND THEIR FAMILIES

Ms. DeGennaro asked Ms. Brezina if she has contacted the Derby Police about this. Ms. Brezina said she did and she was informed that there would have to be a Police Officer hired at a rate of \$180.00.

The board members noted that this is a City sponsored event and questioned the need for the Police Officer. They have never needed one in the past for similar events. Mayor Dugatto will contact the Police Department to discuss the issue.

A MOTION was made by Mr. Sill with a second by Mr. DiCenso to authorize the Derby Cultural Commission permission to use the Derby Green to conduct a Memorial Service for the victims of the Orlando shooting to be held Friday, June 17, 2016 and offer the City's condolences to all of the victims and their families. **Motion carried.**

ADJOURNMENT

A MOTION was made by Mr. Sill with a second by Mr. Olenoski to adjourn the special meeting at 9:10 p.m. **Motion carried.**

Respectfully submitted,

Patty Finn
Temporary Recording Secretary

THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE BOARD OF ALDERMEN AT THEIR NEXT REGULARLY SCHEDULED MEETING.