

**BOARD OF ALDERMEN**  
**OPERATIONS & PROCEDURES SUBCOMMITTEE MEETING**

**TUESDAY, JUNE 9, 2015 – 7:00 P.M.**

**JOAN WILLIAMSON ALDERMANIC CHAMBERS**

**MINUTES**

Chairwoman Barbara L. DeGennaro called the meeting to order at 7:23 p.m. All rose and pledged allegiance to the flag.

**Roll Call**

Present: Barbara L. DeGennaro, Stephen Iacuone, Arthur Gerckens

Absent: Joseph DiMartino

Also Present: The Honorable Mayor Anita Dugatto  
Keith A. McLiverty, City Treasurer  
Marc J. Garofalo, Town & City Clerk  
Louise Pitney, Democratic Registrar of Voters  
Susan Cable, Interim Chief of Staff  
Henry J. Domurad, Jr., Chief Administrative Assistant  
Thomas Welch, Corporation Counsel  
Francis Teodosio, Corporation Counsel

**ADDITIONS, DELETIONS, CORRECTIONS TO THE AGENDA**

There were none.

**PUBLIC PORTION**

Ms. DeGennaro asked three times if anyone would like to address the committee. Hearing no requests...

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

**APPROVAL OF THE MINUTES OF THE MAY 12, 2015 MEETING – DISCUSSION/POSSIBLE ACTION**

**A MOTION** was made by Mr. Iacuone with a second by Mr. Gerckens to approve the Minutes of the May 12, 2015 as presented. **Motion carried.**

**REVIEW OF PAST PRACTICE AND POLICY OF WAGE AND SALARY ANNUAL RAISES FOR NON-UNION CITY EMPLOYEES. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Ms. DeGennaro said Atty. Welch has presented the list of all City employees – Union and non Union. As part of what we started to discuss at last month's meeting in the past the Board of Aldermen has taken action to give raises to the non Union employees in a similar fashion as the union employees. It was then discovered that the Finance Department wasn't aware of when an action was taken for the raise. Ms. DeGennaro

said for example the Fire Marshal did not get a raise for a year. At last month's meeting we requested the non union employee list so we could get the information and set policy so that come January we could have that information ready for the Tax Board to allocate the funds during the budget period. She said the money for the Fire Marshal was recognized by the Tax Board but the information never got to the Finance Department.

Fire Marshal Hawks said the Tax Board approved a 2.5% increase along the lines that the union employees received but he didn't see where the Board of Aldermen approved it. He said so far this year is similar to last years – the Tax Board has funded it but it has not received Board of Aldermen approval.

Ms. DeGennaro said her recollection is different at different times positions received their raises. Mr. Hawks said 2014-2015 was funded by the Tax Board but he has never received it. Ms. DeGennaro asked Keith McLiverty if the money is still there. Mr. McLiverty said it is – for two more weeks – June 30<sup>th</sup>.

Ms. DeGennaro said there are a lot of non union employees – Blight Officers, Registrars, Fire Commissioners... Mr. Iacuone questioned if all these people are entitled to a yearly raise. He said for instance Parks & Recreation has at least 15 people. He doesn't recall them automatically receiving a raise every year. Mr. Iacuone said he feels the Parks & Rec Director should have to come before us to request raises for his personnel.

Ms. DeGennaro said she feels we have to get something in for these departments. She asked Mr. McLiverty if there is any other department in the same situation as the Fire Marshal – where the raise was funded but never received. Mr. McLiverty said he does not know – he would need to check with finance. Ms. DeGennaro said she has looked at what is proposed for the next budget year and they're already allocated. She said we need to consider action for the Fire Marshal's Office so he doesn't lose that money and then work on the list so this doesn't happen again.

**A MOTION** was made by Mr. Iacuone with a second by Mr. Gerckens to recommend to the full Board of Aldermen to fix the salary issue for the Fire Marshal for FY '14-'15.

### **DISCUSSION ON MOTION**

Mr. Gerckens said we need to make sure that it is just the Fire Marshal's office. Mr. Iacuone said he believes if there was anyone else we would have heard about it by now. Ms. DeGennaro said we can have Mr. McLiverty look into it and if there's anyone else we can address it at the full Board of Aldermen meeting. She said there would be money left over in a line item if there were other departments effected by this. Mr. Gerckens asked what has been the past practice. He said we know how it goes with the union employees. Is an annual review done for non union employees? Mayor Dugatto said that we've never done yearly reviews; however they are looking into implementing them. Ms. DeGennaro said past practice is people just come requesting a raise. Mr. Garofalo noted that some non union employees also have contracts. Mr. McLiverty said the ideal situation would be every December it is addressed for approval so the Tax Board would have the information going into the budget season.

**MOTION CARRIED.**

Louise Pitney, the Democratic Registrar of Voters informed the committee that she sent a letter in February to Mr. Gerckens requesting an increase in salary. Ms. DeGennaro asked Ms. Pitney if she proposed an increase to the Tax Board. Ms. Pitney said the budget was approved but she never heard whether or not it included the increase. She said her office is asking for a \$2,000 increase and noted that they are the lowest paid Registrars in the Valley. Mr. Iacuone said he recalls giving a 2% increase to the office in 2012. Atty. Welch said there may be stipulations regarding elected officials received raises during their elected term. He said he would like to research this and present it for next month. Ms. DeGennaro said Atty. Welch will research this issue and she will have it on the agenda for next month's meeting.

**REVIEW OF PROPOSED POSITION CREATED WITHIN THE DERBY FIRE DEPARTMENT ENTITLED "DEPARTMENT SAFETY OFFICER/ASSISTANT CHIEF OF SAFETY" AND PROPOSED NEW ORDINANCE. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Ms. DeGennaro noted that no one is present from the Fire Department. She said everyone should have the revisions made by Atty. Welch after last month's meeting. Ms. DeGennaro said she had a couple of questions regarding the timeframe for the appointment. Atty. Welch said Commissioner Kelleher wants it to run concurrent with the Fire Chief. He said it would seem having it run with the Fire Commissioner might be a better fit. Ms. DeGennaro said under the Charter the Mayor must appoint the Fire Commissioner within thirty days of taking the oath. At what point would the Fire Commissioner appoint this individual.

The committee members reviewed the new revisions made by Atty. Welch. Under Item c.) Appointment and Compensation there is a typo – it should read "**is** hereby authorized" not "**if** hereby authorized." Under item d.) Supervision and Duties – line five should read "investigate all line **of** duty **injuries**" not "investigate all line duty **inquiries**."

There was discussion as to the line in item d.) "retrain firefighters on a regular basis." The committee questioned whether it should be "retrain firefighters all the time." Atty. Welch said he could rewrite it to read "retrain on an as needed basis." Mr. Iacuone suggested "retrain after counseling." Ms. DeGennaro asked Atty. Welch if he received a response from Commissioner Kelleher. Atty. Welch said Mr. Kelleher said the appointment should be concurrent with the Fire Chiefs. Ms. DeGennaro said the Fire Commissioner is going to be the person to make the appointment.

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

**RESOLUTION FOR AND REVIEW OF COMPETITIVE BIDDING PROCESS AND PROCEDURES AND CITY OF DERBY CHARTER SECTION 66 AND CITY OF DERBY CODE, CHAPTER 8 "COMPETITIVE BIDDING", §8-1 THROUGH §8-3 FOR FISCAL YEAR JULY 1, 2015 THROUGH JUNE 30, 2016. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN**

Ms. DeGennaro said this item was in front of us and we brought it to the full Board of Aldermen. At that time the resolution proposed coming up with three items less than \$10,000. That resolution from last year is going to expire. Corporation Counsel asked that this item be brought up tonight.

**A MOTION** was made by Mr. Iacuone with a second by Mr. Gerckens to forward this item to the full Board of Aldermen.

**FRIENDLY AMENDMENT**

Ms. DeGennaro presented the following as a Friendly Amendment and place it in the form of a resolution as follows:

"Now therefore be it resolved by the Board of Aldermen of the City of Derby,

Resolved, pursuant to Section 66 of the City Charter, the Board of Aldermen hereby waive bids for any purchase of work, undertaking, contract or supplies which exceeds \$1,000.00, but is less than \$10,000.00 provided the following procedure is followed, to wit:

The department head shall obtain a minimum of three (3) written proposals for the purchase of the item and shall make such purchase from the lowest responsible party."

Ms. DeGennaro recommends this to the full Board of Aldermen for Fiscal Year July1, 2015 to June 30, 2016.

Mr. Iacuone and Mr. Gerckens were amenable to the friendly amendment.

**MOTION CARRIED.**

**FIREWORKS DISPLAY AGREEMENT WITH PYRO ENGINEERING, INC. FOR DERBY/SHELTON  
FIREWORKS DISPLAY ON JULY 2, 2015. DISCUSSION/POSSIBLE ACTION AND  
RECOMMENDATION TO THE FULL BOARD OF ALDERMEN.**

Atty. Welch said everyone should have a copy of the agreement. He noted that the City has worked with this company before. There were minor changes made to the agreement. We need to know the exact number of shells that will be used. Atty. Welch said we will get that information before the full Board of Aldermen meeting.

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Iacuone to recommend forwarding the contract agreement with Pyro Engineering, Inc. as presented and amended by Corporation Counsel for the full Board of Aldermen meeting.

**DISCUSSION ON MOTION**

Mr. Iacuone questioned Fire Marshal Phil Hawks about the issue with the trestle at last year's fireworks. Mr. Hawks said he provided the Mayor with a list of some concerns. One is the 5" shell has a 350" radius and last year there was a misfire that created some problems. He said it is his understanding that the Mayor is working out the kinks with Shelton's Mayor Mark Lauretti. Mr. Iacuone said he just wanted to make sure things have been worked out or if a letter is needed from Corporation Counsel addressing the concerns. We're getting down to the wire and he doesn't want to encounter any problems. Mayor Dugatto informed the committee that everything will be sorted out by the Board of Aldermen meeting. Mr. Hawks said it really comes down to territory – Derby Police can't go into Shelton and Shelton can't come into Derby. He said Shelton doesn't encounter problems with the trestle since they have a different location where their fireworks are launched from.

**MOTION CARRIED.**

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Iacuone to recommend to the full Board of Aldermen that the Police Department have the discretion to close and open Main Street to Elizabeth Street and Elizabeth Street to Third Avenue the night of the fireworks. **Motion carried.**

**EXECUTIVE SESSION:**

**Payment of unused sick, vacation and personal days for Henry J. Domurad, Jr., regarding the April 2012 separation of employment from the City of Derby – Personnel Matter.**

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Iacuone to go into Executive Session at 8:00 p.m. inviting Atty. Tom Welch and Atty. Francis Teodosio. **Motion carried.**

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Iacuone to come out of Executive Session and back into Regular Session at 8:20 p.m. **Motion carried**

**PAYMENT OF UNUSED SICK, VACATION AND PERSONAL DAYS FOR HENRY J. DOMURAD, JR., REGARDING THE APRIL 2012 SEPARATION OF EMPLOYMENT FROM THE CITY OF DERBY. DISCUSSION/POSSIBLE ACTION AND RECOMMENDATION TO THE FULL BOARD OF ALDERMEN.**

**A MOTION** was made by Ms. DeGennaro with a second by Mr. Iacuone to recommend to the full Board of Aldermen that payment be made to Henry J. Domurad, Jr. for three personal days, eight vacation days, and 18.25 sick days at his rate of compensation at the time of his separation of employment with the City of Derby in April 2012. **Motion carried.**

**ADJOURNMENT**

**A MOTION** was made by Mr. Gerckens with a second by Mr. Iacuone to adjourn the meeting at 8:21 p.m. **Motion carried.**

Respectfully submitted,

Patty Finn  
Recording Secretary

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