

**CITY OF NORWALK  
BOARD OF ESTIMATE AND TAXATION  
SPECIAL MEETING  
APRIL 7, 2014**

**ATTENDANCE:** Mayor Harry W. Rilling, Chair; Atty. Ed Camacho, Erik Anderson, James Feigenbaum, Ann Yang-Dwyer, Greg Burnett (7:33 p.m.)

**STAFF:** Donna King, City Clerk; Thomas Hamilton, Finance Director; Robert Barron, Finance Department

**OTHERS:** Lisa Biagiarelli, Tax Collector; Bill Ireland, Building Department

**CALL TO ORDER.**

Mayor Rilling called the meeting to order at 7:30 p.m. Ms. King called the roll. A quorum was present.

**APPROVAL OF MINUTES.**

**Minutes of March 3, 2014.**

**\*\* MR. ANDERSON MOVED THE MINUTES OF MARCH 3, 2014.**

The following corrections were noted:

Page 1, under "Report on Special Appropriations", line 4: please change the following from: "situation where a appropriation" to "situation where an appropriation"

Page 2, paragraph 1, line 1: please change the following from :

"the Redevelopment Agency is willing to have terms of provisional hire and will make a conditional offer of employment with benefits to be determined."

To:

"the Redevelopment Agency will make a conditional offer of employment with benefits to be determined."

Page 2, under Additional Information – Status of Contingency – paragraph 1, line 1: please change the following from: "if the rates stay there will be \$400,000 at the close of the year versus the expected projection of \$298,000 or a potential of \$100,000."

To:

"if the rates stay the same, that there will be \$300,000 - \$400,000 at the close of the year versus the expected projection of \$298,000."

*Mr. Burnett joined the meeting at 7:33 p.m.*

**\*\* THE MOTION TO APPROVE THE MINUTES OF MARCH 3, 2014 AS CORRECTED PASSED WITH FIVE IN FAVOR (CAMACHO, ANDERSON, FEIGENBAUM, BURNETT, YANG-DWYER) AND ONE ABSTENTION (RILLING).**

**March 19, 2014 Special Meeting.**

**\*\* MR. ANDERSON MOVED THE MINUTES OF MARCH 19, 2014 SPECIAL MEETING.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF MARCH 19 SPECIAL MEETING AS SUBMITTED PASSED WITH FIVE IN FAVOR (CAMACHO, ANDERSON, FEIGENBAUM, BURNETT, AND RILLING) AND ONE ABSTENTION (YANG-DWYER).**

**March 19, 2014 Public Hearing.**

**\*\* MR. ANDERSON MOVED THE MINUTES OF MARCH 19, 2014 PUBLIC HEARING.**

**\*\* THE MOTION TO APPROVE THE MINUTES OF MARCH 19 PUBLIC HEARING AS SUBMITTED PASSED WITH FIVE IN FAVOR (CAMACHO, ANDERSON, FEIGENBAUM, BURNETT, AND RILLING) AND ONE ABSTENTION (YANG-DWYER).**

**March 26, 2014 Special Meeting.**

**\*\* MR. ANDERSON MOVED THE MINUTES OF MARCH 26, 2014 SPECIAL MEETING.**

The following corrections were noted:

Page 2, paragraph 6, line 6: please delete the following: "There are 13 Head Start staff and one Federal Head Start teacher."

Page 2, paragraph 7, line 1: please change the following from: "Ms. Yang-Dwyer then said about."

To: "Ms. Yang-Dwyer then asked about some of the Stamford Head Start programs that are run by"

Page 3, paragraph 4, line 2: please change: "but would not be able to do anything to without some figures."

To: "but would not be able to do anything without some financials."

Page 4, paragraph 4, line 1: please change “he was there agent” to “he was their agent”

**\*\* THE MOTION TO APPROVE THE MINUTES OF MARCH 26, 2014 SPECIAL MEETING PASSED AS CORRECTED UNANIMOUSLY.**

**SPECIAL APPROPRIATIONS (Section A).**

**Fiscal Year 2013-14:**

**RESOLVED, that a sum not to exceed \$12,000 be and the same is hereby transferred from Contingency to the Code Enforcement Department to cover expenses related to the Blight Ordinance. (Account #01-34-1-5650).**

Mr. Hamilton then recommended that this item be tabled or rejected. He said that back-up material list the expenses for the blight officer. A special revenue fund has been established. The blight officer has started levying fines. The revenues should be sufficient to cover the expenses, so it would not be prudent to go forward with the appropriation. Discussion followed regarding the details.

Atty. Camacho asked for clarification on the process. Mr. Ireland gave an overview of how a case would proceed to a hearing.

**\*\* MR. ANDERSON MOVED TO REJECT THE FOLLOWING RESOLUTION:**

**RESOLVED, THAT A SUM NOT TO EXCEED \$12,000 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE CODE ENFORCEMENT DEPARTMENT TO COVER EXPENSES RELATED TO THE BLIGHT ORDINANCE. (Account #01-34-1-5650)**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

Mayor Rilling commented that at the last Mayor's Night out, an individual had come up to him with before and after photos of a property that had been cleaned up.

**RESOLVED, that a sum not to exceed \$510,000 be and the same is hereby transferred from Contingency to the Fire Account (Accounts # Various).**

Mr. Barron said that the item should actually read “to the Fire Department to cover contract wage settlements.”

Mr. Hamilton reviewed the details of the settlement and the salary increases covered by the contract. He said that this covered regular wages and shortfalls, along with the two positions that were discussed during the contract settlement.

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**\*\* MR. ANDERSON MOVED TO APPROVE THE FOLLOWING:**

**RESOLVED, THAT A SUM NOT TO EXCEED \$510,000 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE FIRE ACCOUNT (ACCOUNTS # VARIOUS).**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**RESOLVED, that a sum not to exceed \$51,815 be and the same is hereby transferred from Contingency to Various Departments to cover Ordinance Employees Wage Increases (Accounts # Various).**

This resolution has to do with wages that were approved after last year's budget was approved. Mr. Hamilton then reviewed the various changes with the Board Members as listed on the back up material.

Mayor Rilling asked why the Assistant Chief and the Fire Chief were not on the ordinance list. Mr. Hamilton said that they were not part of the ordinance list and their salaries were not approved by the Fire Commission until after the contracts were settled.

**\*\* MR. ANDERSON MOVED TO APPROVE THE FOLLOWING:**

**RESOLVED, THAT A SUM NOT TO EXCEED \$51,815 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO VARIOUS DEPARTMENTS TO COVER ORDINANCE EMPLOYEES WAGE INCREASES (ACCOUNTS # VARIOUS).**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**RESOLVED, that a sum not to exceed \$70,748 be and the same is hereby transferred from Contingency to the Building Management Department to cover Operating Expenses at Benjamin Franklin and Nathaniel Ely Centers. (Accounts # Various).**

**\*\* MR. ANDERSON MOVED THE ITEM.**

This is an appropriation mostly for Ben Franklin to cover the cost of the utility service due to NEON's operation of the Head Start program and their subsequent default of payment. The program later was transferred to the Norwalk Housing Authority. Mr. Hamilton then reviewed the details and said that the utility bills went directly to NEON and payment was defaulted on them. The utilities have now been transferred back into the City's name and negotiations are still ongoing. The City will now be making the payments and then bill the various groups that are in residence. Approximately \$2,000 of the request will be directed towards Nathaniel Ely for their elevator and another maintenance issue.

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Mr. Burnett asked what the City expected from the tenants regarding the utility bills. Mr. Hamilton explained that the Housing Authority has now built these costs into their budget and Crystal Theater has been current on their portion of the utility bills all along. The City also uses the gym for various programs. It was the NEON programs that have been delinquent. Mr. Hamilton and the Mayor met with Rev. Jackson regarding this issue earlier in the day. He said that if NEON files for bankruptcy, the City might be a creditor.

Mr. Feigenbaum asked if the City would be setting precedence by paying the bills. Mr. Hamilton said that this was a city-owned building with this type of a tenant arrangement. Mr. Anderson said that he believed that the City was working towards insuring this did not happen again.

**\*\* THE MOTION TO APPROVE THE FOLLOWING RESOLUTION: RESOLVED, THAT A SUM NOT TO EXCEED \$70,748 BE AND THE SAME IS HEREBY TRANSFERRED FROM CONTINGENCY TO THE BUILDING MANAGEMENT DEPARTMENT TO COVER OPERATING EXPENSES AT BENJAMIN FRANKLIN AND NATHANIEL ELY CENTERS. (ACCOUNTS # VARIOUS) PASSED UNANIMOUSLY.**

**TRANSFER AGENDA (Section B)**

There were no transfers to discuss at this time.

**OTHER BUSINESS (Section C)**

**Approval of FY 2013-2014 Suspense Tax List.**

Ms. Biagiarelli came forward and said that the Tax Collectors were required to submit a list of transfer to the suspense book. These are items that don't have valid addresses or situations where a company has gone out of business and there are no more assets. The amount of the transfers has decreased because the DMV has updated their information and efforts by the staff to collect delinquent taxes. Once a bill is put in the suspense book, it is turned over to a collection agency.

**\*\* ATTY. CAMACHO MOVED TO APPROVE THE FY 2013-2014 SUSPENSE TAX LIST.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**RESOLUTION, requesting a Special Capital Appropriation in the amount of \$2,400,000 for the Rowayton Elementary School Project.**

Mr. Hamilton said that this was a pro forma routine item since it was approving the State's share of the reimbursement appropriation. The State's reimbursement process is a lengthy ordeal.

**\*\* MR. BURNETT MOVED TO APPROVE THE FOLLOWING:**

**RESOLUTION, REQUESTING A SPECIAL CAPITAL APPROPRIATION IN THE AMOUNT OF \$2,400,000 FOR THE ROWAYTON ELEMENTARY SCHOOL PROJECT.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Appointment of the Auditors for FY 2013-14.**

Mr. Hamilton said that there was an existing contract with McGladry and Pullen. He added that the City would be going out for bid on this in the summer. The State requires notification 30 days prior to the end of the year.

**\*\* MR. ANDERSON MOVED TO APPROVE THE APPOINTMENT OF MCGLADRY AND PULLEN AS THE INDEPENDENT AUDITORS FOR FY 2013-2014.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**Adoption of Tentative FY 2014-25 Operating Budget.**

Mr. Barron said that this was the budget that would be transmitted to the Common Council. He went on to explain the process.

Mr. Hamilton said that the largest outstanding item would be the Head Start program funding. Mr. Barron spent several days with the Housing Authority, visiting the various venues and creating a budget. Mr. Barron gave a summary of how the figures were calculated for this budget. The initial analysis was only for the Head Start and School Readiness programs. There is a component of the CDC funding that pays for a full 10-hour day during the summer. The additional costs for the extra four hours during the school year. Mr. Barron said that the Housing Authority was incredibly receptive to the assistance. Mr. Barron said that he believed that the final request would be somewhere between \$250,000 and \$500,000.

The Mayor said that he was very impressed with Mr. Barron's work in this area since the Housing Authority did not have access to any of the financial information they needed to present a solid budget. Mayor Rilling said that he was pleased that the residents would not be losing the quality and level of service.

Mr. Feigenbaum asked for clarification on the previous figures that had been allocated to NEON. Mr. Barron reviewed the figures with the Board members.

Atty. Camacho asked about the quality of the program and the level of the services. Mr. Barron said that the Housing Authority is focused on increasing the quality of the services, not the

quantity of the programs. Mayor Rilling said that this program should prepare the children to enter into kindergarten. He cited a study that indicated that by the third grade, the Head Start students were performing on the same level as the average third grader.

Mr. Barron said that he would like to have one more discussion with the Housing Authority about the budget.

Mr. Anderson said that regarding the Fair Housing Officer, he would like to return her salary to Mr. Hamilton. He said that he had not received any additional back up from Ms. Suib and specifics as to what the personnel is for. Mr. Barron reviewed the proposed changes.

Atty. Camacho asked Mr. Anderson for clarification. Mr. Anderson said that after reviewing the emails, he felt that there was no need for this. He said that after reading the tone of the emails, he felt that the amount for the supplies was not necessary. Discussion followed.

**\*\* ATTY. CAMACHO MOVED TO FORWARD THE TENTATIVE FY 2014-25 OPERATING BUDGET TO THE COMMON COUNCIL.**

**\*\* MR. ANDERSON MOVED TO STRIKE \$11,300 FROM THE FAIR HOUSING OFFICER'S LINE ITEM #(017028, OBJ 5B0620) OF \$136,289.00.**

**\*\* THE MOTION TO AMEND PASSED WITH FOUR IN FAVOR (ANDERSON, FEIGENBAUM, YANG-DWYER AND BURNETT) AND TWO AGAINST (RILLING, CAMACHO).**

**\*\* THE MOTION TO APPROVE THE TENTATIVE BUDGET AS AMENDED PASSED UNANIMOUSLY.**

**ADDITIONAL INFORMATION (Section D)**

**Summary of Special Appropriations**

The discussion moved to the Head Start funding request from the Housing Authority. Ms. Yang-Dwyer said that before any vote, she would like a peer review analysis including a per child cost analysis on a regional and national basis. Ms. Yang-Dwyer said that she had the same concerns about the costs and would like some assessment on quality and management controls in addition to the numbers from the Stamford program. She said that she would like any request to be accompanied with financial analysis.

Mayor Rilling said that he had made it clear to the Housing Authority that this request would not be an annual event.

**Status of Contingency  
Financial Reports:**

- **Oak Hills Financial Status – February 2014.**

Mr. Barron said that he had asked Shelly Guyer for an update because the restaurant was delinquent in their payment. He expected to give the Board members an update in May.

- **Year-to-date Capital Budget Report - FY 2013-14**
- **Year-to-date Operating Budget Report - FY 2013-14**
- **Year-to-date BOE Operating Budget Report - FY 2013-14**
- **Tax Collector's Narrative – February 2014**
- **Tax Collector's Report – February 2014**
- **Tax Collector's Report – March 2014**
- **Key Revenue Report –2014**

**Salary Accounts**

- Fire Overtime**
- Dispatch Overtime**
- Police Overtime**

Mr. Barrett noted that there was an April 15th meeting scheduled. Mr. Barron said that the meeting was scheduled in case the Common Council changed the cap.

**ADJOURNMENT.**

- \*\* MR. FEIGENBAUM MOVED TO ADJOURN.**
- \*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

Sharon L. Soltes  
Telesco Secretarial Services