

**CITY OF NORWALK
FINANCE/CLAIMS COMMITTEE
REGULAR MEETING
SEPTEMBER 10, 2009**

- ATTENDANCE:** Carvin Hilliard, Chairman; Michael Geake, Richard Bonenfant, Douglas Hempstead, Amanda Brown
- STAFF:** Thomas Hamilton, Finance Director, Fred Gilden, Comptroller; Gerald Foley, Purchasing Department; Lisa Biagiarelli, Tax Collector
- OTHERS:** Common Council Member Nicholas Kydes, Carol Goodchild; Robert Burgess, District B; Chris Gavrelidis

CALL TO ORDER

Mr. Hilliard called the meeting to order at 7:30 p.m.

DISCUSSION ON FEES IN LIEU OF PARKING

Mr. Hilliard said that he had spoken with Mr. Wrinn about what formula was used for determining the fee in lieu for parking. Mr. Wrinn said that he did not know.

Ms. Goodchild asked what happens when a check is turned in the City. Mr. Hamilton explained that the check is forwarded to the Comptroller.

Mr. Burgess then said that the answer that was being looked for was exactly who determined which business would pay the fees and which one would not pay the fees. He said that there was a question about whether other businesses had paid the fee in lieu of parking also. Mr. Burgess said that all anyone wanted to know was who paid what for how much. Mr. Hamilton said that the Finance Department has records of who contributed and how much in the report that the Committee had. He then briefly reviewed the details regarding how the Zoning Department determines the amount. He explained that if a merchant is not changing the configuration of the space or the use, the new business would not have to pay the fee.

Mr. Burgess said that he had reason to believe that there were restaurants on the street that did not pay and that others did. Mr. Hamilton said that he had spoken with Mr. Wrinn and that the Zoning codes were followed meticulously.

Mr. Kydes asked about a partial payment that was recorded in the report and wanted to know what that was. Mr. Hamilton said that he could say that how much was paid and

when it was paid, but not why it was paid. He said that information would be back at Zoning Department. Mr. Kydes said that he had concerns about the fact that the payment had been made but that there was no additional information available. He said that he was concerned about the accounting practices that were being used. Mr. Hamilton pointed out that the City of Norwalk has its books audited every year and has passed the audit each year. He said that the City uses accepted accounting practices. Mr. Gilden pointed out that the City cannot destroy records without permission from the State.

Mr. Hamilton said that while he was not the expert, he believe that if a restaurant that had twenty five spaces closed and another restaurant that needed the same number of parking spaces opened, there would not be a fee in lieu payment. If the new restaurant required more parking, then the owner would need to pay for the additional parking spaces. He said that there were areas of Norwalk where it was not possible to add additional parking in urban areas.

Mr. Chris Gavrelidis then pointed out the ordinance was started in 1987, and asked why the report was only to 2001. Mr. Hamilton said that they had only been asked to provide the information from 2001 forward.

Ms. Goodchild displayed a map that she had received from Planning and Zoning that illustrated the area where the fee in lieu of parking was located. She then asked several questions about the perimeters of the area, which Mr. Hamilton answered.

Mr. Kydes asked about the base amount being changed from \$15,000/per space. Mr. Hamilton said that he couldn't speak to what the amount was being charged, but indicated that there was a notation about E&R in the border. Mr. Kydes asked how to find out what the base amount and the adjustment for E&R. Mr. Geake said that the question should go to Zoning.

Mr. Burgess said that he would like to see the detailed information because there was a lot of misinformation out there about this issue. Mr. Hamilton suggested that the Committee submit the information that they would want to him in writing, so that the information could be gathered together. Mr. Kydes said that he would like to see all the details back to 1987. Mr. Hamilton said that the State requires the City to keep detailed records for seven years and that after that they can request permission to destroy the records. Mr. Hamilton said that he was not sure how far back the detailed records go beyond the required seven years. Mr. Kydes said that there was a concern for the tax paying citizens of Norwalk regarding this.

Ms. Brown asked exactly what the Finance Department was looking for if the reports only list the amount of the payment and the name of the person paying into the account. Mr. Hamilton said that he understood Mr. Kydes was asking for the details of the transaction. Mr. Hilliard said that the main question was whether or not the all the

businesses were being treated fairly and equitable administration of the fee in lieu. Mr. Hamilton said that he was not sure that this would be within the scope of the Finance Department's responsibilities. He then suggested that if individual businesses were concerned, it would be best to write down the questions along with listing of the businesses that were in question to submit to the Planning and Zoning Department.

Mr. Burgess said that there was a cease and desist order regarding this and that he wanted to find out some simple answers to simple questions.

Ms. Goodchild said that she understood that she's going to have approach Zoning and try to determine which businesses paid and which ones didn't pay.

Mr. Geake said that he had one fundamental concern with the fund because the fund was set up to provide and maintain parking. The last payment out of the fund was in 2003. Mr. Geake then said that there was a payment in 2008.

Mr. Chris Gavrelidis said that he would like the Finance Committee to look at a few more years of information.

Mr. Hempstead asked if the request have been putting in writing. Ms. Gavrelidis said that they had not. Mr. Hempstead said that if they submitted a request in writing and then they can request under FOI, with copies to the Council Members, the Law Department and possibly the Finance Department.

Ms. Goodchild, Mr. Gavrelidis and Mr. Burgess thanked the Committee for their time and consideration of this matter.

Claims Committee: received the month Claims report; review and approve claims as required for Claims Report dated August 13, 2009 and September 10, 2009.

Ms. Biagiarelli said that there were no special claims filed that needed the Committee's attention since she was at the meeting the last time. The regular reports were in the information packet for the Committee members to review.

Narrative on Tax Collections dated September 10, 2009 – Receive Report and discuss

Ms. Biagiarelli went on to the narrative and reviewed the details with the Committee. She pointed out that there had been a very slight drop in collections, but not as much as anticipated.

The new collection cycle is moving forward smoothly. The past due notices have also gone out. Enforcement measures have started and some of the methods being used are wage garnishments, along with seizures of bank accounts and assets.

Mr. Hempstead said that he wanted to compliment the Tax Collector due to the recent court decision regarding the Merrill property.

Mr. Hempstead then had a question about collections, which Ms. Biagiarelli reviewed. Mr. Hamilton then reviewed the 60 days accounting rule for municipalities. He reminded everyone that the City holds the tax sale in July and because of the sixty day rule, there is a slight increase in July because of this. There are also variances due to the area economy.

Ms. Brown asked about how the revenue is handled when someone has a debt that has accrued over several years. Mr. Hamilton reviewed this information with her.

**** MR. HEMPSTEAD MOVED TO RECEIVED THE REPORT.
** THE MOTION PASSED UNANIMOUSLY.**

Authorize the Mayor, Richard A. Moccia, to execute an amendment to the Agreement with ICON Enterprises dba CivicPlus.com for web design services, including content management services as specified in City's RFP #2729 for an amount not to exceed \$75,000.00 (Accounts 09080600-5777-C0375, 09090600-5777-C0375, 09100600-5777-C0375)

Authorize the Mayor, Richard Moccia, to execute an amendment to the Agreement with ICON Enterprises dba CivicPlus.com for annual website management and hosting services as specified in City's RFP #2729 for an amount not to exceed \$8,200.00 per fiscal year, for an initial period not to exceed three (3) years with two (2) two (2) year extensions (Account 010600-5245 subject to availability of future funds.)

**** MR. BONENFANT MOVED THE ITEM.**

Ms. DelVecchio came forward and said that the City's website is stale and it is becoming difficult to locate the information that people are looking for. The technology on both ends is now old. An RFP was sent out and there were 14 respondents. A panel was set up and the group was narrowed down to 4. One applicant withdrew, and so the final three constructed mock websites and after reviewing these, the panel chose CivicPlus. They have done websites for Westchester County and Dutchess County. They have not done any work in Connecticut, and Ms. DelVecchio said that she believed this worked in the City's favor because the company gave some aggressive pricing. Ms. DelVecchio said that she would like to take some traffic off the City's bandwidth, which would allow

the City to broadcast the Council Meetings on the Internet without excessive charges or tying up the bandwidth. Mr. Hamilton said that right now, the City does not have the ability to bring back results for searches quickly and accurately. Ms. DeVecchio said that there were about 10,000 flat pages of information, and the new service would compile this into a database.

Ms. Brown asked about downloading the City Code Book because right now only one page at a time is available. Mr. Bonenfant explained why this was originally done as a scan rather than a searchable document.

Mr. Bonenfant then asked about the maintenance agreement. Ms. DeVecchio explained that the framework and the hosting would be covered by the \$8,200 per year. Ms. DeVecchio said that the global navigation would be consistent across all the departments.

Mr. Hilliard said that he had concerns about the extensions of the contract. He said that he would prefer that the contract only be for three years rather than a total of seven years, which is what the extensions would add up to.

Ms. Brown asked if the company would be backed up elsewhere. Mr. Hamilton said it was and that the City would still have access to the material but not to the database if the company went out of business.

Mr. Bonenfant asked about the extensions. Mr. Foley explained that this is quite routine and typically the Law Department brings the contract back to the Council for a vote after three years to approve the extension. Mr. Hilliard said that he would like it to be just three years. Mr. Hamilton said that the extensions were added in so that an RFP won't have to be written after three years.

Mr. Hempstead said that there was a problem with the listing of the employees on the current website. He also said that he also had a printing problem with the City Code information. Ms. DeVecchio said that if there were specific items that the Committee has concerns about, it would be good to have the information so that it can be addressed. Mr. Hempstead said that he would like to know what would be done for the Council page.

Ms. Brown said that she was also very unhappy with the 3-2-2 contract agreement. She asked why the City didn't simply ask for five years. Mr. Geake said that he was aware that it had been bid out, but felt that \$700 a month was steep. He said that he pays much less for a number of websites. There was some discussion about the agreements.

**** MR. BONENFANT MOVED TO AMEND THE FOLLOWING FROM:**

City of Norwalk
Finance/Claims Committee
Regular Meeting
September 10, 2009
Page 5

AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ICON ENTERPRISES DBA CIVICPLUS.COM FOR WEB DESIGN SERVICES, INCLUDING CONTENT MANAGEMENT SERVICES AS SPECIFIED IN CITY'S RFP #2729 FOR AN AMOUNT NOT TO EXCEED \$75,000.00 (ACCOUNTS 09080600-5777-C0375, 09090600-5777-C0375, 09100600-5777-C0375) AND FORWARD ONTO THE COMMON COUNCIL FOR FURTHER ACTION.

AUTHORIZE THE MAYOR, RICHARD MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ICON ENTERPRISES DBA CIVICPLUS.COM FOR ANNUAL WEBSITE MANAGEMENT AND HOSTING SERVICES AS SPECIFIED IN CITY'S RFP #2729 FOR AN AMOUNT NOT TO EXCEED \$8,200.00 PER FISCAL YEAR, FOR AN INITIAL PERIOD NOT TO EXCEED THREE (3) YEARS WITH TWO (2) TWO (2) YEAR EXTENSIONS (ACCOUNT 010600-5245 SUBJECT TO AVAILABILITY OF FUTURE FUNDS AND FORWARD ONTO THE COMMON COUNCIL FOR FURTHER ACTION.

TO:

AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ICON ENTERPRISES DBA CIVICPLUS.COM FOR WEB DESIGN SERVICES, INCLUDING CONTENT MANAGEMENT SERVICES AS SPECIFIED IN CITY'S RFP #2729 FOR AN AMOUNT NOT TO EXCEED \$75,000.00 (ACCOUNTS 09080600-5777-C0375, 09090600-5777-C0375, 09100600-5777-C0375) AND FORWARD ONTO THE COMMON COUNCIL FOR FURTHER ACTION.

AUTHORIZE THE MAYOR, RICHARD MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ICON ENTERPRISES DBA CIVICPLUS.COM FOR ANNUAL WEBSITE MANAGEMENT AND HOSTING SERVICES AS SPECIFIED IN CITY'S RFP #2729 FOR AN AMOUNT NOT TO EXCEED \$8,200.00 PER FISCAL YEAR, FOR AN INITIAL PERIOD NOT TO EXCEED THREE (3) YEARS WITH TWO (2) TWO (2) YEAR EXTENSIONS (ACCOUNT 010600-5245 SUBJECT TO AVAILABILITY OF FUTURE FUNDS AND PENDING SUBSEQUENT COMMON COUNCIL APPROVAL.

**** THE MOTION TO APPROVE THE AUTHORIZATION AS AMENDED PASSED UNANIMOUSLY.**

Authorize the Mayor, Richard A. Moccia, to execute an amendment to the Agreement between the City and Total Communications, Inc. for the equipment, installation and engineering services for the installation of telephone system

redundancy and upgrade for an amount not to exceed \$84,718.00, accounts COPS Technology Grant (\$50,000) and 0907/08/090600-5777-C0375 (\$34,718.00).

**** MR. BONENFANT MOVED THE ITEM.**

Ms. DelVecchio said that there is a Voice over IP service for over 1,200 users for telephone and 1,500 for voice mail including both City Hall and various satellite locations. There has been a major new enhancement within the last 18 months. It was known that there would be some redundancy aspects, so the City held off to see if the grant funding would be available. The funding is now available. This system is going from a Windows platform to a Linux platform.

Total Communications has done very good work with the phones at City Hall and the service has been excellent. Ms. DelVecchio said that the City purposely waited for the system upgrade.

Ms. Brown asked how much the City has been paying Total Communications. Mr. Foley said that he could get this information.

Mr. Bonenfant said that he thought he had just approved this at Land Use. Ms. DelVecchio explained that the Land Use approval was for Briggs High School and for Nathan Hale Middle School. This is for the Police Department and the project was held until the grant funding was available.

Mr. Hamilton then reviewed the history of the previous phone systems.

**** THE MOTION TO AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND TOTAL COMMUNICATIONS, INC. FOR THE EQUIPMENT, INSTALLATION AND ENGINEERING SERVICES FOR THE INSTALLATION OF TELEPHONE SYSTEM REDUNDANCY AND UPGRADE FOR AN AMOUNT NOT TO EXCEED \$84,718.00, ACCOUNTS COPS TECHNOLOGY GRANT (\$50,000) AND 0907/08/090600-5777-C0375 (\$34,718.00) PASSED UNANIMOUSLY.**

Authorize the Purchasing Agent, Gerald J. Foley, to issue an annual Purchase Order to Sprint/Nextel for cellular, blackberry and wireless broad base access service for various City Departments as specified in fiscal year, for an initial period not to exceed three (3) years with two (2) two (2) year extensions. Account various.

**** MR. BONENFANT MOVED THE ITEM.**

Mr. Hamilton said that this was a project that would save the City some money. Mr. Foley said that currently, the City has three companies that provide service to the cell phones, the Blackberries and the air cards. In the RFP, Mr. Foley said that the vendors were to match service to service. Mr. Foley then reviewed the three services and the bids. The goal is to bring all the services into one service. The majority of the phones are AT&T. Currently, the staff is testing the new cellular service, push-to-talk and air cards.

Mr. Hilliard said that he had the same concerns about the length of terms. Mr. Hamilton said that he was excited that the City would be all on the same service. He said that it was miraculous that all the departments were agreeing, and the Board of Education was also using the same service.

Mr. Hempstead asked Ms. DeVecchio to determine how much it would cost for laptops for the Council Members. Ms. DeVecchio said that she believed it would be about \$1,300 per laptop.

**** MR. BONENFANT MOVED TO AMEND THE ITEM FROM:**

AUTHORIZE THE PURCHASING AGENT, GERALD J. FOLEY, TO ISSUE AN ANNUAL PURCHASE ORDER TO SPRINT/NEXTEL FOR CELLULAR, BLACKBERRY AND WIRELESS BROAD BASE ACCESS SERVICE FOR VARIOUS CITY DEPARTMENTS AS SPECIFIED IN FISCAL YEAR, FOR AN INITIAL PERIOD NOT TO EXCEED THREE (3) YEARS WITH TWO (2) TWO (2) YEAR EXTENSIONS. ACCOUNT VARIOUS.

TO:

AUTHORIZE THE PURCHASING AGENT, GERALD J. FOLEY, TO ISSUE AN ANNUAL PURCHASE ORDER TO SPRINT/NEXTEL FOR CELLULAR, BLACKBERRY AND WIRELESS BROAD BASE ACCESS SERVICE FOR VARIOUS CITY DEPARTMENTS AS SPECIFIED IN FISCAL YEAR, FOR AN INITIAL PERIOD NOT TO EXCEED THREE (3) YEARS WITH TWO (2) TWO (2) YEAR EXTENSIONS PENDING SUBSEQUENT COMMON COUNCIL APPROVAL. ACCOUNT VARIOUS

**** THE MOTION TO APPROVE THE AUTHORIZATION AS AMENDED PASSED UNANIMOUSLY.**

Resolution, authorizing a \$48,860 reduction to the Capital Appropriation for City Hall Repairs and Improvements. (Account No. 0909-7100-5777-C0439)

Resolution, authorization a Special Capital Appropriation in the amount of \$48,860 to repair the City Hall elevator. (Account No. 0910-7100-5777-C0474)

Mr. Hamilton reviewed the fact that one of the elevators was out of repair for a lengthy period of time. The hydraulic system failed and needed to be replaced.

**** MR. BONENFANT MOVED THE TWO ITEMS.**

Mr. Bonenfant reminded everyone that the other elevator will also need attention.

**** THE MOTION PASSED UNANIMOUSLY.**

Received Board of Estimate and Taxation Appropriations from August 3, 2009 and September 8, 2009.

**** MS. BROWN MOVED THE FOLLOWING:**

**SPECIAL APPROPRIATIONS – AUGUST 3, 2009
BOARD OF ESTIMATE AND TAXATION
FISCAL YEAR 2008-2009**

NOTE: CORRECTION FY 2009-2010

1. RESOLVED, that a sum not to exceed \$233,761 be and the same is hereby transferred from Contingency to Various Departments to cover salary costs to restore Five Norwalk Municipal Employees Association (NMEA) positions. (Account No: Various).

2. RESOLVED, that a sum not to exceed \$5,200 be and the same is hereby transferred from Increased Estimated Revenues to the Recreation and Parks Department to reimburse expenses for an ART Council pARTy in the Park. (Account No. 01-606204505)

NOTE: CORRECTION FY 2009-2010

RESOLVED, that a sum not to exceed \$7,500 be and the same is hereby transferred from Increased Estimated Revenues to the Recreation and Parks Department from First County Bank to defray the cost of the Summer Concert Series. (Account No. 01-6062-4505 and 01-6021-5258)

AND

SPECIAL APPROPRIATIONS – AUGUST 3, 2009

BOARD OF ESTIMATE AND TAXATION

FISCAL YEAR 2008-2009

1. RESOLVED, that a sum not to exceed \$30,655 be and the same is hereby transferred from Increased Estimated Revenues to the Fire Department's Other Professional Services Account to cover the cost of firefighter testing (Account No.: 01-3140-5258)

2. RESOLVED, that a sum not to exceed \$12,250 be and the same is hereby transferred from Increased Estimated Revenues to the Police Department's Medical/Dental/Veterinary Account to cover the cost of Police Officer Recruitment. (Account No. 01-3040-5251)

FISCAL YEAR 2009-2010

1. RESOLVED, that a sum not to exceed \$5,000 be and the same is hereby transferred from Increased Estimated Revenues from North East Utilities Service Company to the Police Department to assists with the purchase of an All Terrain Police Vehicle. (Account No. 01-3010-4505 and 01-3053-5731)

Mr. Hempstead expressed some concern about one of the positions at the Fire Department that had been downgraded. Mr. Hamilton reviewed the details with him regarding that position.

Mr. Bonenfant said that he said that he serves on the Recreation and Parks Committee and that these items weren't on the agenda, but the events were held anyway. Mr. Hamilton explained that there were sponsorships for the events and this is how the funding was being transferred.

**** THE MOTION TO RECEIVE THE AUGUST AND SEPTEMBER RESOLUTIONS FROM THE BOARD OF ESTIMATION AND TAXATION AS LISTED ABOVE PASSED UNANIMOUSLY.**

Approve the minutes of the following Finance Committee Meetings: July 9, 2009.

**** MR. HEMPSTEAD MOVED TO APPROVE THE MINUTES OF JULY 9, 2009 AS SUBMITTED.**

**** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

**** MS. BROWN MOVED TO ADJOURN.
** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services