

MINUTES OF THE REGULAR MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
THURSDAY, NOVEMBER 14, 2103

1. At 6:08pm, Vice Chairman Peter Sciarretta called the regular meeting to order. The following were in attendance:

Commissioners:

Christopher D. Meek, Chairman

(via teleconference)

Peter Sciarretta, Vice Chairman

Michaelle Jean-Pierre, Secretary/Treasurer

Taylor R. Molgano

Mayra M. Rios

Staff:

Dr. Tommie Jackson, Executive Director

Rachel Goldberg, General Counsel

Durelle Alexander

Also Attending:

Amy LiVolsi, Assistant Corporation Counsel, City of Stamford

Marzuq Muhammad, Assistant Project Manager, Trinity Financial

At the request of Chairman Meek, Commissioner Molgano made a motion to address the agenda items out of order. The motion was seconded by Commissioner Sciarretta and carried by unanimous vote.

6. Agency Administration

(c/i) **Personnel/General Counsel Classification** – Chairman Meek noted that at the last Board meeting on October 30, 2013, it was brought up that the General Counsel position potentially be reduced from a full time position to a part time position. At this time, the Chairman opened the floor for further discussion. Attorney Goldberg noted that included in the reasons discussed at the last meeting, it was not clear to her that the Commission understood the current work load. In response, Attorney Goldberg prepared a memorandum detailing the Commission's current projects with a description of her specific workload and gave a brief overview of the following:

Current Commission Projects:

- (a) Trinity Financial, past 12 months
- (b) Trinity Financial, current
- (c) Trinity Financial Phase III site & UConn Stamford Student Housing
- (d) Re-Use Parcel 38 (the "hole-in-the-ground")
- (e) Re-Use Parcel 36 (corner of Greyrock & Main)
- (f) Mill River Project
- (g) Tresser Boulevard Sliver Parcel
- (h) Tax Increment Financing (TIF) legislation

Current City Projects undertaken by the Commission:

- (a) Stamford Urban Transitway Phase II
- (b) Atlantic/Henry Street Intersection Improvement Project
- (c) Pulaski Street Property Acquisition

Imminent Commission Projects

- (a) East Side Partnership
- (b) Gateway District Project Plan

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Attorney Goldberg also provided information pertaining to four-year cash flow budget projections which she had drafted and a brief history of her employment at the URC, beginning in 1981 as a law student intern and subsequently closing her private law practice and joining the Commission as a full time employee in 2001. Chairman Meek thanked Attorney Goldberg for the information and reiterated what was discussed at the last meeting, that: (i) the intent was to make the General Counsel position from full-time permanent to part-time permanent, and (ii) the intent was also to make the Executive Director a full-time position when it became a necessity. Chairman Meek said, “This is really a fiscally responsible kind of deal. It is not a change of anything else. It also puts the position in line with all other staff at the URC. It’s really the intent of the Commission to do the fiscally-right thing for the URC, the City, its residents and taxpayers.”

Attorney Goldberg asked, “When we last met, you were going to seek an opinion from Corporation Counsel with respect to the separation pay provisions in our personnel policy and my hiring letter.” Chairman Meek responded that he had received advice, not a formal written opinion, but could certainly request one. He said, “Based on documents that the URC has in Attorney Goldberg’s personnel file, the term of service based on January of next year would put it at 12 years as opposed to the 30+ that Attorney Goldberg is suggesting.” Attorney Goldberg noted that the Commission’s personnel policy was drafted in March 1992 and specifically identifies general legal counsel as one of the parties for whom this benefit would be available. She said, “I also point out in my memo that when I agreed to close my private practice to take this position, I was assured that my termination would only occur if something extraordinary were to occur.” Attorney Goldberg asked the Commission if they intended to honor any portion of the personnel policy. She said, “I need to understand where I stand ... whether or not you are going to provide any notice. No-one has spoken to me about this beforehand.” Vice Chairman Sciarretta said, “This is how I see it. Last month we were having a relevant discussion about the topic. So we went from the discussion about full time to part time and everyone here, including me, wanted Attorney Goldberg to stay on board. Now, we’re being asked whether we are going to honor a package. Are you implying that if this is the direction we take that you’re leaving?” Attorney Goldberg responded, “I have no idea what I am going to do because I don’t understand what you have in mind. I don’t know if cutting back to 20 hours eliminates health care, whether that eliminates any other benefits. I believe this triggers in your personnel policy ‘a significant staff/expense reduction.’ It would reduce your personnel budget by more than half.” Attorney Goldberg continued, “I also want to make it clear that your decision may have ramifications. I want to understand what I would be entitled to. If I were to leave, will I get the severance that’s in the personnel policy and in my hiring letter, which is separate and apart from the personnel policy.” Commissioner Rios asked, “Is that in the letter?” Attorney Goldberg responded, “The director at the time, Laszlo Papp, wrote a fairly convoluted paragraph that basically said three months plus I have a month or more of unused vacation time and some sick time. I am naturally concerned about my future and my finances. You’re talking about a substantial reduction in my income. Right now what this is all about for me is understanding what you’re putting on the table and understanding whether you agree or disagree. Chris, it sounded to me like you were saying I would be entitled to severance but it’s not for the 30 years, it’s only for the period since 2001 when I became a full time employee. Those are the things I need to understand before I decide what I’m going to do. I need to know if you are going to honor the 30 days’ notice period in the personnel policy so I have time to figure out what I am going to do.”

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Vice Chairman Sciarretta said, “I think the issue is getting layered. I don’t think it has anything to do with a reduction in your income; it has to do with the topic. To be clear, it is about the general counsel position and it’s about full time to part time. That’s number one. Number two – I know I’ve gone on record saying regardless of which one, I would like to see you stay in it. Number three, I think you have a very valid point. If we’re going to talk about changing a position, and if the personnel policy says 30 days or 90 days, it would be honored, absolutely.” Attorney Goldberg responded, “If we’re in agreement with the three months in the hiring letter ... I would like to know that I would be able to get that. I’d also like to know the issues between us in terms of the severance plan in the personnel policy - is it 30 years or 13 years?” Chairman Meek said, “I understand all of your concerns and issues, Rachel, but the real topic here is whether the position of general counsel should be full time or part time. That’s the topic. This discussion is not about ramifications. It’s about what we’re doing with the position. My proposal is to move the position from a 35-hour work week to a 20-hour work week with the salary adjusted pro-rata accordingly. In terms of other benefits, they would be in accordance with what is in the personnel policy and what is provided for other part-time staff of the URC.” Attorney Goldberg responded, “In conversations with Dr. Jackson, he seems to agree with me that the personnel policy would entitle me to the separation agreement. We never talked about whether it was from 2001 to 2013 or if it was from 1981.” Chairman Meek again noted the issue was moving the position from 35 hours to 20, noting that all the other issues would be addressed accordingly. This decision will not be made based on whether or not there is a separation agreement; this is simply moving the general counsel from full time to part time.” Attorney Goldberg asked the Commission to take the time to review the memorandum she distributed on this date before making a decision that might have fiscal ramifications.

Chairman Meek asked the Board if they were ready to vote or they would like to continue the discussion tonight or at next month’s meeting. Commissioner Molgano made a motion to change the general counsel position from a permanent full time 35-hour a week position to a permanent part time 20-hour a week position effective in thirty days in line with the URC’s personnel policy with salary adjusted pro rata. The motion was seconded by Vice Chairman Sciarretta. Discussion ensued. Vice Chairman Sciarretta said, “I believe that the motion from full time to part time is reasonable on an interim basis but I don’t know that the thirty days is reasonable. I think it should be a sixty day notice and I would like to amend the motion accordingly.” It was noted that the URC’s personnel policies state thirty days notice. Following further discussion, it was the sense of the Board that it would not be prudent to amend the existing personnel policies at this time. Vice Chairman Sciarretta withdrew his amendment to the motion. The question was called and the motion was passed by unanimous vote.

Chairman Meek turned the meeting over to Vice Chairman Sciarretta at 6:55pm.

2. Approval of Minutes: 10/10/13 annual, 10/10/13 regular, 10/30/13 special
Commissioner Rios made a motion to table approval of the minutes. The motion was seconded by Commissioner Molgano and carried by unanimous vote.
3. Correspondence/Communications
None at this time.

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4. Announcements/Media Update

(a) **Master Plan** – Attorney Goldberg reported that the team currently working on updating the City’s Master Plan has offered to come to a Commission meeting and make a presentation directly to the Board. This will be scheduled in the near future.

(b) **DOT/I-95 Congestion** - Executive Director Jackson reported that he and Attorney Goldberg had attended State Department of Transportation Committee meetings pertaining to the Stamford Transportation Center and congestion on I-95. Executive Director Jackson recently met with Joe McGee, Vice President of the Fairfield County Business Council. He noted that issues addressed went well beyond what is happening at the STC, including plans for Interstate 95 from Greenwich all the way up to New Haven.

5. Southeast Quadrant/Legal Counsel Informational Reports

(a) **Trinity, Including Loan Agreement** – Attorney Goldberg is currently reviewing documents received from Trinity Financial. She also noted she had received a copy of a letter from the Mayor addressed to Chairman Meek, saying that Patrick Lee, president of Trinity, has requested the return of the \$400,300 redeveloper security deposit. Attorney Goldberg is drafting a response reminding the administration that the Commission had discussed a loan agreement with the City in which they would front the money and Trinity would pay 6% interest over a three-year period. Attorney Goldberg said, “We cannot pay the \$400,300 without jeopardizing the Commission’s financial position and own future.” Executive Director Jackson noted that Mayor Elect David Martin will be announcing his new Corporation Counsel shortly and swearing in the new Board of Representatives on December 2nd. He and Attorney Goldberg will meet with the newly appointed Corporation Counsel to try to expedite this matter. Vice Chairman Sciarretta asked Attorney Goldberg to provide information outlining how and when this commitment will be satisfied, by whom and what the Commission’s options are.

(b) **Re-Use Parcel 38** - Attorney Goldberg reported that there is an executed contract to purchase the property between Tom Rich, president of the F.D.Rich Company in Stamford and David Barry, president of Ironside Development Company of New Jersey from the current property owner, Milstein Properties. Attorney Goldberg said, “The development there will be pursuant to the original Land Disposition Agreement (LDA) between the URC, the City, and Stamford New Urban Corp (SNUC). The new developer will need to be given formal redeveloper status. There will also need to be a number of amendments to the Southeast Quadrant Plan.” It was noted that the Plan tentatively calls for 800 apartment units, a 150-room hotel, 50,000-60,000 square feet of retail space as well as two acres of open green space. Attorney Goldberg explained that the developer wants to obtain all of the approvals much quicker than the time period in the contract. The developer wants to have all of the approvals in place by March 2014.

6. Agency Administration

(a) **Chairpersons/Report/Discussion** – None at this time.

(b) **Budget/Status of Reimbursables** – The Agency is working to collect approximately \$76,000 in reimbursables as expeditiously as possible.

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7. Old Business

(a) **Administrative Assistant's Hours** – Vice Chairman Sciarretta noted that the Administrative Assistant currently works 15-hours a week. Executive Director Jackson recommended her hours be increased to 20. Following discussion, Commissioner Rios made a motion to increase the Administrative Assistant's hours from 15 to 18 per week. The motion was seconded by Commissioner Molgano and passed by unanimous vote.

8. New Business

(a) **Glenbrook/Springdale TIF** – Attorney Goldberg said, "I used Glenbrook and Springdale as an example of a kind of TIF that I've been working on as part of a legislative effort that is called 'a scattered site' TIF district." Attorney Goldberg briefly reviewed other types of TIF Districts, including Pay-As-You-Go TIF, Credit Enhancement Agreements (CEA's) or TIF Developer Notes, the expanded use of TIF funds, and additional revenue sources such as hotel, income, sales, and/or utility taxes.

9. Adjournment

The next regular meeting will be held on Thursday, December 12, 2013 at 6:00pm.

It was suggested that the Personnel Policy Committee consisting of Commissioner Rios, Attorney Goldberg and Executive Director Jackson schedule a meeting in the near future.

There being no further business before the Board, Commissioner Jean-Pierre made a motion to adjourn. The motion was carried by unanimous vote and the meeting was adjourned at 7:45pm.

Respectfully submitted,

Michaëlle Jean-Pierre
Secretary/Treasurer

