

MINUTES OF THE SPECIAL MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
WEDNESDAY, OCTOBER 30, 2013

1. At 6:00 PM, Chairman Christopher D. Meek called the Special Meeting to order. The following were in attendance:

Commissioners:

Christopher D. Meek, Chairman
Peter Sciarretta, Vice Chairman
Michaëlle Jean-Pierre, Secretary/Treasurer
Taylor R. Molgano
Mayra M. Rios

Staff:

Dr. Tommie Jackson, Interim Executive Director
Rachel Goldberg, General Counsel

2. Agency Administration:

Vice Chairman Sciarretta moved to go into executive session for discussion by the Personnel Search Committee, a committee of the whole. The motion was seconded by Secretary/Treasurer Jean-Pierre and approved unanimously. At 6:02 PM the Commission went into executive session for the stated purpose and Attorney Goldberg left the meeting. Dr. Jackson participated in the discussions until 7:35 PM, at which time he left the meeting.

Vice Chairman Sciarretta moved to return to open session which motion was seconded by Commissioner Molgano and carried unanimously. The Commission returned to open session at 7:55 PM, at which time Dr. Jackson and Attorney Goldberg rejoined the meeting.

Vice Chairman Sciarretta moved to change Dr. Jackson's status from interim part time Executive Director to permanent part time Executive Director. The motion was seconded by Commissioner Jean-Pierre and was approved unanimously. Chairman Meek stated that an offer letter will be drafted for Dr. Jackson.

Following discussion concerning what business may be conducted in executive session in accordance with the requirements of the Freedom of Information Act, Commissioner Meek indicated that he wanted the Commission to discuss "Staffing." Attorney Goldberg advised that it could be discussed in open session. Chairman Meek noted that the item was asterisked and asked why it could not be an executive session discussion. Attorney Goldberg pointed out that under the Freedom of Information Act all discussions must be in open session unless an executive session topic is specifically identified in the statute. Attorney Goldberg advised the Commission that there are limited exceptions to the open meeting requirements of the FOIA law. She went on to advise that the Act permits executive session discussions of certain personnel matters provided that the employee has been notified and the employee has the right to require that the discussion occur in open/public session.

Chairman Meek stated the Commission wanted to discuss the position of General Counsel. Attorney Goldberg informed the Commission that she wanted to be present. Vice Chairman Sciarretta moved for a discussion of the General Counsel position. The motion was seconded by Commissioner Molgano, carried unanimously, and discussion ensued. Chairman Meek stated that the current fiscal condition, workload and need for personnel uniformity don't warrant full time counsel. Attorney Goldberg pointed out that if the motion passes, the Commission will have eliminated her full time General Counsel position and created a new part time General Counsel position. Goldberg stated that eliminating her position would be a significant staff and expense reduction entitling her to separation pay pursuant to the Commission's Personnel Policy.

Vice Chairman Sciarretta stated that the Commission wanted Attorney Goldberg to remain as General Counsel and that, based on the work load and budget, a part time position was necessary. Attorney Goldberg disagreed with the Chairman and Vice Chairman Sciarretta about both the workload and the budget citing various ongoing and potential projects including the effort to amend the state TIF statutes. Commissioner Rios stated that the Commission's position was not about the budget but was fiscally responsible. Vice Chairman Sciarretta stated that a part time Executive Director reduces the need to which Attorney Goldberg replied there is a current need for a full time Executive Director due to the previously cited workload demand increase. Chairman Meek said that the issue is the "here and now" and the theory is the workload is not sufficient. Vice Chairman Sciarretta said the Commission has the ability to go from part time counsel to full time counsel should the opportunity arise.

Attorney Goldberg said, "I have a question about the financial realities for me. I have built an expectation and have children in college and graduate school. I have certain expectations and entitlements to a severance package that I would have to weigh against other opportunities elsewhere, but I would rather not go. I have been insecure, trying to keep secure, since the administration began and tried to fire me and I am going to look at it from that perspective. I do not know what you have in mind for me part time. I also don't know what your discussion was with respect to the budget and not being in a financial position to maintain the position as full time. We have talked about a variety of different ways to save additional funds but, in our last round of budget stuff, I showed you five-year budget projections that do not require that budget cut." Discussion ensued and Attorney Goldberg pointed out, for the record, that she has a clear conflict of interest and cannot advise the Commission on this matter. She noted that the Commission has in the past sought advice from an employment law specialist.

Vice Chairman Sciarretta stated that the discussion was intended to be only about full time versus part time and now was becoming layered and more complicated. Commissioner Rios asked Attorney Goldberg if she had drafted the separation pay policy. Attorney Goldberg replied that the original policy, which Dr. Jackson noted was approved in 1992, was drafted by the Executive Director at the time, Mr. Marquis. She went on to say that she had drafted the amendment, which Dr. Jackson stated was in 2011, which allowed the separation pay to be paid out over two calendar years based on

advice from an accountant.

Chairman Meek stated that the goal was to move Attorney Goldberg from 40 hours per week to 20 hours per week. Attorney Goldberg pointed out that the full time work week is 35 hours not 40 hours. Chairman Meek stated that income would be adjusted pro rata.

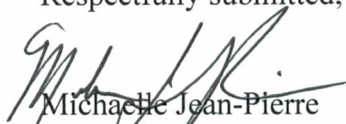
Chairman Meek asked the other Commissioners if they wanted to table discussion on this motion or move forward with a vote. Commissioner Rios agreed with the suggestion by Attorney Goldberg that the Commission should consult an employment attorney because of her conflict. Commissioner Jean-Pierre also agreed that outside counsel should be consulted. Attorney Goldberg offered to provide the Commission with the name of the employment attorney it has consulted in the past. Commissioner Molgano stated that he thought they should seek advice from the City's Corporate Counsel rather than spend money on outside counsel. Chairman Meek indicated that he would contact Corporation Counsel. Chairman Meek asked if the Commission could conduct an email vote on this matter. He was told that there are limitations in the Freedom of Information Act.

By general consent of the Commissioners the motion was tabled.

3. Adjournment

Having completed the business for which this Special Meeting was called, Commissioner Rios made a motion to adjourn. The motion was seconded by Commissioner Molgano and carried by unanimous vote. The meeting was adjourned at 8:52 PM.

Respectfully submitted,


Michaele Jean-Pierre
Secretary-Treasurer