

MINUTES OF THE REGULAR MEETING
CITY OF STAMFORD, CONNECTICUT
URBAN REDEVELOPMENT COMMISSION
THURSDAY, MAY 8, 2008

1. At 6:00pm, Chairman Stephen C. Osman called the meeting to order. The following were in attendance:

Commissioners:

Stephen C. Osman, Chairman
James I. Nixon, Vice Chairman
Joel P. Mellis, Secretary/Treasurer
Robert S. Robins
Jackie Heftman

Staff:

Rachel Goldberg,
Interim Director & General Counsel
Sheila R. Kilcoyne, Fiscal Officer
Durelle Alexander

Other:

Milton Puryear, Mill River Project Director

2. Approval of Minutes

(a) **April 10, 2008 Regular Meeting** - Commissioner Nixon made a motion to approve the minutes as amended. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

3. Correspondence

None at this time.

4. Announcements

(a) **Disclosure** – Chairman Osman noted that there are new Board members who may not be aware that he had previously disclosed his relationship with Architect Herbert Newman. In this regard, he said for the record that since Herbert Newman, architect for two projects the Commission is currently working on (Park Square West & Archstone), is a personal friend of his, he will recuse himself from discussion and action as appropriate.

Commissioner Mellis made a motion to address the remaining agenda items out of order. The motion was seconded by Commissioner Nixon and carried by unanimous vote.

6. Mill River Corridor

(b) **Grant Agreement/Mill River Collaborative** - Chairman Osman reported that he has recharacterized the URC's intention to approve the proposed Grant Agreement with the Mill River Collaborative on a year-to-year basis rather than for a three-year period. It was noted that the proposed Grant Agreement provides that upon execution of the Agreement, the Commission shall disburse grant funds in the amount of thirty thousand dollars (\$30,000) for fiscal year 2007/2008. In its sole discretion, the Commission may renew this grant for fiscal years 2008/2009 and 2009/2010.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE TWO:

Mill River Project Director Milton Puryear distributed copies of the Master Plan prepared by Olin Partnership. Interim Director Goldberg noted that she and Mr. Puryear have talked about scheduling a formal Mill River presentation at the next Commission meeting. In the interim, Mr. Puryear gave the Commission an overview of current activities, as follows:

- The playground, the first new built facility in the Park, is getting over 5,000 individual new plants.
- Volunteers from UBS completed a spruce-up of the playground, including painting and freshening up, and also helped with new plantings.
- The playground will celebrate its second birthday with a party on Saturday, June 14th, from 10:00am to 12:00 noon. There will be entertainment, balloon artists, face painters and birthday cake.
- Summer programs resume on June 21st and run through August 10th, with interactive performances and workshops.
- Army Corps Work – restoration of the river, an \$8.5 million dollar project. Permits will be obtained within the month and the Corps is expected to bid the job in August, have a contractor by November, and be ready to break ground in the first quarter of next year.
- Creation of a new flood plain by the Army Corps, expanding it to over 200-feet wide.
- The Olin Partnership will be finishing the plans for the parts of the Park outside the Corps area at street-level; i.e., walls, paths, lighting, irrigation and a site for the fountain.

Commissioner Heftman asked, “Are your funds all privately raised?” Mr. Puryear responded, “No. The approach is to figure on 1/3 municipal funding, 1/3 state & federal funding, and 1/3 private funding.” Commissioner Robins asked, “Will there be naming rights?” Mr. Puryear responded, “Yes – for the fountain, the carousel, and the skating rink.” Commissioner Robins asked, “Who will be responsible for maintenance?” Mr. Puryear responded, “The Mill River Collaborative will be responsible. We will, however, use some of the parks’ maintenance services that exist in the City but it will be our responsibility to get it done.” Mr. Puryear said, “Our priorities at the moment are getting the Army Corps work done, getting the improvements that are going to supplement the Corps’ work done, and getting our capital campaign launched.”

Commissioner Heftman asked about the removal of the cherry trees. Mr. Puryear explained, “To revitalize the river and reestablish its natural flow, we must remove the concrete walls of the side of the artificially-created pond and remove the dam. Also, to improve the flood plain to correct the flooding that occurs in the downtown area, we need to create a more gradual slope on both banks of the river. Both of these actions will cause us to undermine the root base of the existing trees, which are planted close to the walls and on the site of the future slope.” He continued, “Most of the trees are more than fifty years old, the expected life-span of this tree species. Tree specialists were hired to evaluate the cherry trees and sonograms were used to determine whether there were hollow spots. The majority of the trees had significant decay and prospects of transplanting them successfully would have been doubtful.”

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE THREE:

Mr. Puryear said, “Six of the younger and healthier cherry trees will not be removed. In addition, we have received thirty small trees grown from cuttings taken from the original Nojima trees. The Collaborative has committed itself to the ‘cherry tree experience’ and the Park’s designers, Olin Partnership, have plans for many more cherry trees along with different varieties of trees that will bloom all year.” It was noted that Mill River Collaborative Chairman Arthur Selkowitz has written a response to issues being raised by the public that will appear in *The Stamford Advocate*.

Commissioner Heftman suggested that a “mock-up” of the project be placed at the library and/or other public places to show people how the project is going to look in the future and enable them to visualize the “larger picture”. Mr. Puryear agreed with Commissioner Heftman’s suggestion and noted that large displays were in the Government Center lobby for a period of time during 2006. Commissioner Nixon asked about the current status of the basketball courts. Mr. Puryear responded, “We have made a commitment to replace the basketball court. It is shown in the Master Plan at the corner of Greenwich Avenue and Richmond Hill Avenue.”

For the benefit of the newer Board members, Interim Director Goldberg gave a brief overview of the Commission’s involvement with the Mill River project, including the drafting and subsequent approval of the Mill River Corridor Project Plan in November of 2001. She noted that the project calls for acquisition of property for only two things – park land and affordable housing. Chairman Osman then reviewed the establishment of the Mill River Collaborative, culminating in the formation of a 501(C)3 in 2006, the selection of Arthur Selkowitz as its Chairman, and the agreement to retain Milton Puryear as the Mill River Project Director. The Chairman noted that the Collaborative is comprised of a wide variety of stakeholders; i.e., UBS, Purdue Pharma, Corelli’s, RBS, members of the City’s Parks & Land Use Bureaus, the DSSD, The Stamford Partnership, the West Side Coalition, Stamford Housing Authority, Friends of Mill River, the URC, and others.

Prior to voting on the proposed Grant Agreement presented on this date, Interim Director Goldberg reported that the Collaborative’s attorney is still reviewing the document. A question was raised re: the requirement that the thirty thousand dollars in grant funds be held in a separate restricted account with no other funds being co-mingled into that account. She explained, “These funds are restricted and may only be used for certain activities. This is why there are limitations on what aspects of the Project Director’s work it can be used to pay for. For example, the funds may be used for planning park improvements, but not for operational items.” Commissioner Mellis asked, “On the signature, we have Commissioner Osman signing as Chairman. He has an existing seat on the Collaborative. Would it be more appropriate to have the Vice Chairman sign the document?” Following discussion, the Chairman agreed and recused himself authorizing Vice Chairman Nixon to execute the agreement, if approved.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE FOUR:

Following further discussion, Commissioner Nixon made a motion to approve the Grant Agreement and authorize the thirty thousand dollar (\$30,000) payment for Fiscal Year 2007/2008 with the following provision: if there are changes to the proposed Grant Agreement that are minor in nature that do not affect the general purposes and details in the Agreement as presented on this date, the Vice Chairman shall be authorized to review the document, report back to the Board, and poll the Board members, if necessary, prior to signing. The motion was seconded by Commissioner Robins and carried (4-0-1). Chairman Osman recused himself from the vote.

Chairman Osman noted that the Commission had paid the City's Department of Operations to clean up and seed the Archstone site including Re-Use Parcel 21 and that it isn't growing well. Interim Director Goldberg responded that she had spoken to Director of Operations Ben Barnes, who said that the area will be reseeded. Mr. Puryear noted that the "organic lawn care regime" being utilized in a small park on Main Street has been very successful.

Interim Director Goldberg reported she had spoken with Tim Curtin about the status of the Joel Perlman sculpture and asked about its potential placement in the Park. Mr. Puryear responded, "The Collaborative has established an Art Committee, chaired by Robin Graham. However, the Collaborative's general position is that placement of this sculpture is premature. Every space that we have is going to be ripped up over the next three years." Interim Director Goldberg said, "Our conversation was not so much about when we would install the sculpture but rather would this be a location the Art Committee felt was appropriate. We are currently reviewing plans for Parcel 21 and because this particular location is very visible as you drive south on Washington Boulevard, by locating this sculpture in the suggested location, it would be seen against the background of the Archstone project." Mr. Puryear added that the Collaborative is also considering using the sculpture as part of the "Sculpture Garden" located along Main Street on the south side of the great lawn.

5. Southeast Quadrant

(a) **Park Square West Phase II** - Interim Director Goldberg reported that the Committee (Commissioners Osman & Nixon) had met with Corcoran Jennison President Marty Jones, Project Director Jeremy Wilkening and their attorney, Michael Cacace on April 30th. She said, "They have retained Thornton Tomasetti to analyze the feasibility of building their parking above the Summer Street garage instead of adjacent to it. They are also examining ways to reduce the shortfall in the affordable housing component."

(b) **Re-Use Parcel 36** – Interim Director Goldberg reported that she had prepared and issued a "Term Sheet" as discussed. To date, she has been unable to confirm a date for the next meeting with Tom Rich and his attorney, Donald Gustafson.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE FIVE:

It was noted that Interim Director Goldberg had suggested the developer talk to POKO Partners to see whether or not a robotic garage would work in their proposed building. POKO plans to include a fully-automated parking facility for 212 cars in their Wall Street Place project in Norwalk, CT.

6. Mill River Corridor

(a) **Archstone/Re-Use Parcel 21** – Interim Director Goldberg reported that the Committee (Commissioners Osman & Mellis) met on May 7th and received a set of plans from the architects, which she distributed to the Board and briefly reviewed. She said, “Archstone has been given permission to do residential on the first floor by getting an exemption from the existing Building Code. The facades on the west and south which face the Mill River Park now have residential on the first floor (approximately 4½ feet above grade to be out of the flood plain). There are small terraces behind a number of the first floor units. On Washington Boulevard and West Park Place, there will be retail on the corner and along Washington Boulevard (going north) for about half of the building. The other half will be an exercise facility for residents. The main entrance is on Whittaker Place.” Commissioner Heftman said, “This corner is such a crucial, prominent corner that I think this building has to be something very special.” Commissioner Mellis responded, “That’s interesting, because the philosophy of the architect is that this should be looked at in terms of a whole rather than individualistic ... the view expressed was that you have to look at this in terms of City development and that it not be so outstanding that the building doesn’t fit into the general plan.” Commissioner Heftman replied, “The problem with that is that this site is not part of a whole. It’s a site unto itself. And I also think you have to be cognizant of the fact that years could go by before you have any retail in this spot.” Discussion ensued.

Interim Director Goldberg said, “One thing Archstone did in response to what we requested was to shrink the footprint along West Park Place (south), the Park (western) façade, and on Whittaker Place (north). We are now scheduling a meeting in June with this Committee and the expanded Committee, which includes the Mill River Collaborative, the DSSD, Robin Stein in Planning, Norman Cole in Zoning, Michael Freimuth in Economic Development, among others.” It was agreed that Commissioners Heftman and Robins will meet with the architects and their design team prior to this meeting.

7. Agency Administration

(a) **Budget** – The Agency’s proposed Operating Budget for Fiscal Year 2008/09, having been reviewed by the Budget Committee (Commissioners Mellis & Heftman), was presented by Interim Director Goldberg. Following a brief discussion, Commissioner Nixon made a motion to approve the budget for fiscal year 2008/09 as presented on this date. The motion was seconded by Commissioner Robins and carried by unanimous vote.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE SIX:

(b) **RFP for Financial Services** – Interim Director Goldberg noted that the Board needed to name a Selection Committee. It was the sense of the Board that Budget Committee members Heftman & Mellis should serve on the Committee, along with City Controller Lisa Reynolds, URC Fiscal Officer Sheila Kilcoyne and the Interim Director. Following discussion and a change in the language clarifying the work, Commissioner Nixon made a motion to approve the Request for Proposals for Financial & Accounting Services, as amended. The motion was seconded by Commissioner Robins and carried by unanimous vote.

8. Old Business

(a) **Document Archiving** – Following up on a suggestion that the Commission consider finding a high school intern to scan the URC files/documents, Interim Director Goldberg met with Stamford's Technology Department. She said, "This is a more complicated process than initially envisioned. I spoke with Dr. Michael Ego at the University of Connecticut to see if some college level students under the management of faculty could create an architecture within which high school students might be able to scan the documents for placement in an organized, fairly simple archival retrieval system." Interim Director Goldberg asked for a single member committee to participate in this on-going project. Commissioner Heftman volunteered.

(b) **URC Policies & Procedures** – Commissioner Robins opened a discussion of possible revisions/additions to current Agency policies and procedures. He said, "I think there are two issues: (i) should we make changes, and (ii) if so, then how should we approach this?" Interim Director Goldberg noted that in a prior meeting with Commissioner Robins and the Chairman, she had explained that, in many instances, our existing policies and procedures are much more restrictive than those noted in Commissioner Robin's suggestions. She added, "In some cases, items are covered by the existing City Code of Ethics" and distributed copies to the Board. Interim Director Goldberg continued, "At the meeting with the Chair and Commissioner Robins, I agreed to draft revisions to existing personnel policies which are old and outdated, and also suggest revisions to the by-laws to cover things that are already in place by virtue of motions the Commission has passed over the years." She noted that the revisions are incomplete and distributed working drafts for discussion. The Board then began a discussion of specific procedures.

(I.) *Authorization of funds:* It was noted that only one person authorizes expenditures, the Executive Director of the Urban Redevelopment Commission. Interim Director Goldberg has proposed an addition to Article II, Section 9 (iii) of the by-laws which states that one of the Executive Director's responsibilities shall be "managing the property and assets of the Commission in conformity with the purposes and limitations established by Statute and/or Charter." It was also noted that the Budget Committee, in reviewing the budget, oversees all Agency expenditures.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE SEVEN:

(II.) *Selection of Consultants:* It was noted that the full Board must vote to approve any contract. This is already specified in the URC's by-laws.

(III.) *Advertising for Consultants:* It was noted that the Commission generally follows the City of Stamford's established purchasing policies. Interim Director Goldberg explained the Request for Qualification (RFQ) and Request for Proposal (RFP) process. Discussion ensued. It was the sense of the Board that in order to expand its list of potential consultants/service providers, notices of RFQ's and RFP's will be listed on the URC's new web site.

(IV.) *Compensation for Outside Activities:* Interim Director Goldberg noted that although she disagrees, she has drafted proposed revisions. Commissioner Robins discussed this issue, explaining that it might have to do with his experience with universities and therefore not be appropriate here. He said, "I am proposing that members of the staff confer with a Commissioner at least twice yearly on extramural consultation or other compensated activity involving the types of responsibilities that the URC has....Specifically, no consultations or any remunerated services may be undertaken that do not permit sharing this information. For example, there could not be 'confidentiality agreements.' Also, the specifics of the consultation would be at the discretion of the Commission; by specifics, I mean how much, the level of compensation, although it may not be necessary to know how much." Interim Director Goldberg suggested that the Commissioners look at the applicable parts of the City's existing Code of Ethics. Issues of confidentiality and potential conflicts of interest were discussed. Chairman Osman said, "If you feel strongly about this, an approach that we could take is to bring in someone like Tom Cassone, Corporation Counsel for the City, to have a discussion with us or you could go and talk to him. We could also engage someone like the attorney I use when I have a problem and I think there may be a conflict of interest, former Corporation Counsel Andrew McDonald. Interim Director Goldberg suggested that the Commission consider asking Attorney Howard Kaplan, who was formerly a member of the City of Stamford's Ethics Commission, to have a conversation with the Board pertaining to issues of confidentiality and potential conflicts of interest raised by Commissioner Robins.

(V.) *Staff Evaluations:* Interim Director Goldberg recommended that evaluations of Counsel and Executive Director be done by the Commission, and staff evaluations by the Executive Director, but that any evaluations must be based on pre-established criteria. She stated that specific review criteria will be incorporated in revisions to the Agency's Personnel Policies.

The Chairman called for a brief recess at 9:25PM. The meeting was resumed at 9:30PM. Sheila Kilcoyne & Durelle Alexander left the meeting at this time.

Commissioner Nixon made a motion to go into Executive Session at 9:30PM to discuss personnel matters. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

MINUTES OF THE REGULAR MEETING MAY 8, 2008 – PAGE EIGHT:

Interim Director Goldberg participated in the discussion. No motions were made and no votes were taken. At 10:00PM, Commissioner Nixon made a motion to return to Open Session. The motion was seconded by Commissioner Mellis and carried by unanimous vote.

Commissioner Mellis moved to grant Gerrie Post's request for an additional three (3) months leave of absence without pay under the same terms and conditions previously set out in correspondence dated March 28, 2008. The motion was seconded by Commissioner Nixon and carried by unanimous vote.

Commissioner Heftman made a motion to approve a 3% cost of living raise for staff members Rachel Goldberg, Sheila Kilcoyne and Durelle Alexander for fiscal year 2007/08, and a 3% cost of living raise for fiscal year 2008/09 to commence July 1, 2008, and to adjust the Operating Budget accordingly. The motion was seconded by Commissioner Robins and carried by unanimous vote.

9. New Business

None at this time.

10. Adjournment

The next regular meeting will be held on Thursday, June 12, 2008 at 6:00PM. There being no further business before the Board, Commissioner Nixon made a motion to adjourn. The motion was carried and the meeting was adjourned at 10:05PM.

Respectfully submitted,


Joel P. Mellis
Secretary/Treasurer

CITY OF STAMFORD, CONNECTICUT, URBAN REDEVELOPMENT COMMISSION

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MEETING NOTICE

The next regular meeting of the City of Stamford, Connecticut, Urban Redevelopment Commission, will be held in the Commission Offices on the 9th Floor of the Stamford Government Center, 888 Washington Boulevard, Stamford, Connecticut, on Thursday, May 8, 2008 at 6:00PM.

AGENDA:

1. Roll Call
2. Approval of Minutes
 - (a) April 10, 2008 Regular Meeting
3. Correspondence
4. Announcements
5. * Southeast Quadrant
 - (a) Park Square West Phase II
 - (b) Re-Use Parcel 36 (corner Greyrock & Main)
6. *Mill River Corridor
 - (a) Archstone/Re-Use Parcel 21
 - (b) Grant Agreement/Mill River Collaborative
7. *Agency Administration
 - (a) Personnel – Executive Director G. Post - Status
 - (b) Budget
 - (c) RFP for Financial Services
8. Old Business
9. New Business
10. Adjournment
 - (a) Discussion – Next Meeting Agenda
 - (b) Confirmation – Next Meeting Date (*June 12, 2008 at 6pm*)

****All or portions of this subject may require discussion in Executive Session.****

APPROVED URC BUDGET FOR FISCAL YEAR 2008/2009. (May 8, 2008)

	<u>AMENDED 07/08 BUDGET</u>	<u>EXPENDITURES THRU 3/31/08</u>	<u>BALANCE TO BUDGET</u>	<u>PROJECTED YEAR END BALANCE</u>	<u>APPROVED 08/09 BUDGET</u>
<u>PAYROLL SALARY/EARNED TIME</u>					
DIRECTOR	120,000	90,000	30,000	18,400	60,000
FISCAL OFFICER (p/t)	23,543	16,952	6,591	0	24,247
ADMINISTRATIVE ASSISTANT	46,668	33,982	12,686	0	48,068
GENERAL COUNSEL	132,408	96,414	35,994	0	136,380
GENERAL COUNSEL SUPPLEMENTAL	9,150	0	9,150	0	19,500
	0				
FUNDED ACCRUALS *	21,000	0	21,000	21,000	21,000
PAYROLL CONTINGENCY	<u>9,951</u>	<u>0</u>	<u>9,951</u>	<u>9,283</u> **	<u>13,025</u>
Subtotal	\$362,720	\$237,348	\$125,372	\$48,683	\$322,220
<u>NON-PAYROLL Expense/Benefits</u>					
SOCIAL SECURITY	20,000	15,787	4,213	1,678	18,476
HEALTH INSURANCE	47,500	23,999	23,501	3,341	45,262
PENSION	25,000	18,337	6,663	2,653	20,500
WORKERS' COMPENSATION	3,000	2,974	26	26	3,000
UNEMPLOYMENT COMPENSATION	<u>3,000</u>	<u>2,396</u>	<u>604</u>	<u>260</u>	<u>3,000</u>
Subtotal	\$98,500	\$63,493	\$35,007	\$7,958	\$90,238
FUNDED ACCRUALS	3,000	0	3,000	3,000	3,000
BENEFITS CONTINGENCY	<u>10,000</u>	<u>0</u>	<u>10,000</u>	<u>9,816</u> ***	<u>9,800</u>
Subtotal	\$13,000	\$0	\$13,000	\$12,816	\$12,800

* Payroll funded accruals represent potential costs for vacation or sick leave if one or more employee leaves. Non-payroll funded accruals would cover potential cost for social security, pension or health insurance.

** Supplemental expenditures for Fiscal Officer

*** Supplemental expenditures for General Counsel/Interim Director and Fiscal Officer

	<u>AMENDED 07/08 BUDGET</u>	<u>EXPENDITURES THRU 3/31/08</u>	<u>BALANCE TO BUDGET</u>	<u>PROJECTED YEAR END BALANCE</u>	<u>APPROVED 08/09 BUDGET</u>
<u>PROJECT EXPENSES</u>					
CONSULTANTS**					
HNPP	65,000	945	64,055	34,055	0
MILL RIVER COLLABORATIVE ARCHITECTURAL CITY OF STAMFORD					5,000 30,000 5,000 1,000
STRATEGIC PLANNING	10,000	0	10,000	10,000	10,000
LEGAL SERVICES	55,000	0	55,000	55,000	55,000
PROPERTY INSURANCE	<u>3,000</u>	<u>1,293</u>	<u>1,707</u>	<u>300</u>	<u>3,000</u>
Sub-Total	\$133,000	\$2,238	\$130,762	\$99,355	\$109,000
TOTAL	\$698,920	\$342,323	\$356,597	\$202,521	\$625,208
<u>INCOME (Projections)</u>					
RENTAL	\$11,400 per month				68,400
TRANSITWAY (overhead contribution)					20,000
INTEREST					30,000
OTHER					
UBS					500,000
PHASE II					<u>2,345,000</u>
TOTAL					2,963,400

**Inclusive of Design, Engineering and Mill River consultants Consultant fees to be reimbursed by PSW2; Archstone; UBS; RBS; Parcel 36 Projects (as appropriate)