



**BOARD OF ALDERMEN
SHELTON, CONNECTICUT
Public Hearing on Ordinances
May 22, 2007**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Aldermanic President John Anglace opened the Public Hearing at 7:10 p.m.

ROLL CALL

Aldermanic President John F. Anglace, Jr. - present
Alderman John "Jack" Finn - present
Alderman Stanley Kudej - present
Alderman Kenneth Olin - present
Alderman Christopher Panek - present
Alderman John P. Papa - absent
Alderman Jason Perillo - absent
Alderman Randy York - present

**Legal Notice
City of Shelton**

**NOTICE IS GIVEN THAT THE BOARD OF ALDERMEN WILL CONDUCT A
PUBLIC HEARING ON THE FOLLOWING:**

- **AMENDMENT TO ORDINANCE #765 – MILEAGE ALLOWANCE
FOR USE OF PRIVATELY OWNED VEHICLES BY OFFICIALS ON
OFFICIAL BUSINESS**

**SAID PUBLIC HEARING SHALL BE CONDUCTED ON TUESDAY,
MAY 22, 2007 IMMEDIATELY FOLLOWING THE PUBLIC
HEARING ON THE SALARY OF THE MAYOR SET FOR 7 PM IN
THE AUDITORIUM AT SHELTON CITY HALL, 54 HILL STREET,
SHELTON.**

**ALL PERSONS WHO HAVE AN INTEREST THEREIN MAY APPEAR
AND BE HEARD.**

MAY 14, 2007

1. Amendment to Ordinance #765 – Mileage Allowance for Use of Privately-Owned Vehicles by Officials on Official Business

Move to amend the attached codified ordinance as noted:

BE IT ORDAINED BY THE BOARD OF ALDERMEN THAT:

Sec. 2-6. Mileage allowance for use of privately owned vehicles by officials on official business.

- (a) The following elected and appointed city officials, departments and commissions prescribed in this section are hereby authorized to receive mileage allowance at ***the “standard mileage rate” as said term is defined by the Internal Revenue Service, as same may be amended from time to time***, for the use of personally-owned automobiles in the performance of their official duties:

Building official
Assistant building official
Director of public works
Economic development commission
Engineering department
Director of finance
Fire chief
Fire marshal
Deputy fire marshal
Members of the board of aldermen
Planning and zoning commission
Housing code enforcement officer
Mayor
Registrars of voters
Recreation director
Senior citizens commission
Tax assessor
Tax collector
Administrative assistant to the mayor
Superintendent of highways and bridges
Plumb Memorial library
Sewer commission administrator
Zoning enforcement officer

Water pollution control department

(b) As a prerequisite to receiving such allowance, they shall be required to maintain a record of official mileage, which record shall indicate all trip dates, destinations, description of business purposes and miles driven in each instance.

(c) Such mileage record must be attached to the expense voucher requesting reimbursement.

(d) Expense vouchers must be signed personally by the individual requesting mileage allowance reimbursement.

(e) In the case of individual employees of city departments and elected or appointed members of city commissions not specifically referred to by job title in this section, the expense voucher must be countersigned by the appropriate department or commission head. The city's gasoline supply may not be used by owners of private vehicles, *unless in the case of the Mayor of the City of Shelton when he may use the municipal gasoline supply for his personal vehicle in lieu of the privilege of driving a municipal vehicle assigned for his full time use.*

(Ord. No. 314, 5-8-78; Ord. No. 415, 9-10-81; Ord. No. 572, 1-11-90; Ord. No. 686, 5-11-95; Ord. No. 717, 3-12-98)

(FYI: Paragraph 2-6a has been amended to comply with Ordinance #765, adopted by the Board of Aldermen on May 9, 2002 and not included in the codified edition of the Ordinances of the City of Shelton.)

Alderman Anglace explained, this came to the Finance Committee as a derivative of the discussion on Ordinance 790. If you look on the last page under (e), "unless in the case of the Mayor of the City of Shelton," this language was put in to allow the Mayor to fill up at the Gasboy without being in violation of the Ordinance. I think Alderman Panek raised this issue, right?

Alderman Panek stated, yes,

Alderman Anglace stated, in order for him to be able to go to that pump, it would be in violation of this, so this had to be changed and that is what this is.

Alderman Panek asked, in regard to members of boards and commissions, does any member of a board or commission ever turn in mileage?

Alderman Anglace replied, no, never. We are all eligible and if you do have any expenses that are attributable to it, I don't even know what the

procedure is. I would think that you go to the Administrative Assistant, ask for a voucher. Jack, you've been here longer than me – do you know of anybody?

Alderman Finn stated, first of all you'd be required to get a voucher from the Purchasing Department, put down the mileage at the start, the mileage for returning, and then turn it in to the Finance Office. In this case when it comes down to commissioners, I have no idea who it would go to. The Finance Office has final say as far as payment, and they also would pay for parking if you include your parking stubs.

Alderman Anglace stated, if what is being done, like, the Registrar of Voters goes to Hartford for a training session and uses their own car. They can put that in for the mileage expense. We use the Federal Gasoline Tax rate – they change that quite often – whatever it is, it is.

Alderman Finn stated, all these people listed here, not everybody has a gasoline account or mileage account. Where would you take the revenue from, for example, the Board of Aldermen? It has down here the Mayor's office has a travel account. But there are quite a few in here that don't have them.

Alderman York stated, I talked to Corporation Counsel Welch about that and you'd have to put the line item in your budget in order to be reimbursed. If you don't put a line item in your budget, then the Finance Department probably isn't going to reimburse you, but it has never been an issue, because nobody has ever submitted for reimbursement. That would be the first step.

Alderman Anglace stated, if we have reason that we think we're going to travel, we have the authority as the Board of Aldermen to transfer money from Contingency, say \$200 into Mileage. If somebody had a legitimate claim, we'd do that.

Alderman Panek stated, on letter (b) there it talks about tracking mileage, and the Mayor is included in this Ordinance, but the Mayor is also covered under his own Ordinance, so do we want the Mayor on this Ordinance? Because if you follow this Ordinance he has to track his mileage. Do you see, in letter (b) they are required to maintain a record of official mileage. It doesn't say that the Mayor doesn't have to do that, because the Mayor is covered under the other Ordinance which says he can use the vehicle at his leisure during business or,

Alderman York stated, look at (e) in bold letters and see if that covers it.

Alderman Panek stated, that talks about use of the gasoline supply but it doesn't say that he's exempt from doing the mileage. I don't know if you want to look into having that on there or not. As this is written it looks like it requires the Mayor to do a mileage log, but the other Ordinance doesn't require him to do one.

Alderman Anglace stated, paragraph (e) just allows him to fill up. He doesn't have to – I don't care how many miles he's got on his cars.

Alderman Panek stated, what I'm saying is, the Mayor is in this Ordinance.

Alderman Anglace stated, the other people who use City vehicles – that is for the City vehicles.

Alderman Finn stated, in the Mayor's office, I think this came in front of the Board of Apportionment and Taxation, it was Mrs. Gannon, she was using her own personal vehicle and she was traveling and she was trying to get reimbursed for mileage and the Mileage Account was deleted and they had to put additional funds in there to cover it so she could get reimbursed for traveling. But she's not included in the Ordinance. That's the point I'm getting at. Maybe she should be included. Her position is Consultant Caseworker.

Alderman Panek stated, in letter (e) it says, "in the case of employees of City departments not specifically referred to by job title," so I think that covers all City employees.

Alderman Anglace stated, I don't like listing one by one by one like this, because if you don't put somebody, like he just pointed out, then they're excluded.

Alderman Panek stated, I think letter (e) covers that because it says – that broad brushes every City employee.

Irving Steiner, 23 Partridge Lane

In all of the discussion, I have not heard a limit on the gas amount per vehicle. I would assume that you could set a reasonable limit beyond which would be usury or over the possible usage of the vehicle. In other words, most people will burn 20 to 40 gallons a week, or you could establish a reasonable maximum for a vehicle that would not in any way limit the Mayor's activity or any other official's activity, but would appear that anything beyond that point would have to have extreme scrutiny, something on that order. I'm saying, it's a situation where you could have a car using 200 gallons a week. There is nobody going to go look at the records, unless as Judson said, there is a regular audit, even if it is FOI. What I think would be a nice feature would be to put a reasonable maximum limit on the gallons per vehicle in the City of Shelton, every vehicle.

Alderman Anglace stated, another approach might be for the Board of Aldermen to include in here that a report be given to the Board of Aldermen every three months so that we can track it out for a year or so and see what it looks like. That way if something needs to be done, we'll do it.

Alderman York asked, isn't it already established in their budgets when we go over their budgets every year, they have a line item?

Alderman Anglace stated, he'll be taking it right out of the Gasoline Account.

Alderman Panek stated, the mileage reimbursement, say it's .42 a mile and somebody turns in and says, I drove 100 miles today to go to Hartford and back and they turn in a voucher. What is that covering? We're not fueling their vehicle, that .42 per mile is going toward the fuel and the vehicle use for them to fill it up themselves.

Alderman Anglace stated, we put the money in their budget, they ask for it, we put in what they need. And most of those accounts in the budget, I don't think there's any account in the budget for gasoline reimbursement that exceeds \$200. And the \$200 is for multiple people within the department. They're using it around here, but I know that the Mayor, for instance, when the Mayor went to Washington, D.C. If he goes there again, takes his own car and drives down, he fills up when he leaves here. Somewhere along the line he's going to have to fill up and pay for it, get a receipt and bring it to us. Then he's going to have to get reimbursed out of his administrative account for that. There are exceptions. You can't cover

everything. The concern of this Ordinance was, this allows him to go there. Without changing this he can't go there. He cannot fill up at the gas tank.

ADJOURNMENT

Alderman Kudej MOVED to close the Public Hearing on Ordinance 765 - Mileage; SECONDED by Alderman Panek. A voice vote was taken and the MOTION PASSED 6-0.

The hearing ended at approximately 7:21, and was immediately followed by the Public Hearing on Ordinances – Identification of Landlord.

Respectfully submitted,

Patricia M. Bruder
Clerk, Board of Aldermen

Date Submitted: _____

DATE APPROVED: _____

BY: _____

Mark A. Lauretti
Mayor, City of Shelton