

The Regular Meeting of the 25th Board of Representatives of the City of Stamford will be held Monday, July 2, 2001 at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

Minutes

The meeting was called to order at 8:45 p.m.

INVOCATION: Given by Rep. Loglisci

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Carmen L. Domonkos

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were thirty-one members present at the beginning of the meeting and nine absent/excused – Reps. Day, Gaztambide, Hunter, Martin, Mellis, Mitchell, Poltrack and Skigen. Rep. Biancardi arrived after the start of the meeting.

MACHINE TEST VOTE: The machine was in good working order.

PAGES:

MOMENTS OF SILENCE: For the late: Ruth Powers, by the 25th Board of Representatives; Walter J. Greeney, John P. Kotos, Jr., Frank S. Fuscaldo, Jr., and Robert Salzman by Rep. Giordano; Christine Sansevirino, by Reps. Zelinsky, Giordano and Loglisci; George C. Turner, by Rep. Zelinsky; Shirley M. Rondano and William J. Ippolito, Jr. by Reps. Giordano and Loglisci; Lucy Toscano, by Reps. Loglisci and Boccuzzi; Anthony Festo, Peter Perniciaro, Frank J. Sileo, Louis J. Sementini and Vincent J. Cappiello by Rep. Loglisci; John P. McLaughlin by the Republican Caucus; and James Murphy and Val Suchenski by Reps. Lyons and White.

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Wednesday, June 13, 2001
7:00 p.m. - Democratic Caucus Room

Upon motion duly made and seconded and approved by unanimous voice vote, the Steering Committee Report was waived.

Suspension of the Rules:

Upon motion by Rep. Zelinsky and duly seconded, the rules were suspended to take up the following item.

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| 1. | SENSE-OF-THE-BOARD RESOLUTION
congratulating the Stamford High School Baseball
Team for Winning the State Championship.
06/11/01 - Submitted by Rep. Zelinsky | APPROVED BY
UNANIMOUS
VOICE VOTE |
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Rep. Zelinsky presented the resolution to the coach and members of the baseball team.

STATE OF THE CITY ADDRESS: Given by Mayor Dannel P. Malloy

Attached hereto and made a part hereof is a transcript of the Mayor's State of the City Address.

APPOINTMENTS COMMITTEE Paul A. Esposito, Chair
Annie M. Summerville, Vice Chair
Meeting: Tuesday, June 26, 2001
7:00 p.m. - Democratic Caucus Room

Chair Esposito reported that the Appointments Committee met on Tuesday, June 26, 2001. Present were Committee Member Reps. Esposito, Summerville, Boccuzzi, Nanos, Fortunato, Morrow, Loglisci and Mellis.

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|------------|--|---|
| 1. A25.190 | <u>Environmental Protection Board</u>
Heaphy, Eileen (D) Repl. Graber
247-04 Hamilton Avenue Term Exp. 12/01/02
Stamford, CT 06902
Term Expires: 12/01/02
05/22/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 8-0-0 | APPROVED
ON CONSENT
AGENDA |
|------------|--|---|

2. A25.191 Environmental Protection Board - Alternate
Diamond, Mark (D) Repl. Barbieri
24 West Trail Term Exp. 12/01/97
Stamford, CT 06903
Term Expires: 12/01/03
05/22/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 8-0-0
3. A25.192 Planning Board - Alternate
Caravella, Randy (R) Repl. Orlick
392 Hamilton Avenue Term Exp. 12/01/98
Stamford, CT 06902
Term Expires: 12/01/01
05/22/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 8-0-0
4. A25.193 Zoning Board of Appeals
Ilaw, Raoul D. (D) Reappointment
88 Edwards Place Term Exp. 12/01/00
Stamford, CT 06905
Term Expires: 12/01/03
05/14/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 8-0-0
5. A25.194 Health Commission
Bloch, Steffi (D) Reappointment
6 Coopers Pond Road Term Exp. 12/01/00
Stamford, CT 06905
Term Expires: 12/01/03
05/14/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 8-0-0
6. A25.195 Golf Commission
Tyska, Robert D. (D) Repl. Parente
84 Rachele Avenue Term Exp. 12/01/00
Stamford, CT 06905
Term Expires: 12/01/03
05/14/01 - Submitted by Mayor Dannel P. Malloy
06/26/01 – Committee approved 6-2-0

7:00 p.m. - Democratic Caucus Room

Chair Owens reported that the Fiscal Committee met on Monday, June 18, 2001. Present were Committee Member Reps. Martin, Owens, DeLuca, Green-Carter, Giordano, Lyons, Loglisci, Mellis, Nanos, Poltrack and Sherer.

1. F25.393 \$139,852.00	ADDITIONAL APPROPRIATION (Operating Budget); Big 5 Volunteer FD - Turn of River; Salaries; to fund recent contract settlement between IAFF and City of Stamford; also covers anticipated deficits in overtime and differential lines. 04/27/01 - Submitted by Mayor Dannel P. Malloy 06/14/01 - Held by Board of Finance 06/04/01 - Held in Committee 06/18/01 - Approved on Consent Agenda	APPROVED ON CONSENT AGENDA
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Secondary Committee: Public Safety & Health

Concur

2. F25.394 \$115,172.00	ADDITIONAL APPROPRIATION (Operating Budget); Big 5 Volunteer FD - Glenbrook; Salaries; to fund recent contract settlement between IAFF and City of Stamford; also covers anticipated deficits in overtime and differential lines. 04/27/01 - Submitted by Mayor Dannel P. Malloy 06/14/01 - Held by Board of Finance 06/04/01 - Held in Committee 06/18/01 - Approved on Consent Agenda	APPROVED ON CONSENT AGENDA
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Secondary Committee: Public Safety & Health

Concur

3. F25.395 \$52,992.00	ADDITIONAL APPROPRIATION (Operating Budget); Big 5 Volunteer FD - Belltown; Salaries; to fund recent contract settlement between IAFF and City of Stamford; also covers anticipated deficits in overtime and differential lines. 04/27/01 - Submitted by Mayor Dannel P. Malloy 06/14/01 - Held by Board of Finance 06/04/01 - Held in Committee 06/18/01 - Approved on Consent Agenda	APPROVED ON CONSENT AGENDA
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Secondary Committee: Public Safety & Health

Concur

4. F25.402	ADDITIONAL APPROPRIATION (Operating	APPROVED ON
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\$58,236.00 Budget); Stamford Fire & Rescue; Differential; to fund deficit due to recent contract settlement. **CONSENT AGENDA**
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 - Approved on Consent Agenda

Secondary Committee: Public Safety & Health *Concur*

5. F25.403 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$68,428.00 Budget); Stamford Fire & Rescue; Overtime; to fund **CONSENT**
deficit due to increased sick leave in department. **AGENDA**
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 – Approved by Board of Finance
06/18/01 - Approved on Consent Agenda

Secondary Committee: Public Safety & Health *Concur 9-0*

6. F25.404 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$21,000.00 Budget); Stamford Fire & Rescue; Salaries; to fund **CONSENT**
deficit due to recent contract settlement. **AGENDA**
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 – Approved by Board of Finance
06/18/01 - Approved on Consent Agenda

Secondary Committee: Public Safety & Health *Concur 9-0*

7. F25.396 ADDITIONAL APPROPRIATION (Capital Budget); **APPROVED BY**
\$104,999,229. Sewage Treatment Plant Upgrade; to fund upgrade **VOICE VOTE**
\$104,999,499 and expansion. **(Rep. Shapiro**
06/04/01 - Submitted by Mayor Dannel P. Malloy **opposed)**
06/14/01 – Approved by Board of Finance
06/00/01 - Approved by Planning Board
06/18/01 - Approved on Consent Agenda

Secondary Committee: Operations *Concur*

Vice Chair Owens reported that the Agenda read \$104,999,229, but the correct figure is \$104,999,499. Upon motion duly made and seconded, the item was approved by voice vote (Reps. Shapiro opposed).

8. F25.408 RESOLUTION (Formerly Exhibit A); described as **APPROVED BY**
Attachment II in connection with F25.396 above. **VOICE VOTE**
06/04/01 - Submitted by Mayor Dannel P. Malloy **(Rep. Shapiro**

06/18/01 – Committee approved consent (as amended) **opposed**)

Chair Owens stated that the Committee amended this item to change the amount from \$10 million to \$7.6 million. Said motion was seconded and approved by unanimous voice vote (Rep. Shapiro opposed).

9. F25.397 ADDITIONAL APPROPRIATION (Grant Funded); **APPROVED ON**
\$206,833.00 Health Department; CT Community Health Care **CONSENT**
Initiative; to fund case management services to **AGENDA**
eligible pregnant women and children to reduce infant
mortality and morbidity and low birthweight; source
of funds: grant.
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Housing/Community Development/Social Services Concur

10. F25.401 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$41,161.00 Budget); Health & Social Services Nursing Division; **CONSENT**
Salaries; to fund recently settled contract with **AGENDA**
Registered Nurses Local #465.
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Personnel Waived

Upon motion duly made and seconded and approved by unanimous voice vote, the Secondary Committee Report was waived.

11. F25.398 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$46,340.00 Budget); Smith House Nursing Services; to fund **CONSENT**
recently settled contract with Registered Nurses Local **AGENDA**
#465.
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Personnel Waived

Upon motion duly made and seconded and approved by unanimous voice vote, the Secondary Committee Report was waived.

12. F25.399 ADDITIONAL APPROPRIATION (Grant Funded); **APPROVED ON**
\$6,000.00 Summer Tennis Camp; to appropriate grant funds **CONSENT**
from the Tennis Foundation of Connecticut, Inc.; **AGENDA**
funds to be used for summer tennis camp.
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Parks & Recreation

Concur

13. F25.400 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$16,000.00 Budget); E.G. Brennan; Salaries; to fund recently **CONSENT**
created Laborer position. **AGENDA**
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Parks & Recreation

Concur

14. F25.405 ADDITIONAL APPROPRIATION (Operating **APPROVED ON**
\$15,000.00 Budget); Yerwood Center; to fund deficit due to **CONSENT**
winter use of the pool and associated gas, electricity, **AGENDA**
oil, refuse collection and security costs.
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Committee approved Consent

Secondary Committee: Parks & Recreation

Concur 6-0

15. F25.406 APPROVAL; of investment advisory agreement with **HELD IN**
MMBIA Municipal Investors Service Corporation for **COMMITTEE**
management of the portion of the investment portfolio
under advisement; amount of contract: 15 basis points
for the first \$20 million; 11 basis points for the next
\$20 million and 7 basis points over \$40 million.
06/05/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/18/01 – Held in Committee

16. F25.410 RESOLUTION; authorizing the Mayor to file application with the State of Connecticut to obtain funding assistance for pollution abatement facilities. **APPROVED ON CONSENT AGENDA**
06/08/01 - Submitted by Mayor Dannel P. Malloy
06/18/01 – Committee approved consent

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 - 6, 9-14 and 16 was approved by unanimous voice vote.

President Domonkos stated that in order for us to have an accurate vote, if any representative is leaving for the evening, they must signal the clerk so that we are aware of the actual attendance.

LEGISLATIVE & RULES COMMITTEE Maria Nakian, Chair
William MacInnis, Vice Chair
Meeting: Monday, June 25, 2001
7:00 p.m. - Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on Monday, June 25, 2001. Present were Committee Member Reps. Nakian, Skigen, Esposito, Gasparrini, Day and Fedeli present. Reps. MacInnis and Spandow were excused. Reps. Sherer and Zelinsky arrived after the meeting had ended, due to the short meeting. A public hearing was held on Item No. 3.

1. LR25.138 **PROPOSED ORDINANCE; for publication**; **APPROVED ON CONSENT AGENDA**
Repealing Chapter 6, Article III of the Code of Ordinances Concerning the Commission on Aging.
03/07/01 - Submitted by Rep. Nakian
04/04/01 - Held in Committee
05/07/01 - Held in Committee
06/04/01 - Held in Committee
06/25/01 – Committee approved 6-0-0
2. LR25.139 **PROPOSED ORDINANCE; for publication**; **APPROVED ON CONSENT AGENDA**
Amending Chapter 6, Article II of the Code of Ordinances to convey the powers and duties of the Commission on Aging to the Social Services Commission.
03/07/01 - Submitted by Rep. Nakian
04/04/01 - Held in Committee
05/07/01 - Held in Committee
06/04/01 - Held in Committee
06/25/01 - Committee approved 6-0-0

3. LR25.140 **PROPOSED ORDINANCE; PUBLIC HEARING** **FAILED BY**
& for final adoption; amending Section 72-2 of the **MACHINE**
Code concerning the sale and consumption of **VOTE 14-17**
intoxicating liquor.
03/21/01 - Submitted by Mayor Dannel P. Malloy
05/07/01 - Returned to Committee
06/04/01 - Approved for publication
06/25/01 - Committee approved 5-1-0

Secondary Committee: Parks & Recreation

Def 2-3-1

Chair Nakian moved Item No. 3. Said motion was seconded.

Rep. Spandow stated that she is concerned about the ordinance because if neighbors are sitting on the stoop or standing on the yard having an alcoholic beverage, they can't walk down the street to a neighbor's, but if they are sitting in a sidewalk café, they can get intoxicated and be walking around and that is fine. Rep. Spandow stated this may be heavy-handed, and she will not be voting for it.

Rep. Summerville stated that she believes this is bad legislation and it clearly discriminates. One part of the City is exempt from the ordinance and another part is subject to it. Rep. Summerville stated that the same rules should be across the board for all parts of the City and for all public sidewalks. Rep. Summerville stated her district is full of wonderful restaurants, where a privilege exists for people to sit on the sidewalks and consume liquor.

Rep. Esposito stated he voted against this ordinance in committee. He stated that in democracy there is always a tenuous balance between the rights of the public and the requirements of the police to enforce order. Rep. Esposito stated it is his opinion that this balance has been tipped, on a national and state level (referring to the recent Supreme Court decision which allows police to lock up people for motor vehicle violations). Rep. Esposito stated he is not concerned about the honorable men and women of the Stamford Police Department at this time. Rep. Esposito stated he is not concerned about abuse of police powers by Chief Esserman or his police officers, but no one knows who the future police will be.

Chair Nakian stated that she respectfully disagrees with Rep. Summerville. Chair Nakian stated that this is city-wide. Rep. Nakian stated that the current ordinance prohibits all liquor, except beer, on municipal property. The ordinance does not define municipal property. So, technically, people cannot drink on city sidewalks now. You cannot drink anything in the street or in a vehicle on the street. There are also ordinances that don't specify between a sidewalk and a street. A street is actually the roadbed set aside from property line to property line and it includes the sidewalk. The purpose of amending this ordinance is not to add anything new but to clarify what we have always had. This is a very old ordinance, dating back to 1926 and uses different language than we use now. The chief prosecutor looked at

this ordinance and said that it doesn't specify sidewalk and street. Chair Nakian stated that the issue of police enforcement is a different issue.

Rep. Loglisci asked for clarification of his understanding that currently you can drink on the sidewalks, but you cannot drink on the streets. Chair Nakian stated that a person cannot drink any alcohol, except beer, on City property. Rep. Loglisci asked how the restaurants get permission for drinking on the sidewalks. Chair Nakian stated the State issues permits for sidewalk cafes. It is allowed under the State's liquor laws. This ordinance would state that you could not carry a drink from one establishment to another or to your car or anywhere else.

Rep. Loglisci asked if the City has any input into where sidewalk cafes are located. Chair Nakian responded that the Health Department and the Zoning Department have a say in the location.

Rep. Summerville stated that as a downtown resident, she questions why it would be all right for a sidewalk café to have liquor, but if a resident comes down from his or her apartment with liquor, they are violating the law. Those residents are required to participate in the sidewalk café if they want to have a beer outside. This is discriminatory against residents and favors commercial establishments.

Rep. Biancardi stated he is indifferent to the entire issue, but sees that in one situation, alcohol consumption is monitored and in another situation the consumption is not monitored.

Rep. Summerville moved to return Item No. 3 to committee; said motion was seconded. Said motion passed by a machine vote of 17-15-0 (opposed were Reps. Loglisci, Imbrogno, Morrow, Fedeli, Sherer, Mobilio, DeLuca, Boccuzzi, Fortunato, MacInnis, Gasparini, Nakian, Biancardi, Giordano and Domonkos).

President Domonkos erroneously declared that the motion to return to committee had failed. President Domonkos had begun the process of a machine vote on the main motion when Rep. Lyons questioned the count on the previous vote. President Domonkos corrected the outcome of the previous vote, and in fact, the Board approved returning Item No.3 to committee. Rep. MacInnis called for a point of order, questioning whether a vote in process could be stopped.

Rep. Lyons asked if someone from the prevailing side could call for a reconsideration of the vote. Rep. Sherer stated that Robert's Rules doesn't talk about correcting a vote, but states that the assembly itself is the judge of all questions arising which are incidental to the voting or the counting of the votes. Absent anything in our by-laws, this is something that the Assembly must agree on.

President Domonkos asked if anyone had a problem with returning this ordinance to Committee. The majority voted to return it to committee, and the President called on the body to go along with the majority's wishes.

Rep. Green-Carter moved to reconsider the item; said motion was seconded.

Chair Nakian stated that returning it to committee would not be productive as the Committee already voted on it. She stated that it is now up to this Board to either accept it or not accept it. The motion to reconsider was approved by a machine vote of 17-14-1. (Reps. Alswanger, Domonkos, Fedeli, Giordano, Imbrogno, Kernan, Loglisci, Lyons, Mobilio, Morrow, Sherer, Spandow and White opposed).

The second motion to return to committee was made and failed by a machine vote of 2-29 (Reps. Alswanger and Gasparini in favor).

The main motion failed by a machine vote of 14-17. (Voting in favor were Reps.: Alswanger, Biancardi, Boccuzzi, Domonkos, Fedeli, Fortunato, Gasparini, Giordano, MacInnis, Mobilio, Morrow, Nakian, Shapiro and Sherer).

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 and 2, was approved by unanimous voice vote.

PERSONNEL COMMITTEE Randall Skigen, Chair
Ralph Loglisci, Vice Chair
No meeting

LAND USE COMMITTEE Herman Alswanger, Co-Chair
Patrick White, Co-Chair
Meeting: Wednesday, June 20, 2001
7:00 p.m. - Democratic Caucus Room

Chair White reported that the Land Use Committee met on Wednesday, June 20, 2001. Present were Committee Member Reps. White, Boccuzzi, Loglisci, Nakian and O'Neill. Excused were Reps. Hunter, Shapiro, Spandow and Alswanger. Others present were David Emerson, EPB; Herb Kohn; Deputy Chief Priola; Jackie Heftman, Zoning Board Chair and Tobin Coleman of the Advocate.

1. LU25.52	REVIEW; of new and amended environmental protection regulations to comply with current State statutes and recommended practices. 05/11/01 - Submitted by Rep. O'Neill 06/04/02 - Held in Committee 06/20/01 - Report Made	REPORT MADE
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Chair White reported that the local EPB has decided to bring its regulations up to date. The last major review was in 1989. The EPB wants to work with the Land Use Committee while its review is taking place. Mr. Emerson noted that all regulations will be reviewed, but there are three critical issues that the EPB will be discussing. The first

is a state regulation requiring all applications notify property owners within 250 feet of an application be notified; second is a decision by the Connecticut Attorney General that a public meeting is not a public hearing and that the public can only speak at a public hearing. A public hearing *must* be held a) where the public has an emphatic interest; b) there is an adverse impact on wetlands and c) a petition of 25 names or more is submitted to the EPB concerning an issue. The third point they are looking at is the State allowing to local EPBs to delegate staff authority to issue decisions. The committee agreed to work closely with the EPB in its review of these regulations.

2. [LU25.54](#) APPROVAL; of lease agreement between St. John's Roman Catholic Church, Pro Park and the City of Stamford for property located between Tresser Boulevard and Bell Street; term of lease: 1/1/1 - 12/31/1; amount of rent: \$2,900 per month (retroactive to 1/1/1).
05/24/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 – Approved by Board of Finance
06/00/01 – Approved by Planning Board
06/20/01 – Committee approved 5-0-0 **APPROVED ON
CONSENT
AGENDA**

3. LU25.55 APPROVAL; of lease agreement with Reckson Operating Partnership, L.P. for space at Two Landmark Square; to house police substation; amount of rent: \$320 per month; term of lease: monthly, not to exceed two years.
05/22/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 – Approved by Board of Finance
06/00/01 – Approved by Planning Board
06/20/01 – Committee approved 5-0-0 **APPROVED ON
CONSENT
AGENDA**

4. LU25.56 REVIEW; of City's monitoring of compliance by private property owners with easements, public accessways and other public spaces.
06/06/01 - Submitted by Rep. DeLuca
06/20/01 – Report Made **REPORT
MADE**

Chair White stated that this issue was placed on our agenda by Rep. DeLuca. In an Advocate Viewpoint article of May 21, there was information that public accessways were becoming less public. Jackie Heftman explained the background of the Coastal Area Management Act. This says that waterfront commercial development must have a water dependent use. The local zoning board can mitigate this requirement by gaining public access to the waterfront. The problem here is with enforcement, and Ms. Heftman and Mr. Emerson believe that it is not always a priority for enforcement staff. Ms. Heftman stated the Zoning Board relies on the public to inform it about non-compliance with public access. Mr. Emerson produced a brochure and map listing and locating the areas of public access. The Committee concluded

that the Zoning Enforcement Officer should make sure that the public accessways are checked on a regular basis and that all parties should be in compliance. The issue of staffing sparked discussion and disagreement among committee members. The Committee agreed that the whole matter of public access should be discussed with the various land use Boards. Ms. Heftman and Mr. Emerson agreed. Chair White stated that the Committee will set up meetings in the future to discuss this.

Rep. Sherer stated that it is not always the fault of the easement holders, but parking is often restricted or completely not available near the accessways. Rep. Sherer stated this is apparent in the High Ridge areas as well as the Shippan areas. Rep. Sherer stated that one or two people make a complaint about parking, and the City acts on this restricting parking to the detriment of everyone else. Rep. Sherer stated that the Board should consider this while investigating the lack of public access.

Rep. Biancardi stated he agrees with Rep. Sherer, and this problem exists at Cove Island. He tried to go fishing there, and he was told there were designated fishing spots.

Rep. DeLuca stated that Stamford Landing had a meeting and decided to continue blocking access to the water. Rep. DeLuca asked for a list of where these accessways are.

Rep. Bocuzzi stated there is a pamphlet published by the Stamford Environmental Protection which lists all the public accessways. He asked that all representatives receive a copy of it. He added that Stamford Landing is in his district, and he has advised them that they cannot block off access to it.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 2 and 3, was approved by unanimous voice vote.

OPERATIONS COMMITTEE

Bobby E. Owens, Chair

Harry Day, Vice Chair

Meeting: Thursday, June 21, 2001

7:00 p.m. - Democratic Caucus Room

Chair Owens reported that the Operations Committee met on Thursday, June 21, 2001. Present were Committee Member Reps. Owens, Nanos, Imbrogno and Morrow. Also present was Rep. O'Neill; Paul Giannatti, Bridge Engineer; Saul Williams from the Norwalk Hour and Tobin Coleman from the Stamford Advocate; and Antonio Iadarola. The Committee also met tonight due to a lack of a quorum at the June 21, 2001 meeting. Present were Committee Member Reps. Owens, Nanos and Morrow. Excused was Rep. Zelinsky.

1. O25.50 REVIEW; of plans for increased Government Center security.
05/09/01 - Submitted by 25th Board

**REPORT
MADE**

06/04/01 - No Report

Secondary Committee: Public Safety & Health

Concur

Chair Owens stated that Dep. Chief Priolo attended on this item. Dep. Chief Priolo reported that a big issue here is public access throughout the building. This could be limited by putting all the heavily public accessed departments on the lower floors. He realizes this would be expensive. They are considering using the \$100,000 in the capital budget for cameras. They also have an air turnstile with magnetic card swipe readers that they are planning on installing in the front lobby, and changing the way you access in to the front lobby so that they can improve security there.

Rep. Zelinsky asked when these changes would occur. Chair Owens stated that they will begin in August.

2. O25.051 APPROVAL; of agreement with Wengell, McDonnell & Costello for engineering services for West Main Street Bridge Project. **APPROVED BY UNANIMOUS VOICE VOTE**
06/04/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - Approved by Board of Finance
06/00/01 – Approved by Planning Board

Chair Owens moved to take Item No. 2 out of Committee; said motion was approved by unanimous voice vote.

Chair Owens stated that Mr. Iadarola stated there is a \$250,000 design and an RFQ process was used. A committee short-listed the twelve qualifying firms into a list of three, and this firm was selected. At one time there was a reference to this bridge being a pedestrian only bridge, but this bridge will be for both vehicles and pedestrian. The underneath of this bridge will be modernized, and the top will still have a historic design. A temporary pedestrian bridge will be designed while the bridge is being constructed. Chair Owens moved the item; said motion was seconded and approved by unanimous voice vote.

**PUBLIC SAFETY & HEALTH
COMMITTEE**

Alice Fortunato, Chair
Richard Lyons, Vice Chair
Meeting: Tuesday, June 19, 2001
6:30 p.m. Republican Caucus Room

Chair Fortunato reported that the Public Safety & Health Committee met on Tuesday, June 19, 2001. Present were Committee Member Reps. Fortunato, Biancardi, DeLuca, DePina, Kernan, MacInnis, O'Neill and Skigen. Excused was Rep. Mobilio. Also in attendance were Andrew McDonald; Robert McGrath; Antonio Iadarola; and Peter Brown.

1. PS25.044 APPROVAL; of contract between the City of Stamford and Viking Construction for design/build services for the new South End/Waterside Fire Station; amount of contract: \$1,799,600.
05/11/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - Approved by Board of Finance
06/14/01 - Held in Committee
06/19/01 – Committee approved 8-1-0
- APPROVED BY
VOICE VOTE
(Rep. Kernan
opposed)**

Chair Fortunato stated that the Committee reviewed the design/build contract. Discussion included the absence of a liquidated damages clause to the contract. Director McDonald indicated that this was the industry standard and was negotiated by the Law Department and a team from the Viking Construction and H2M Group. The existing factory will be transformed into a fire station, with three bay apparatus floor and two floor station and living area. Viking Construction will begin July 2001 and completion date is June 2002. Chair Fortunato moved the item; said motion was seconded and approved by voice vote (Rep. Kernan opposed).

PARKS & RECREATION COMMITTEE: Donald B. Sherer, Co-Chair
Mary L. Fedeli, Co-Chair
Meeting: Wednesday, June 27, 2001
7:00 p.m. - Republican Caucus Room

Chair Fedeli reported that the Parks & Recreation Committee met on Wednesday, June 27, 2001. Present were Committee Member Reps. Fedeli, Sherer, Cannady, Graber, Imbrogno and O'Neill. Rep. Lyons was excused. Also present were Rep. Giordano, Dean Pomeroy from Terry Conners Rink; Moira McNulty from the Office of Operations; John Corelli, Co-Chair of the Parks & Recreation Commission; and Tobin Coleman from the Stamford Advocate.

1. PR25.069 REVIEW; of Park & Recreation Commission regulations.
06/05/01 - Submitted by President Domanos
- REPORT
MADE**

Co-Chair Fedeli stated that a report was provided to each member.

2. PR25.070 RESOLUTION; approving 2001/02 Terry Conners Ice Rink fees.
06/07/01 - Submitted by Mayor Dannel P. Malloy
- APPROVED BY
UNANIMOUS
VOICE VOTE*
(as amended)**

Co-Chair Fedeli stated that Dean Pomeroy reviewed the operation, and noted that everything is fiscally sound. Some of the fees have been raised modestly. The rates at Terry Conners are still well under those of other ice rinks. Co-Chair moved the item; said motion was seconded. Co-Chair Fedeli stated the Committee amended the fees as follows: "All fees under "Moves

and Freestyles” are returned to their original level (or reduced by \$.50 from the proposed) for residents and non-resident fees are increased \$1.00. Said amendment was approved by unanimous voice vote. The main motion was approved by unanimous voice vote.

EDUCATION COMMITTEE Ellen Mellis, Chair
Philip Giordano, Vice Chair
No meeting

URBAN REDEVELOPMENT COMMITTEE Jim Shapiro, Chair
Joseph Gasparrini, Vice Chair
No meeting

**HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE** Elaine Mitchell, Chair
Lisa Poltrack, Vice Chair
Meeting: Tuesday, June 19, 2001
6:30 p.m. - Democratic Caucus Room

Member Rep. Cannady reported that all items were held in Committee.

1. HCD25.47 **PROPOSED ORDINANCE; for publication;** **HELD IN**
enacting an ordinance providing a linkage between **COMMITTEE**
commercial development and affordable housing.
04/04/01 - Submitted by Chair Mitchell
05/07/01 - Held in Steering Committee
06/04/01 - Held in Committee
06/19/01 – Held in Committee

2. HCD25.54 **PROPOSED ORDINANCE; for publication;** **HELD IN**
amending Chapter 146, Section 35 of the Code of **COMMITTEE**
Ordinances to provide for a reduction in fees for not-
for-profit hotels.
05/11/01 - Submitted by Rep. Gasparrini
06/04/01 - Held in Committee
06/19/01 – Held in Committee

3. HCD25.49 **REVIEW; status of moderate income tenant program** **HELD IN**
at Rippowam Park. **COMMITTEE**
05/04/01 - Submitted by President Domonkos

06/04/01 - Held in Committee
06/19/01 – Held in Committee

4. HCD25.46 DISCUSSION and PROPOSED ORDINANCE; for **HELD IN**
publication; concerning one-for-one replacement **COMMITTEE**
housing.
06/08/01 - Submitted by Reps. Domonkos and
Mitchell
06/19/01 – Held in Committee

TRANSPORTATION COMMITTEE Gabe DeLuca, Chair
Peter C. Nanos, Vice Chair
Meeting: Wednesday, June 27, 2001
7:00 p.m. - Democratic Caucus Room

Chair DeLuca reported that the Transportation Committee met on Wednesday, June 27, 2001. Present were Committee Member Reps. DeLuca and Giordano; also present were Frank Fedeli; Tom Bruccoleri of the Department of Operations; and Sandra Goldstein, DSSD.

1. T25.031 REVIEW; of need for parking meters near the former **REPORT**
Caldors on Summer Street **MADE**
04/09/01 - Submitted by Rep. DeLuca
05/07/01 - Held in Committee
06/04/01 - Held in Committee
06/27/01 – Report Made

Chair DeLuca reported that these were put there as a safety issue to prevent two lanes of cars from making a left hand turn on to Broad Street at the same time. Plans are being made to channel three lanes down Summer Street, with one lane going straight, one going left and the other right. They will be putting signs up near Spring Street advising people that parking is on the left hand side, so that you should bear to the right to make a left hand turn.

Rep. Zelinsky stated that Summer Street is heavily traveled. Having the parking with confusing signage as to how to make a left hand turn may not justify the revenue derived from the parking meters. Rep. Zelinsky stated that this is an inadequate process and that this matter should be looked at further.

2. T25.035 REVIEW; matter of installation of additional parking **REPORT**
meters in the downtown area. **MADE**
05/04/01 - Submitted by Mayor Dannel P. Malloy
06/04/01 - Held in Committee

06/27/01 – Report Made

Chair DeLuca stated that a written report was provided on this item. The merchants in the area are not concerned about the meters. The Transportation Planner is working with the residents of Forest Grove Condominiums, and this is proceeding adequately.

3. T25.036 **PROPOSED ORDINANCE; PUBLIC HEARING **RETURNED TO**
& FINAL ADOPTION; concerning amending **COMMITTEE**
Section 231-8 of the Stamford Code of Ordinances
regarding Towing Policy.
04/26/01 - Submitted by Mayor Dannel P. Malloy
06/04/01 - Approved for publication
06/27/01 – Report Made**

Chair DeLuca stated that the Committee did not have a quorum and moved to take the item out of committee; said motion was seconded and approved by unanimous voice vote.

Chair DeLuca stated that this ordinance goes after scofflaws and gives the City the right to tow the cars away, and after a certain period of time, they can be sold. If the vehicle is worth less than \$1,500, there is a 15-day waiting period; over \$1,500 there is a 45-day waiting period. The tow operator has to notify the owner of the vehicle that it is being sold. Chair DeLuca moved the item; said motion was seconded.

Rep. Loglisci asked about the process. He was concerned about whether the tow companies would be fighting to get the calls, and how the City look out for its interest by recouping the unpaid tickets.

Chair DeLuca stated that this will enable the city to be paid for the tickets and will eliminate a lot of abandoned cars on the streets. He added that after the sale of the car, the City will receive payment for the tickets after the fee for towing is deducted. He added this will be beneficial to everyone.

Rep. Graber asked whether the tow company keeps the entire value of the vehicle, even if the vehicle is valued significantly more than the cost of the tickets and the tow. Chair DeLuca stated that the tow company has to provide certified letter notification that the car has been towed. Then, the owner has a choice, they can redeem the car by paying the towing fees and tickets or they can let it be sold. Rep. Graber asked how ownership would transfer to the towing company. Chair DeLuca stated it is in State Statute 14-150. Chair DeLuca added that it has been successful in Hartford as far as collecting fines and getting rid of abandoned cars. Rep. Graber asked if there was a way to amend this so that the tow company would be required to pay all the fines first, and then keep the difference. Chair DeLuca stated that we are following State Statute 14-150.

President Domonkos asked if there is anything in the ordinance to address Mr. Graber's concerns. Chair DeLuca stated that this is in State Statute, not in this ordinance. Mr. Graber moved to amend the ordinance to provide that the tow company first deduct the towing fee, then pay the City and then keep the proceeds.

President Domonkos stated she was unsure if we could do this because it is State Statute.

Rep. Lyons stated he feels it is a well-intentioned ordinance, but moved to return it to committee to clarify these issues. Said motion was seconded and approved by unanimous voice vote.

Chair DeLuca asked that if anyone has a question, they should put them in writing so that he can ask them at the next committee meeting.

ADMINISTRATION & TECHNOLOGY COMMITTEE Gloria DePina, Chair
Thomas Hunter, Vice Chair
Meeting: Wednesday, June 27, 2001
7:00 p.m. - Conference Room #1

Chair DePina stated no meeting was held this month.

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| 1. AT25.12 | APPROVAL; of agreements with Southern New England Telephone Company for a unified custom call plan and for a dedicated central office switched service.
05/07/01 - Submitted by Mayor Dannel P. Malloy
06/14/01 - To be considered by Board of Finance
06/04/01 - Held in Committee | NO ACTION
TAKEN |
|------------|--|----------------------------|

HOUSE COMMITTEE Annie M. Summerville, Chair

SPECIAL COMMITTEE ON REAPPORTIONMENT
David Martin, Co-Chair
Robert "Gabe" DeLuca, Co-Chair
PUBLIC HEARING: Wed., June 6, 2001
7:00 p.m. - Republican Caucus Room
7:00 p.m. - Tuesday, June 12, 2001
Republican Caucus Room

Co-Chair DeLuca stated that the Reapportionment Committee met on June 12, 2001. The end result of this meeting was that Mary Young, the Staff Attorney at the State made an error regarding the deadline for the Board's actions on redistricting. The Committee thought it had until tonight, but the actual date was June 12, 2001.

1. RESOLUTION; recommitting the May 21, 2001 Redistricting Report prepared by the Reapportionment Commission back to the Reapportionment Commission.
06/13/01 - Submitted by Steering Committee
- APPROVED BY
VOICE VOTE
(Rep. Zelinsky
opposed)**

Co-Chair DeLuca moved the resolution to recommit the report back to the Reapportionment Commission; said motion was seconded.

Co-Chair DeLuca stated that the President will send a letter to the Commission outlining the concerns of the Committee. Chair DeLuca asked that any representatives with further concerns put them in writing to the Committee.

Rep. Zelinsky asked why, since redistricting changes won't occur until 2005, the Board is going ahead with this process now. Co-Chair DeLuca stated it is a dead issue for this election, but it doesn't change the charter requirements for redistricting. The changes made now will not bear on this election year.

President Domonkos stated the Charter says that from the time the Commission was named, they have six months to give us a report. We have to reapportion every ten years, and they had to be named within sixty days after we received the census figures.

Rep. Zelinsky stated the point he is trying to make is that if there is no action that will be in effect until the 2005 election, why is the Board rushing now.

Co-Chair DeLuca stated that the President eloquently stated what the Charter requires.

Rep. Zelinsky stated that the original report meets the charter requirements. He added that his concern is that this is a dead issue and the next Board should appoint a new committee, and they can make recommendations prior to 2004. He added that he doesn't understand why there is a rush to do this.

President Domonkos stated that the timeline, as stated before, is that our charter requires that a commission be named within sixty days of receiving the census figures. We received the census figures in March, and we had to name a commission. The commission has to give us a report within six months, and that is September 6th. The Committee has voted 6-0 to recommit it.

Co-Chair DeLuca stated we put a lot of pressure on the Commission to prepare the report in a quick time frame. He added the Committee wanted to provide them with additional time so that they could spend more time looking at it and consider the comments made by the various representatives.

A motion to move question was made, seconded and approved by voice vote (Rep. Zelinsky opposed).

The main motion was approved by voice vote (Rep. Zelinsky opposed).

RESOLUTIONS

1. SENSE-OF-THE-BOARD RESOLUTION honoring Mary Jo Pittoni on her election as Stamford's Teacher of the Year.
06/01/01 - Submitted by Reps. Sherer, Skigen & Domonkos **APPROVED BY UNANIMOUS VOICE VOTE**

MINUTES

1. June 4, 2001 Regular Meeting **HELD**

COMMUNICATIONS

1. Rep. DeLuca stated that he will be trying to put together a softball game and barbecue. He will work with the Board Office to accomplish this.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:15 p.m.

*The proceedings are available on audio tape at the
Offices of the Board of Representatives.*

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