

*The Regular Meeting of the 25th Board of Representatives of the City of Stamford will be held Monday, August 6, 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 9:00 p.m.

**INVOCATION:** Led by Rep. Imbrogno

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by President of the Board Carmen L. Domonkos

**ROLL CALL:** There were 34 members present and six members absent/excused. Absent were Reps. Gaztambide and Biancardi; excused were Reps. Sherer, Poltrack, Nanos and Green-Carter.

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

**PAGES:**

**MOMENTS OF SILENCE:** For the late: Clara Herman, by Rep. Skigen; Edwin Kolodny, by Reps. Sherer and Zelinsky; David Fischel and Helen Neitlich, by Rep. Sherer; Jack Baer, by Reps. Sherer and Loglisci; Michael G. Yanicky by Reps. Mellis and Giordano; Ralph Lorenzo Lockhard by Rep. Mitchell; Anthony R. Coppola, Terry L. Raynor and Grace Santangelo, by Reps. Giordano and Loglisci; Catherine a. Burke, Betty J. Young and Frank L. Vaccaro, by Rep. Giordano; Peter Cosentini by Rep. Giordano and the Republican Caucus; Mary Oravsky, by Rep. Mellis; and Anna M. Boccuzzi, Michael A. LaBella, Donald C. Jaworski and Nancy Perone by Rep. Loglisci.



## STANDING COMMITTEES

**STEERING COMMITTEE:** Meeting: Wednesday, July 11, 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.

**APPOINTMENTS COMMITTEE** Paul A. Esposito, Chair  
Annie M. Summerville, Vice Chair  
Meeting: Tuesday, July 31, 2001  
7:00 p.m. - Democratic Caucus Room

Vice Chair Summerville reported that the Appointments Committee met on Tuesday, July 31, 2001. Present were Committee Member Reps. Summerville, Mellis, Boccuzzi, Blackwell, Morrow and Loglisci.

- |            |  |  |   |
|------------|--|--|---|
| 1. A25.198 | <u>Traffic Hearing Officer</u><br>Hand, Jo-Anne H. (D)<br>120 Dundee Road<br>Stamford, CT 06903<br>Term Expires: 12/01/02<br>06/11/01 - Submitted by Mayor Dannel P. Malloy<br>07/31/01 - Committee Approved 6-0-0       | Repl. Neal<br><i>Term Exp. 12/01/98</i>    | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>                             |
| 2. A25.199 | <u>Zoning Board of Appeals</u><br>White, Georegiana D. (D)<br>66 Audlwood Road<br>Stamford, CT 06902<br>Term Expires: 12/01/02<br>06/11/01 - Submitted by Mayor Dannel P. Malloy<br>07/31/01 - Held in Committee         | Repl. Bauer<br><i>Term Exp. 12/01/02</i>   | <b>HELD IN<br/>COMMITTEE</b>  |
| 3. A25.200 | <u>Urban Redevelopment Commission</u><br>Mellis, Joel (D)<br>280 Barncroft Road<br>Stamford, CT 06902<br>Term Expires: 12/01/05<br>06/11/01 - Submitted by Mayor Dannel P. Malloy<br>07/31/01 - Committee Approved 5-0-1 | Reappointment<br><i>Term Exp. 12/01/00</i> | <b>APPROVED<br/>ON CONSENT<br/>AGENDA (Rep.<br/>Mellis abstained)</b> |

4. A25.201      Municipal Building Board of Appeals  
Mahale, Raj R.  
1258 Bedford Street  
Stamford, CT 06905  
Term Expires: 06/19/06  
06/19/01 - Submitted by Mayor Dannel P. Malloy  
07/31/01 - Committee Approved 6-0-0
- APPROVED  
ON CONSENT  
AGENDA**

Vice Chair Summerville noted that Mr. Mahale's home address is One Strawberry Hill Avenue, No.3A.

5. A25.202      Municipal Building Board of Appeals  
Culpen, Harry S.  
400 Main Street  
Stamford, CT 06901  
Term Expires: 06/19/06  
06/19/01 - Submitted by Mayor Dannel P. Malloy  
07/31/01 - Committee Approved 6-0-0
- APPROVED BY  
UNANIMOUS  
VOICE VOTE**

Vice Chair Summerville noted that Mr. Culpen's home address is 25 Grand Road, Old Greenwich, Connecticut.

Rep. Zelinsky stated he thought that members of boards and commissions were supposed to be Stamford residents. Vice Chair Summerville stated there is no rule that a person has to be a Stamford resident, and this particular commission is unique in that professional designations are required for membership on this board. Further, the membership on this Board is determined according to State Statute.

6. A25.203      Municipal Building Board of Appeals  
Mercede, Frank J.  
700 Canal Street  
Stamford, CT 06902  
Term Expires: 06/19/06  
06/19/01 - Submitted by Mayor Dannel P. Malloy  
07/31/01 - Committee Approved 6-0-0
- APPROVED  
ON CONSENT  
AGENDA**

Vice Chair Summerville noted that Mr. Mercede's home address is 72 Lillian Drive, Stamford, Connecticut.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1, 3, 4 and 6, was approved by unanimous voice vote.

Vice Chair Summerville noted that there will be no meeting in August of the Appointments Committee.

**FISCAL COMMITTEE**

David Martin, Chair  
Bobby E. Owens, Vice Chair  
Meeting: Monday, July 23, 2001  
7:00 p.m. - Democratic Caucus Room

Chair Martin reported that the Fiscal Committee met on Monday, July 23, 2001. Present were Committee Member Reps. Martin, Owens, Loglisci, DeLuca, Poltrack, Lyons, Giordano and Sherer.

1. F25.411      APPROVAL; of agreement with Command Security Corporation for administrative services for Police Department's Extra Duty Program; term of contract: 8/1/1-7/31/4 with two one-year renewal options; amount of contract: \$120,000 in Year 1 rising to \$135,050 in Year 5.  
06/25/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/23/01 - Committee approved 7-0-0

**APPROVED  
ON CONSENT  
AGENDA**

2. F25.412      ADDITIONAL APPROPRIATION (Operating Budget); Police Department; Overtime; to fund deficits.  
\$361,000.00  
07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - "No action taken" by Board of Finance  
07/23/01 - Held in Committee

**HELD IN  
COMMITTEE**

*Secondary Committee: Public Safety & Health*

3. F25.413      ADDITIONAL APPROPRIATION (Operating Budget); Big 5 Volunteer Departments; Long Ridge Fire Department; to increase 2000-01 City contribution to the 1999-00 level due to pending court case.  
\$45,390.00  
07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/23/01 - Committee approved 5-0-1

**APPROVED  
BY MACHINE  
VOTE (Reps.  
Day, Fedeli,  
Hunter, Imbrogno,  
Loglisci, Morrow  
& Shapiro  
opposed)**

*Secondary Committee: Public Safety & Health*

*Concur 7-0*

Chair Martin reported that the budget was presented to the boards fifteen months ago, and the budgeted amount of funding was actually lower than the prior year. Long Ridge Fire Department is in court with the City over the funding level and what they perceive to be

interference by the City in the operations of the Long Ridge Fire Department. To date, the Long Ridge Fire Department has won all of the court cases involved.

Chair Martin continued that the Law Department recommended (shortly after the City awarded increases to all of the other fire departments connected with salary approvals) that the City increase the Long Ridge Fire Department's funding in the last fiscal year to the level that had been set the year before. This money was paid out to the Long Ridge Fire Department.

Chair Martin stated this appropriation request came to us to increase the level of funding for the prior year to be equal to the level that it had been the year before.

Chair Martin added there has been quite a bit of disappointment, frustration and anger surrounding the fact that we seem to be getting an increasing number of appropriation requests that are coming in after the money has already been spent and the budget has already been exceeded. Specifically, the police department overtime request, which was held by the Committee. This was for the last fiscal year. The Fiscal Committee had been told specifically that such a request would not come to it. Also before the Board is the Smith House request for \$728,966, and it was known well in advance that those funds would be needed. These funds also have already been spent.

Chair Martin continued that the Long Ridge Fire Department appropriation is somewhat unique in that while the City has disbursed the funds, could in fact reclassify it and take the funds away from last year and move it into the next year. Chair Martin stated he feels he echoed the concerns that many on the Board feel that the Board needs to receive appropriation requests in a more timely manner. However, with regard to this particular item, Chair Martin said he saw no point in taking this frustration out on the Smith House residents, nor would he take it out on the Long Ridge Fire Department. Chair Martin stated that the real issue is within the police department overtime because the Board was specifically told that such a request would not be forthcoming. Therefore, the Committee voted, with some concern and abstention, that this item be approved 5-0-1. Chair Martin moved the item; said motion was seconded.

Rep. Loglisci stated that he will vote against this item and urged bipartisan support for his position. He stated that he believes the vast majority of the Board supports the Long Ridge Volunteer Fire Department and wants the City to maintain an adequate level of funding to allow it to provide protection to North Stamford.

Rep. Loglisci stated that the Charter is explicit in that there can be no deficit spending, except in a clear emergency situation. On Monday, July 23, 2001, Tom Hamilton appeared before the Fiscal Committee, along with the chief of the Long Ridge Fire Department. Mr. Hamilton requested additional funding to cover additional salary and benefit costs that were necessitated by the fact that the City had arbitrarily cut funding this fiscal year. So, the administration was fearful that this cut would be seen as vindictive by the courts. Rep. Loglisci continued that under questioning, the Committee

determined that the money requested had already been transferred and had already been spent by the Department. This fact was offered by the Fire Chief, not by Mr. Hamilton.

Rep. Loglisci stated that the Committee also discovered that not 100% of this money was for salary and for benefits, and again this information was offered by the Chief. Mr. Hamilton became angry as the Committee debated whether to approve this additional appropriation request, which is obviously in violation of the Charter. Rep. Loglisci added that certainly there is no justification under the test of emergency appropriation for allocating these funds. Rep. Loglisci stated that Mr. Hamilton stated that he really didn't care how we voted, and added that if we voted these funds down, he would enter the already-made transfers as a prepaid expense in next year's fiscal, and then cut Long Ridge's money next year.

Rep. Loglisci stated that the Board is bound by a fiduciary duty to the people of Stamford. This trust is violated when the Board votes for additional appropriations after the funds are expended and done so in violation of our Charter. Sometimes, under extenuating circumstances, the Board can justify voting for such an appropriation. However, when a pattern develops of circumvention of the rules and laws thereby forcing this Board to be complicit by giving validation of these violations, he believes that the Board should send a message that the ends don't justify the means.

Rep. Loglisci stated the Board should not assist in the habitual efforts to bypass the rules, which are the only protection our citizens and constituents have to make sure that their government is run well, and responsibly and fiscally sound. Rep. Loglisci asked everyone on the Board tonight to keep in mind that this is not a large sum of money, it will not impact the AAA bond rating, Long Ridge already has the money and he doesn't believe the threat to fund it in next year's budget will be carried out and this is the time to take a stand by the Board.

Upon motion duly made and seconded, the item was approved by a machine vote of 26-7 (Reps. Loglisci, Day, Fedeli, Hunter, Imbrogno, Morrow and Shapiro opposed).

4. F25.414 \$12,799.00	ADDITIONAL APPROPRIATION (Grant Budget); Health Department; Immunization Grant; Part Time; to align budgeted amount to state allocation. 07/04/01 - Submitted by Mayor Dannel P. Malloy 07/12/01 - Approved by Board of Finance 07/23/01 - Committee approved 6-0-0	<b>APPROVED ON CONSENT AGENDA</b>
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*Secondary Committee: Public Safety & Health*

*Concur 7-0*

5. F25.415 \$728,966.00	ADDITIONAL APPROPRIATION (Operating Budget); to fund deficits in various Smith House accounts.	<b>APPROVED ON CONSENT AGENDA</b>
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07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/23/01 - Committee approved 8-0-0

*Secondary Committee: Public Safety & Health*

*Concur 7-0*

6. F25.416      ADDITIONAL APPROPRIATION (Operating      **HELD IN**  
\$47,608.00      Budget); Health Department; Nursing Salaries; .to      **COMMITTEE**  
fund a school nurse position at the new middle school.  
07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - "No action taken" by Board of Finance  
07/23/01 - Held in Committee

*Secondary Committee: Public Safety & Health*

7. F25.417      APPROVAL; of contract with Marsh USA, Inc. for      **APPROVED**  
insurance brokerage consulting services.      **ON CONSENT**  
07/03/01 - Submitted by Mayor Dannel P. Malloy      **AGENDA**  
07/12/01 - Approved by the Board of Finance  
07/23/01 - Committee approved 8-0-0

8. 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  
07/02/01 - Held in Committee  
07/12/01 - Held by Board of Finance  
07/23/01 - Held in Committee

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1, 4, 5 and 7, was approved by unanimous voice vote.

**LEGISLATIVE & RULES COMMITTEE**      Maria Nakian, Chair  
William MacInnis, Vice Chair  
Meeting: Monday, July 30, 2001  
7:00 p.m. - Democratic Caucus Room



Chair Nakian reported that the Legislative & Rules Committee met on July 30, 2001. Present were Committee Member Reps. Nakian, MacInnis, Esposito, Gasparri, Mitchell, Skigen and Spandow present. Reps. Zelinsky and Sherer were excused. A public hearing was held on Item Nos. 1 and 2, and no one from the public was present on either item.

1. LR25.138      **PROPOSED ORDINANCE; PUBLIC HEARING      **APPROVED**  
& for final adoption; Repealing Chapter 6, Article III      **ON CONSENT**  
of the Code of Ordinances Concerning the      **AGENDA**  
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  
07/02/01 - Approved for publication  
07/30/01 - Committee approved Final Adop.7-0-0**
  
2. LR25.139      **PROPOSED ORDINANCE; PUBLIC HEARING      **APPROVED**  
& for final adoption; Amending Chapter 6, Article II      **ON CONSENT**  
of the Code of Ordinances to convey the powers and      **AGENDA**  
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  
07/02/01 - Approved for publication  
07/30/01 - Committee approved Final Adop.7-0-0**

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  
Meeting: Wednesday, August 1, 2001  
7:00 p.m. - Democratic Caucus Room

Chair Skigen reported that the Personnel Committee met on August 1, 2001. Present were Committee Member Reps. Skigen, Fedeli, Gasparri, Loglisci, MacInnis and Spandow. Reps. Boccuzzi, Cannady and Fortunato were excused. Also present were William Stover, Director of Human Resources; Barbarajean Seagall, and Jeanette Brown of the WPCA.

1. P25.101      **PROPOSED ORDINANCE; PUBLIC HEARING      **APPROVED**  
& final adoption; concerning the creation and      **BY MACHINE****

designation of the position of Assistant Police Chief.  
05/11/01 - Submitted by Mayor Dannel P. Malloy  
06/04/01 - Approved for publication  
06/28/01 - Approved by Personnel Comm.  
08/01/01 - Committee approved 5-1-0

**VOTE 24-9-0**  
(Reps. Blackwell,  
Cannady, Day,  
DeLuca,  
Imbrogno,  
Loglisci, Mobilio,  
Shapiro and  
Summerville  
opposed)

Chair Skigen moved Item No. P25.101; said motion was seconded.

Rep. Loglisci stated he was speaking on Item Nos. 1 and 2. He stated that our current system provides for Deputy Chiefs of Police and Assistant Chiefs of Fire that has worked well over the years. Especially good is the Fire Department system where an assistant chief must come up through the ranks and serves at the pleasure of the Fire Chief. Rep. Loglisci stated he really doesn't want an Assistant Fire Chief working on a learning curve in our Fire Department. The Deputy Chief position in the Police Department also serves at the pleasure of the Police Chief. Rep. Loglisci asked why this Board would consider lessening the controls of the chiefs over their immediate assistants and create another unclassified level of personnel, who can have up to five-year contracts, which in essence, lessens their loyalty to the chief and to the City.

Rep. Loglisci stated that the benefits and salaries and overall costs to the City will increase dramatically. Rep. Loglisci stated it would have made sense to present the Board with copies of the contracts before it was asked to accept such a dramatic change. Rep. Loglisci stated that "if it ain't broken, don't fix it." Rep. Loglisci stated he will vote against these two items.

Chair Skigen replied that while the system that is in place now has yielded promotions within the department, there is no requirement that those promotions be made from inside the department. The Charter requires that all positions be either classified or unclassified positions. These positions have been part of the pay plan for years, yet there is no ordinance creating these positions as unclassified.

In response to Rep. Loglisci's concerns about serving at the pleasure of the Chief, Chair Skigen responded that it has been represented to the Committee that the contracts that will be sent down will be coterminous with the contract of the Chief or the length of the Mayor's term, so that if a new mayor is elected by the citizens and a new chief is appointed, the new chief will have an opportunity to name his own assistants. Also, this gives the Board a level of control that it currently doesn't have. Currently, if the police chief wanted to appoint someone from out of town, the Board would have no say over this. Under these ordinances, the contract is required to come before the Board, the Chief would need to justify why he is appointing people from out of town rather than why he is promoting people from within the ranks. Chair Skigen stated that this is a necessary and beneficial ordinance for both positions.

Upon motion duly made and seconded, the item was approved by a machine vote of 24-9 (Reps. Blackwell, Cannady, Day, DeLuca, Imbrogno, Loglisci, Mobilio, Shapiro and Summerville opposed).

2. P25.102      **PROPOSED ORDINANCE; PUBLIC HEARING & final adoption**; concerning the creation and designation of the position of Assistant Fire Chief.  
05/11/01 - Submitted by Mayor Dannel P. Malloy  
06/04/01 - Approved for publication  
06/28/01 - Approved by Personnel Comm.  
08/01/01 - Committee approved 5-1-0
- APPROVED BY MACHINE VOTE 25-8-1**  
(Reps. Blackwell, Cannady, Day, DeLuca, Imbrogno, Loglisci, Mobilio & Shapiro opposed; Rep. Summerville abstaining)

Chair Skigen moved Item No. P25.102; said motion was seconded.

Chair Skigen added that under the scenario of a new chief coming in and having to be burdened with long-term contracts, the Committee has received assurances that all contracts will provide for a thirty-day termination. If a new chief comes in and wants to appoint his or her own people as Assistant Chiefs, the City's only obligation would be a 30-day payout. The item was approved by a machine vote of 25-8-1. Opposed were Reps: Blackwell, Cannady, Day, DeLuca, Imbrogno, Mobilio and Shapiro; Rep. Summerville abstained.

3. P25.104      **REVIEW**; status of contract negotiations with various unions.  
06/28/01 - Submitted by Chair Skigen  
08/01/01 - Report Made
- REPORT MADE**

Chair Skigen stated that the Committee voted to go into executive session and during that executive session, the Committee received an update on all negotiations.

4. P25.105      **APPROVAL**; of labor agreement with the Stamford Public Health Dental Hygienists Union.  
07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Positive Advisory by Board of Finance  
08/01/01 - Committee approved 6-0-0
- APPROVED ON CONSENT AGENDA**
5. P25.106      **APPROVAL**; of employment agreement with Cora Santaguida, YACLINE Referral Center Support Specialist.  
07/06/01 - Submitted by Mayor Dannel P. Malloy
- APPROVED BY UNANIMOUS VOICE VOTE**

08/01/01 - Committee approved 6-0-0

Chair Skigen moved Item No. P25.106; said motion was seconded.

Rep. Zelinsky asked whether the sick time provisions were standard in all contracts for non civil service employees. Chair Skigen replied that these provisions are standard. Rep. Zelinsky stated that the contract does not provide health benefits for this individual; Chair Skigen replied that this is a part-time position. Rep. Zelinsky asked whether the Mayor has signed this contract; Chair Skigen replied that the Mayor does not sign contracts until the Board approves it. The item was approved by unanimous voice vote.

Chair Skigen moved to suspend the rules to take an item out of committee that related to a position within the WPCA of Construction Accountant. The Committee had taken this item up and approved it by a vote of 6-0-0. Said motion was seconded.

Rep. MacInnis stated that he did vote in Committee to suspend the rules, but subsequent to the meeting he received information that leads him to believe that this is not an emergency item and there is no need to suspend the rules. Rep. MacInnis stated he would vote against suspension.

Rep. Martin stated that the budget for these positions was approved two and a half months ago, and because there is no emergency and because this could have been submitted earlier, he will vote against suspending the rules so that the Committee and the rest of the Board will have adequate time to review the proposals.

Rep. Day stated that this is a huge amount of money that the City is getting ready to invest, and he does believe that this is an emergency in that these positions are very, very important to make this project go forward smoothly. There should be ample time to recruit the right people for these positions, and getting the right people for these positions on board, early, could be worth huge amounts of money to the City.

The item failed by voice vote.

Chair Skigen reported that the Committee also suspended its rules to take up Item No. P25.106; Chair Skigen moved to suspend the rules; there was no second.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 4, was approved by unanimous voice vote.

**LAND USE COMMITTEE** Herman Alswanger, Co-Chair  
Patrick White, Co-Chair  
Meeting: Tuesday, July 31, 2001  
8:00 p.m. - Democratic Caucus Room  
(in conjunction with Urban Redevelopment Committee)

Co-Chair White reported that the Land Use Committee met on July 31, 2001.

**OPERATIONS COMMITTEE** Bobby E. Owens, Chair  
Harry Day, Vice Chair

No report.

**PUBLIC SAFETY & HEALTH COMMITTEE** Alice Fortunato, Chair  
Richard Lyons, Vice Chair  
Meeting: Thursday, July 26, 2001  
7:00 p.m. - Democratic Caucus Room

Chair Fortunato reported that the Public Safety & Health Committee met on August 6, 2001. Present were Committee Member Reps. Fortunato, O'Neill, DeLuca, Skigen, Mobilio, Kernan and MacInnis; excused were Committee Reps. Lyons, DePina and Biancardi. The Committee acted as secondary committee, and a report has been provided to all representatives.

**PARKS & RECREATION COMMITTEE:** Donald B. Sherer, Co-Chair  
Mary L. Fedeli, Co-Chair  
Meeting: Thursday, August 2, 2001  
7:30 p.m. - Democratic Caucus Room

Chair Fedeli reported that the Parks & Recreation Committee met on August 2, 2001. Present were Committee Member Reps. Sherer, Fedeli, O'Neill, Imbrogno, Poltrack and Lyons. Rep. Cannady was excused. Also present were Reps. Giordano and DeLuca; Moira McNulty and Dan Colleluori of the Operations Department.

1. PR25.069      REVIEW; of Park & Recreation Commission regulations.      **REPORT MADE**  
06/05/01 - Submitted by President Domonkos  
07/02/01 - Report Made  
08/02/01 - Report Made

Chair Fedeli reported that a report was provided to everyone.

2. PR25.071      REVIEW; of policies for event permits and insurance requirements.      **REPORT MADE**  
07/03/01 - Submitted by Rep. Sherer  
08/02/01 - Report Made

Chair Fedeli reported that a report was provided to everyone.

**EDUCATION COMMITTEE**      Ellen Mellis, Chair  
Philip Giordano, Vice Chair  
Meeting: Wednesday, July 25, 2001  
6:30 p.m. - Democratic Caucus Room

Chair Mellis reported that the Education Committee met on July 25, 2001. There was no quorum, and attending were Committee Member Reps. Fedeli, Giordano, Poltrack and Mellis; Excused were Reps. Green-Carter, Shapiro and Day; Reps. Imbrogno and Graber were not present. Also present was Antonio Iadarolo and Lou Cassolo of the Engineering Department, Fritz Morris from Perkins Eastman; Cathy Cummings, principal of Rogers School; and Assistant Principal Michael Rinaldi.

Chair Mellis moved to take Item No. E25.042 out of Committee; said motion was seconded and approved by unanimous voice vote.

1. E25.042      APPROVAL; of agreement with Perkins Eastman Architects for preliminary architectural and engineering design services for Rogers Magnet School; services to include existing building conditions survey, proposed design and preparation of RFP; amount of contract: \$159,200.00      **APPROVED BY UNANIMOUS VOICE VOTE**  
06/29/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/25/01 - No quorum

Chair Mellis reported that this work needs to be done; this agreement will help prioritize the work for preparation of the capital budget. Chair Mellis moved the item; said motion was seconded and approved by unanimous voice vote.

Chair Mellis moved to take Item No. E25.043 out of Committee; said motion was seconded and approved by unanimous voice vote.

2. E25.043      APPROVAL; of agreement with Preiss Breismeister      **APPROVED BY**  
for architectural and engineering services for      **UNANIMOUS**  
Davenport Ridge Elementary School; services to      **VOICE VOTE**  
include existing building conditions survey, proposed  
design and preparation of RFP; amount of contract:  
\$139,500.00.  
06/29/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/25/01 - No quorum

Chair Mellis reported that this work also needs to be done; this agreement will help prioritize the work for preparation of the capital budget. Chair Mellis moved the item; said motion was seconded and approved by unanimous voice vote.

**URBAN REDEVELOPMENT  
COMMITTEE**

Jim Shapiro, Chair  
Joseph Gasparrini, Vice Chair  
Meeting: Tuesday, July 31, 2001  
8:00 p.m. - Democratic Caucus Room

Vice Chair Shapiro reported that the Urban Redevelopment Committee met on July 31, 2001. Present were Committee Member Reps. Shapiro, Gasparrini, Nakian, MacInnis, Day, Loglisci, Summerville and Mitchell. Excused was Rep. Martin.

1. UR25.004      RESOLUTION; **for publication**; approving the Mill      **APPROVED BY**  
River Corridor Project Plan Providing for the      **VOICE VOTE**  
Redevelopment of the Mill River Corridor, the      (Reps. Loglisci,  
Establishment of a Tax Increment Financing District      Fedeli, DeLuca,  
with the Stamford Connecticut Urban      Mobilio, Imbrogno  
Redevelopment Commission as Redevelopment      and Morrow  
Agency.      opposed)  
09/11/98 - Submitted by E. Steinberg, Executive  
Director, URC  
04/07/01 - Resolution submitted by URC  
06/04/01 - Report Made  
07/31/01 - Committee Approved 6-1-0

*Secondary Committee: Land Use*

Chair Shapiro moved Item No. UR25.004; said motion was seconded.

Chair Shapiro stated that he believes the issues have been fully debated, and all questions have been answered. Some people may not like the answers that have been given, and that is okay. Chair Shapiro added that this Board has spent a great deal of time discussing this, educating itself on it, and he would hate to delay it such that it is put in front of another board that would have to start from scratch. If this resolution is passed, Rep. Shapiro will hold a public hearing in September as the last two weeks in August are not conducive toward gathering large, public audiences. Chair Shapiro stated he wanted to attract as many people as possible.

Chair Shapiro added that reasonable people can disagree as to whether the plan should pass or fail, but there should be little disagreement that the time has come to put this final draft before the public.

Chair of the Land Use Committee, Rep. White, reported that the Land Use Committee concurred (5-1-1).

Rep. Loglisci stated that he was the dissenting voice on both Land Use and URC. Rep. Loglisci stated that he believes the Mill River Corridor plan is before us prematurely. The Planning Board has not voted upon this issue and will meet tomorrow. The Planning Board believes that the current version, Version 8.7, has enough significant changes in it for them to review it in depth. Also the Board of Finance has not looked at the current plan, and as of this afternoon, the URC has not asked the Board of Finance to place it on its agenda. Rep. Loglisci stated he didn't feel the Board would want to circumvent the proscribed method of approval, and Rep. Loglisci moved to hold the item.

Rep. Loglisci stated that this resolution is presented in one piece, and it is actually three separate items: one, the Mill River Corridor boundaries; two, using the URC as the developer; and three, the creation of a TIF financing district. Rep. Loglisci thinks this should be broken down into its parts.

Rep. Loglisci's motion to hold was seconded.

Rep. Lyons stated that this was for publication only, and if changes were made by the other entities, the resolution may or may not be amended. The URC would have to go back and approve the plan if the other two boards made significant enough changes. Also, the Housing Authority may also have to go back and approve it.

Chair Shapiro stated that the Planning Board is looking at where there would be differences with the Master Plan, and the changes that were made really have no bearing on Master Plan issues, so he doesn't think we would be circumventing that process. Further, Chair Shapiro stated this is for publication only, and we can publish in conjunction with the other processes that are going on with other Boards. Obviously the Board will not approve this in final form if it hasn't heard back from the other boards.

Rep. MacInnis stated that it seems that after three years of discussion, we finally come to this point where we can vote on the matter. There is no reason to hold this. Rep.



MacInnis stated that as a member of the Urban Redevelopment Committee, he passes on his congratulations for Chairman Jim Shapiro, who has done an outstanding job. His leadership and his direction has gotten us to the point where we are tonight.

Rep. Loglisci said he finds it interesting that we are voting on something tonight and then we may find people who thought differently both on the Planning Board and the Board of Finance, and then we would have to go back and review it again. Rep. Loglisci stated that we have waited this long, and one more month would not matter.

Rep. Boccuzzi stated he echoed the previous remarks of his fellow democrat. The Land Use and Urban Redevelopment Committee has put weeks and weeks and weeks into this particular plan and resolution, and he believes that we should go forward with this tonight. This Board did all the work, and this Board should be the Board that makes the final vote as to whether the Mill River Project goes forward.

Chair Shapiro stated he has no ideological problem with separating the items in the resolution, but there is a legal problem. The URC's counsel has advised that these have to be linked. If you are going to propose TIF financing, it has to be included in the project plan resolution. The Board could eventually vote against the TIF financing, but it would have to be in the resolution.

Rep. Loglisci stated that the Board should have its own counsel, and this may be just the URC counsel's interpretation.

The motion to hold was seconded and failed by a machine vote of 10-24-0 (Reps. Blackwell, Cannady, Day, DeLuca, Fedeli, Graber, Imbrogno, Loglisci, Mobilio and Morrow in favor of holding).

The main motion was approved by voice vote; Reps. Loglisci, Fedeli, DeLuca, Mobilio, Imbrogno and Morrow opposed.

2. UR25.009	APPROVAL; of purchase agreement for 60-70 Main Street from Morton B. Kahn Realty; amount of sale: \$1,100,000. 07/06/01 - Submitted Mayor Dannel P. Malloy 07/24/01 - Approved by Planning Board 08/12/01 - To be considered by Board of Finance 07/31/01 - Committee Approved 6-0-1	<b>HELD IN COMMITTEE</b> (Rep. Loglisci abstaining)
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Chair Shapiro stated that this item will be held. The Committee had already voted on the premise that the Board of Finance would have voted on this prior to tonight's meeting. Because the Committee voted on it, Chair Shapiro moved the item. Said motion was seconded.

Rep. Loglisci stated that the Board of Finance did not vote on the Mill River item, yet the Board approved it.

Chair Shapiro replied that the Mill River vote was for publication only; this item would be for final approval.

Rep. Boccuzzi moved to return the item to committee; said motion was seconded.

Rep. Loglisci asked why we would hold this when we didn't want to hold the Mill River Project because the Board of Finance didn't vote on that either. Rep. Loglisci asked if the Board just picks and chooses what it wants to do.

Chair Shapiro stated that the all important distinction is that the prior matter was for publication, and this would be the final vote of the Board.

The motion to return the item to committee was approved by voice vote (Rep. Loglisci abstaining).

**HOUSING/COMMUNITY DEVELOPMENT/  
SOCIAL SERVICES COMMITTEE**

Elaine Mitchell, Chair  
Lisa Poltrack, Vice Chair  
Meeting: Monday, July 16, 2001  
6:00 p.m. - Democratic Caucus Room  
- and -  
Meeting: Tuesday, July 17, 2001  
7:00 p.m. - Democratic Caucus Room

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met on July 16, July 17 and July 24 and as a subcommittee on July 10. The attendance will be submitted with the written report.

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  
07/02/01 - Held in Committee  
07/16/01 - Held in Committee
  
2. HCD25.54      **PROPOSED ORDINANCE; for publication;**      **APPROVED BY**  
amending Chapter 146, Section 35 of the Code of      **UNANIMOUS**  
Ordinances to provide for a reduction in fees for not-      **VOICE VOTE**  
for-profit hotels.

05/11/01 - Submitted by Rep. Gasparri  
06/04/01 - Held in Committee  
07/02/01 - Held in Committee  
07/16/01 - Committee approved 6-0-0

Chair Mitchell moved Item No. HCD25.54; said motion was seconded. Chair Mitchell moved the following amendment; said motion was seconded:

Sect. 146-35 Fees. Add to end of Section (4). "For any hotel owned by any person, firm, corporation, joint venture or other legal entity that is exempt from income tax liability pursuant to Section 501 (C) (3) of the Internal Revenue Code, the applicable licensing fees shall be as follows: Hotel License: two hundred and fifty dollars (\$250), plus thirty dollars (\$30) per hotel unit."

Said amendment was approved by unanimous voice vote.

Rep. Gasparri stated that about a year ago the City increased the annual fee for hotel license to \$250 plus \$75 per room. That change in City policy resulted in the YMCA having to pay a fee of \$10,150 for FY 00-01. YMCA officials were surprised and dismayed to find that their annual fee for renting rooms on a daily or a weekly basis, had increased from \$1,400 to an amount in excess of \$10,000.

Rep. Gasparri stated that if this large increase stands, the YMCA will be forced to raise rental rates or to cut back on programs in order to cover this increased expense. Neither of those options is attractive. An increase in rental rates would burden people of modest means who rent rooms at the YMCA, and it would be most unfortunate if the YMCA had to cut its spending on recreational programs in order to pay the fee increases. That type of action would adversely affect children from the downtown area to the west side who rely heavily on the YMCA for recreational services. Rep. Gasparri stated that for these reasons he strongly supports the proposed amendment to the licensing fee ordinance that will provide a reduced fee for non-profit charitable organizations that provide hotel or short term housing services.

The main motion was approved by unanimous voice vote.

3. HCD25.49 REVIEW; status of moderate income tenant program at Rippowam Park. **REPORT MADE**  
05/04/01 - Submitted by President Domonkos  
06/04/01 - Held in Committee  
07/02/01 - Held in Committee  
07/16/01 - Committee approved 6-0-0

Chair Mitchell reported that Mr. McClutchey reported that there are 225 original Housing Authority residents that are still living at Rippowam Park, with less than a 6% turnover

rate of the Housing Authority residents. They have made improvements to the site such as landscaping, installing speed bumps and a child care facility. The agreement with the Housing Authority allows rent increases of up to 4% each year. Less than half the residents are at 50% of median income, 40 residents are at 25-35% and 70 residents receive Section 8 subsidies.

A report of rent increases for 2001 was supplied to all representatives.

4. HCD25.46    **DISCUSSION and PROPOSED ORDINANCE; for publication**; concerning one-for-one replacement housing.    **APPROVED BY UNANIMOUS VOICE VOTE**  
06/08/01 - Submitted by Reps. Domonkos and Mitchell  
07/02/01 - Held in Committee  
07/16/01 - Committee approved 6-0-0

Chair Mellis moved Item No. HCD25.46; said motion was seconded. Chair Mitchell moved the following amendment to the ordinance:

1. Under Section 2, Definitions, Assisted Housing (Line 3), add the letter *s* to the word “income.”

Said amendment was seconded and approved by unanimous voice vote.

Chair Mitchell moved the following amendment to the ordinance:

2. Under Section 2, Definitions, Conversion, (Line 1), add the letter *n* to the word “a”.

Said amendment was seconded and approved by unanimous voice vote.

Chair Mitchell moved the following amendment to the ordinance:

3. Under Item No. 6, Tenant Notice, Last Line, change “Section 13” to Section *11*.

Said amendment was seconded and approved by unanimous voice vote.

Chair Mitchell moved the following amendment to the ordinance:

4. Under Section 9, Housing Replacement Review Board, Item A(4), add the words “active in the area” at the end of the phrase.

Said amendment was seconded and approved by unanimous voice vote.

Chair Mitchell moved the following amendment to the ordinance:

5. Under Section 9, Housing Replacement Review Board, Item A(6), add the words “a city-wide or” before the word *local*. After the word *associations* add the following: “, both of whom also serve as elected officials of a local tenant association.”

Said amendment was seconded and approved by unanimous voice vote.

Chair Mitchell moved the following amendment to the ordinance:

6. Under Section 9, Housing Replacement Review Board, Item (C), second sentence, delete the words *may halt demolition proceedings on the building in which the tenant resides, or deny acceptance of an owners demolition plan, or otherwise halt demolition* and insert the words “shall direct the chief elected official to revoke a demolition or other building permit for the building in which the tenant resides.”

Said amendment was seconded and approved by unanimous voice vote.

Representative Nakian moved the following amendment to the ordinance:

7. Section 9, Housing Replacement Review Board, insert the following paragraph at the end of the section: “Initially, two (2) members shall be appointed to serve a term of one (1) year; two (2) members shall be appointed to serve a term of two (2) years; and three (3) members shall be appointed to serve a term of three (3) years. Hereafter, each member shall serve a term of three (3) years. A term shall expire on December 1<sup>st</sup> of the final year of the term, subject to continuance in office until a successor shall have been appointed.”

The main motion was approved by unanimous voice vote.

5. HCD25.55	APPROVAL and PUBLIC HEARING; regarding use of Year 27 Contingency Community Development Block Grant Funds. 07/06/01 - Submitted by Tim Beeble 07/16/01 - Report Made	<b>REPORT MADE</b>
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**TRANSPORTATION COMMITTEE** Gabe DeLuca, Chair  
Peter C. Nanos, Vice Chair  
Meeting: Wednesday, July 25, 2001  
7:00 p.m. - Republican Caucus Room

1. T25.036	PROPOSED ORDINANCE; <u>for final adoption</u> ; concerning amending Section 231-8 of the Stamford	<b>FAILED BY MACHINE VOTE</b>
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Code of Ordinances regarding Towing Policy.  
04/26/01 - Submitted by Mayor Dannel P. Malloy  
06/04/01 - Approved for publication  
07/02/01 - Returned to Committee  
07/25/01 - Committee approved 3-0-0

**(9-22-1)** (Reps.  
DeLuca,  
Domonkos,  
Esposito,  
Gasparini,  
Giordano,  
MacInnis, Martin,  
Mobilio and Nakian  
in favor; Rep.  
Zelinsky abstaining)

Chair DeLuca moved Item No. T25.036; said motion was seconded.

Rep. Loglisci stated that he cannot support this legislation because the number of tickets is set very low at six. Secondly, there seems to be no distinction between tickets for meter violators vs. people who park in handicapped spaces or fire hydrant zones. More importantly, Rep. Loglisci does not agree with taking someone's private property and if he or she doesn't respond immediately, their vehicle could be sold at a price that the tow company deems okay. Rep. Loglisci believes in protecting a citizen's personal property, and to take a vehicle that has a lien on it and then be able to sell it, leaving the individual without transportation while still having to pay for that vehicle, is excessive.

Rep. Loglisci stated that this could create a terrible financial burden on somebody. Individuals could experience job losses and even bankruptcy, ultimately, due to this ordinance.

Rep. Lyons asked if the answers to questions regarding liens and transfer of title were received by the Committee.

Chair DeLuca replied that the title would be vested in the municipality once the vehicle has been taken. Chair DeLuca stated that those who have six or more tickets are simply disregarding the law. He added that in Hartford it is five or more tickets. Further, individuals are notified by certified mail that their car will be towed.

Rep. Lyons asked who would be responsible for the personal property taxes on the vehicle while the City was in possession of the title. Rep. DeLuca stated that proceeds of the sale of the car would be paid to the City after the towing company is paid.

Rep. Lyons stated that there are tremendous gray areas that remain, both legally and non-legally, and he felt that it seemed rather draconian for someone to lose his or her vehicle for six unpaid parking meter tickets. Rep. Lyons will not support the ordinance.

Rep. Skigen stated that under State Statute, the proceeds first go to pay for towing, and then the City's unpaid tickets; Rep. Skigen asked if the sale value of the vehicle is not sufficient to pay both of those, who would get paid first. Chair DeLuca replied that the tow company would be paid first.

Rep. Shapiro stated that he feels this legislation creates more problems than it solves, and he will vote against it.

Rep. O’Neill stated he is opposed to this. He feels it creates an elaborate and unwieldy process and bureaucracy that would not serve the best interests of the citizens. The City does not have a public yard where these vehicles could easily be retrieved, especially on the weekend. Rep. O’Neill feels there are probably more elegant solutions the City could take to solve the problem of unpaid parking tickets. Rep. O’Neill also asked at the Transportation Committee meeting for the number of scofflaws in Stamford that would fall under this ordinance, and he has never received a response.

Rep. Zelinsky stated that he believes the intent of this ordinance is good, however, the solution of selling the car seems rather drastic. Rep. Zelinsky moved to return the ordinance to committee; said motion was seconded.

Chair DeLuca stated that he didn’t believe sending it back to Committee would be productive. The Committee has thoroughly reviewed the item.

The motion to return to Committee failed by voice vote.

A motion to move the question was made; said motion was seconded and approved by unanimous voice vote.

The main motion failed by a **machine vote** of 9-22-1; Reps. DeLuca, Domonkos, Esposito, Gasparrini, Giordano, MacInnis, Martin, Mobilio and Nakian in favor; Rep. Zelinsky abstaining.

- |            |   |                        |
|------------|---|------------------------|
| 2. T25.038 | REVIEW; of policies concerning road closings for repairs and construction.<br>07/03/01 - Submitted by Rep. Sherer<br>07/25/01 - Report Made | <b>REPORT<br/>MADE</b> |
|------------|---|------------------------|

Chair DeLuca reported that a written report was provided on Item No. T25.038.

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|------------|---|------------------------|
| 3. T25.039 | REVIEW; of Traffic Advisory Committee’s role and authority.<br>07/05/01 - Submitted by President Domonkos<br>07/25/01 - Report Made | <b>REPORT<br/>MADE</b> |
|------------|---|------------------------|

Chair DeLuca reported that a written report was provided on Item No. T25.038.

**ADMINISTRATION & TECHNOLOGY** Gloria DePina, Chair

**COMMITTEE**

Thomas Hunter, Vice Chair  
Meeting: Wednesday, July 18, 2001  
7:00 p.m. - Democratic Caucus Room

Vice Chair Hunter reported that the Administration & Technology Committee met on Wednesday, July 18, 2001. Present were Committee Member Reps. Hunter, Kernan and Mitchell. Excused were Reps. DePina and Summerville.

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.      **APPROVED ON CONSENT AGENDA**  
05/07/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
06/04/01 - Held in Committee  
07/02/01 - Held in Committee  
07/18/01 - Committee approved 3-0-0

Vice Chair Hunter reported that the Committee voted 3-0 in favor of Item No.AT25.12. He added that while he felt that the call plan was satisfactory, the answers to his questions regarding the central office were basically misleading and he is concerned about this. He voted for the item because of his fear that turning this down would cause the telephone service costs to skyrocket.

2. AT25.13      APPROVAL; of contract with New Visions Systems Corporation for recording, indexing and imaging System for the Town Clerk's Office; amount of contract: \$3,500 per month for five years.      **APPROVED ON CONSENT AGENDA**  
07/03/01 - Submitted by Mayor Dannel P. Malloy  
07/12/01 - Approved by Board of Finance  
07/18/01 - Committee approved 3-0-0

Vice Chair Hunter reported that regarding Item No. AT25.13, the IT Department did an excellent job on this contract, and the Committee voted 3-0 to approve it.

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

**HOUSE COMMITTEE**      Annie M. Summerville, Chair

No report.



## **SPECIAL COMMITTEE ON REAPPORTIONMENT**

David Martin, Co-Chair

Robert "Gabe" DeLuca, Co-Chair

Co-Chair Martin reported that the Reapportionment Commission met last week, and he has not received a report from them.

## **RESOLUTIONS**

## **MINUTES**

- |    |  |   |
|----|--|---|
| 1. | <a href="#">June 4, 2001 Regular Meeting</a> | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
| 2. | <a href="#">July 2, 2001 Regular Meeting</a> | <b>NO ACTION<br/>TAKEN</b>                      |

## **COMMUNICATIONS**

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ADJOURNMENT**

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 10:50 p.m.

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

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