

The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Monday, June 3, 2002 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 10:00 p.m.

INVOCATION: Led by Representative Loglisci.

“Let’s bow our heads. Lord, be with us tonight as we strive to do your work in the political arena. Please let friendship come across the aisles. Let us all work together in your name for the betterment of Stamford and its citizens. Amen.”

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President David R. Martin.

ROLL CALL: Led by Clerk of the Board Annie M. Summerville. There were 39 members present and one excused, Mary Fedeli.

MOMENTS OF SILENCE: For the late:

Deborah B. Weintraub, by the 26th Board of Representatives; Sylvia A. Roberson, by Rep. Summerville; Elvera Palumbo by Rep. Mirkin; Ann J. Laguardia and Daniel D. Mercede, by Reps. Giordano and Loglisci; Anna M. Zaccagnino and Nicholas L. Giancola by Reps. Giordano and Zelinsky; Stella Bova and Marion F. Kennedy by Rep. Giordano; Rosemarie Larsen by Reps. Zelinsky and Loglisci; Athanasios Nanos by Reps. Spadow, Giordano and Loglisci; Dr. Douglass T. Murray, Pat Labbadia, Jr., and Gillet King by Rep. Giordano; Michael D. Farina, Joseph V. Festo, Jr., Judy Hayes-Kuchyt, William Moriarty, Hugh B. Fletcher and Nicholas Pach by Rep. Loglisci; and Peter Denham by Rep. Giordano.

PAGES: Nicole Patterson and Nicole Crowley.

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, May 13, 2002

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.

CHARTER COMMITTEE: Maria Nakian, Co-Chair
Robert “Gabe” DeLuca, Co-Chair

No report.

- | | | |
|------------|---|----------------------|
| 1. C26.001 | RESOLUTION; establishing a Charter Review Commission.
02/04/02 – Submitted by President Martin | NO
REPORT |
| 2. C26.002 | RESOLUTION; appointment the members to a Charter Review Commission.
02/04/02 – Submitted by President Martin | NO
REPORT |
| 3. C26.003 | RESOLUTION; outlining the charge to the Charter Review Commission.
02/04/02 – Submitted by President Martin | NO
REPORT |

TRANSPORTATION COMMITTEE: Robert “Gabe” DeLuca, Chair
John R. Zelinsky, Jr., Vice Chair

No Report.

- | | | |
|------------|---|----------------------|
| 1. T26.011 | REVIEW; of the Transit District and the bus stop advertising contract.
04/11/02 – Submitted by Reps. Mirkin & DeLuca | NO
REPORT |
|------------|---|----------------------|

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

Elaine Mitchell, Chair

(Attendance)

Meeting: Tuesday, May 21, 2002

(Votes)

6:30 p.m. – Republican Caucus Room

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met on Tuesday, May 21, 2002. Present were Committee Member Reps. Mitchell, Blackwell, Brown, Cannady, McCullen, Crowley, Morrow, Fahan and Giordano.

1. HCD26.07 APPROVAL; of a change in sponsorship of Spruce Street Townhouse Project to a new joint venture of NHS and Mutual Housing. **NO ACTION REQUIRED**
05/09/02 – Submitted by Tim Beeble
05/21/02 – Committee approved 7-0-1

Note: Rep. Sherer left the floor of the Board for the discussion of Item No. HCD26.07.

2. HCD26.06 REVIEW; of affordable housing availability in Stamford and home buying opportunities for low income households. **HELD IN COMMITTEE**
05/08/02 – Submitted by Tim Beeble
05/21/02 – Held in Committee

STATE AND COMMERCE COMMITTEE: Jim Shapiro, Chair
John Morrow, Vice Chair

No report.

EDUCATION COMMITTEE: Thomas Hunter, Co-Chair
Brian O’Neill, Co-Chair
(Attendance)
(Votes)
Meeting: Tuesday, May 21, 2002
6:30 p.m. – Democratic Caucus Room

The Education Committee met on Tuesday, May 21, 2002. Present were Committee Member Reps. Imbrogno, Crowley, Day, Mitchell, O’Neill, Hunter and Zelinsky.

1. E26.004 RESOLUTION; approving a contract with Noresco, LLC for energy savings guarantee with the Stamford Public Schools; term of contract: until completion of work; amount of contract: \$6,100,000. **HELD IN COMMITTEE BY UNANIMOUS VOICE VOTE**
04/08/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/21/02 – Committee approved 7-0-1

Secondary Committee: Legislative & Rules
Waived

Rep. Nakian moved to waive the Secondary Committee Report; said motion was seconded and approved by unanimous voice vote.

Co-Chair Hunter moved to approve Item No. E26.004; said motion was seconded.

Rep. Skigen stated that he has had a number of conversations with Tom Hamilton and John Chardvaoyne. Mr. Hamilton had been working on the lease purchase financing for this transaction, and last Friday he received a spreadsheet that indicated that the costs were going to be \$500,000 over the \$6.1 million approved. A number of meetings have been held since then, and we have been asked to hold the resolution for this contract. Rep. Skigen moved to hold the item, seconded and approved by unanimous voice vote.

PARKS & RECREATION

COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Linda Cannady, Co-Chair

Donald B. Sherer, Co-Chair

Meeting: Wednesday, May 29, 2002

7:30 p.m. – Democratic Caucus Room

Co-Chair Cannady reported that the Parks & Recreation Committee met on Wednesday, May 29, 2002. Present were Committee Member Reps. Cannady, Clear, Coppola, Fedeli, Giordano, Imbrogno, Lyons, McDermott and Sherer. Excused were Reps. McCullen and White. Also present were Michael Gotties, Rob Giordano and Albert Cognetta of Westhill High School; representatives the Stamford Police Department; Robin Stein of the Land Use Bureau; Thomas Donnelly and Matt Strozier of the Stamford Advocate.

1. [PR26.013](#) PROPOSED ORDINANCE; [for publication](#);
amending Chapter 84-7a, Section 84-7a-175-8
regarding water skiing restrictions.
01/10/02 – Submitted by Rep. Lyons
02/27/02 – Held in Committee
03/04/02 – Held by Board
04/01/02 – Held in Committee
05/29/02 – Committee approved 7-1-0

**APPROVED
BY
UNANIMOUS
VOICE VOTE**

Co-Chair Cannady corrected the Code references in the title of the item. Co-Chair Cannady moved the item; said motion was seconded. Co-Chair Cannady moved an addition to the ordinance as follows: “A motor boat engaged for the purpose of enabling a water skier to take off or land from a beach, float or dock, shall be exempt from compliance with Section 84-7a so long as such take off or landing occurs from a point southerly of latitude .41.01.494 and longitude .73.31.849, which is the distance requirement.” Co-Chair Cannady reported that the Committee approved this 7-1-0. The amended ordinance was approved for publication by unanimous voice vote.

2. PR26.020 REVIEW; of parking near access areas to public easements along the water front. **REPORT MADE**
04/03/02 – Submitted by Rep. Sherer
05/06/02 – Held in Committee
05/29/02 – Report Made

Co-Chair Cannady stated the item was discussed at length with the conclusion that Rep. Sherer, along with any other interested representative, will work with Robin Stein to identify locations that are closed off to public access and the feasibility of making parking available, where appropriate. They will also research to find out what the state's intent is for public access.

PUBLIC SAFETY & HEALTH COMMITTEE: **Richard Lyons II, Chair**
(Report) Meeting: Thursday, May 30, 2002
7:30 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on Thursday, May 30, 2002. Present were Reps. Lyons, Biancardi, Blackwell, Clear, DePina, Kernan, O'Neill and Mirkin; excused were Reps. Crowley and DeLuca; absent was Rep. DeLeo.

1. PS26.003 PROPOSED ORDINANCE; for final adoption; **HELD IN COMMITTEE**
proposed fee increases for false alarm fines and establishing new fees for alarm registration and late payment penalties.
01/10/02 – Submitted by Mayor Dannel P. Malloy
04/01/02 – Approved for publication
05/06/02 – Held in Committee
05/30/02 – Held in Committee 8-0-0
2. PS26.008 REVIEW; of crosswalks/pedestrian crossing zones and changes the City will implement to improve pedestrian safety. **REPORT MADE**
04/04/02 – Submitted by Rep. Lyons
04/08/02 – Held in Committee
05/30/02 – Report Made

Chair Lyons reported the Committee was presented with an in-depth overview and outline of the City's current and future plans for crosswalk and pedestrian safety. Frank Fedeli, Chair of the Traffic Advisory Committee, was present to discuss these issues.

OPERATIONS COMMITTEE: **Bobby E. Owens, Chair**

(Attendance)
(Votes)
(Report)

Anthony Imbrogno, Vice Chair
Meeting: Wednesday, May 22, 2002
7:00 p.m. – Democratic Caucus Room

Vice Chair Imbrogno reported that the Operations Committee met on Wednesday, May 22, 2002. Present were Reps. Imbrogno, Biancardi, Coppola, Day, Hunter, McDermott, O'Neill, Owens, Sherer and White; excused was Rep. Zelinsky.

1. O26.009 PROPOSED ORDINANCE; for final adoption; **APPROVED BY**
amending Chapter 214, Article II of the Code of **UNANIMOUS**
Ordinances to increase fee for street opening permits. **VOICE VOTE**
01/23/02 – Submitted by Mayor Dannel P. Malloy **(as amended)**
02/20/02 – Committee approved 6-0-0 (as amended)
03/04/02 – Held by Board
04/02/02 – Approved for publication
05/06/02 – Held in Committee 6-0-0
05/22/02 – Committee approved 8-0-0

Vice Chair Imbrogno moved to amend the fee from \$225 to \$125. Said motion was seconded and approved by unanimous voice vote.

Vice Chair Imbrogno moved to waive republication of the ordinance. Said motion was seconded and approved by a machine vote of 34-4-0 (See [Vote Record #264](#))

Vice Chair Imbrogno moved the ordinance; said motion was seconded and approved by unanimous voice vote.

2. O26.015 PROPOSED ORDINANCE; for publication; **APPROVED BY**
amending Ordinance No. 649, Secs.123-5 A and B **UNANIMOUS**
and adding Sections C & D, to increase building fees. **VOICE VOTE**
04/24/02 – Submitted by Rep. DeLuca
05/22/02 – Committee approved 8-0-0

Vice Chair Imbrogno moved Item No. O26.015; said motion was seconded and approved by unanimous voice vote.

3. O26.016 REVIEW; Rebuild America's proposal for street light **REPORT**
changes on Bedford Street. **MADE**
05/01/02 – Submitted by Rep. O'Neill
05/22/02 – Report Made

Vice Chair Imbrogno stated that everyone has a report on their desk regarding Item No. O26.016. This project will change the light poles on Bedford Street. There will be two

different styles to select from, and the Committee will have an opportunity to look at both designs.

Rep. Zelinsky asked the about the cost of the new lights and who will be paying for them. Vice Chair Imbrogno replied that the City is trying to get grant funding, and the cost for Phase I will be \$136,968. Rep. Zelinsky asked what sections of Bedford Street will have these lights. Vice Chair Imbrogno stated that Latham Park and Bedford Street are included in Phase I; Phase II will be Bank, Main and Atlantic Streets; and Phase III will be Columbus Park and Washington Boulevard.

LAND USE/URBAN REDEVELOPMENT COMMITTEE:

(Report)

(Attendance)

(Votes)

Harry Day, Co-Chair

Patrick J. White, Co-Chair

Meeting: Wednesday, May 15, 2002

7:00 p.m. – Senior Center

- and -

Meeting: Tuesday, May 28, 2002

7:30 p.m. – Republican Caucus Room

Co-Chair Day reported that the Land Use/Urban Redevelopment Committee met on Wednesday, May 15, 2002 in the Senior Center to take up Item No. 2, LU26.019. Present were Committee Member Reps. Day, White, Nakian, Shapiro and Spadow. Reps. Boccuzzi and Mitchell were excused. Also present were various members of the Board of Finance, the Planning Board, the Zoning Board, the Zoning Board of Appeals, Environmental Protection Board, the Urban Redevelopment Commission and the Housing Authority; Robin Stein, Land Use Bureau Chief and John Shapiro and Robert Lane of Abeles, Phillips, Price & Shapiro. The Committee also met on Tuesday, May 28, 2002 to consider the remaining agenda items. Present were Committee Member Reps. Biancardi, Nakian, Mitchell, O’Neill and Summerville; Reps. Boccuzzi, Loglisci and Spadow were excused. Also present was Corporation Counsel Andrew McDonald; Rachel Goldberg, Steven Osman and Laszlo Papp of the Urban Redevelopment Commission; and Director of Operations Tim Curtin.

1. LU26.018
Resolution

RESOLUTION; initiating the process for a road acceptance for South Lake and Wallenberg Drives.
03/21/02 – Submitted by Cacace, Tusch & Santagata
05/06/02 - Held in Committee
05/28/02 – Held in Committee

**HELD IN
COMMITTEE**

2. LU26.019

REVIEW; of the City of Stamford Master Plan.
04/30/02 – Submitted by Reps. Day and White
05/15/02 – Report Made

**REPORT
MADE**

Clerk of the Board Summerville left the floor of the Board during discussion of Item No. LU26.019.

Co-Chair Day reported that Planning Board Chair Duane Hill introduced John Shapiro and Robert Lane, the City's consultants who have been assisting the Planning Board in revising and evaluating the Master Plan. A comprehensive review was given, including the work on the plan to date and its objectives and strategies. The plan combines citywide goals along with neighborhood specific plan objectives and is supplemented with a series of reports that attempt to delineate key policy directions for Stamford's future. Copies of the Plan as updated were made available to the Committee, and Mr. Day urged all members who have not reviewed it (or the summary version) to do so. A public hearing will take place in July after which the Planning Board will consider changes.

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| 3. <u>LU26.021</u>
<u>Resolution</u> | RESOLUTION; approving an agreement for the conveyance of land to Faith Tabernacle Baptist Church from the Stamford Urban Redevelopment Commission.
05/06/02 – Submitted by Mayor Dannel P. Malloy
05/21/02 – Approved by Planning Board
05/28/02 – Committee approved 6-0-0 | APPROVED
ON CONSENT
AGENDA |
| 4. LU26.020 | REVIEW; of Mill River Corridor Project.
05/09/02 – Submitted by Rep. Day
05/28/02 – Report Made | REPORT
MADE |

Co-Chair Day stated that Mr. Papp reported on various activities underway including the closing on the Archstone Property and the fall groundbreaking on that project, evaluating of expanding the Mill River zone to Scalzi Park, the pilot project on the west side of the river (which is anticipated to contain a biking trail and playground area) as well as the Army Corps of Engineer study on the water flow, sedimentation and other aspects of the river.

Co-Chair Day continued stating that with respect to the Archstone property, the Committee was shown updated architectural features of the project. Several committee members voiced continued concerns and reservations on some of the architectural features. Given that the Board of Representatives has substantial oversight review of this project, the Committee and the URC members agreed that it would be appropriate to have on-going committee review of this project, not less than quarterly, and more often as events might dictate.

Co-Chair Day stated that the Committee was less than enthusiastic toward the architectural plans. The Committee had seen the plans before, and they attempted to dress them up with better renditions, but some of the same concerns exist. The streetscape and the wall that faces the river are of concern. They are also still using Drive-It from the 4th floor up on the building as opposed to real masonry.

President Martin stated that a number of representatives have indicated to him the importance and the commitment that the City has made to the Mill River Corridor Project, and the first major construction is certainly a symbol of what we hope to achieve. If there is disappointment in the architectural design, he will ask Co-Chairs White and Day to pursue this matter.

Co-Chair Day stated that after the meeting Steve Osman said that he appreciated the fact that the Committee members expressed their opinions, because even the members of the URC continue to have some qualms about the project as it finally evolved. They encouraged the Committee to take an active role.

Co-Chair Day moved the Consent Agenda; said motion was seconded and approved by unanimous voice vote.

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Co-Chair

Sanchia Spandow, Co-Chair

Meeting: Wednesday, May 22, 2002

7:30 p.m. – Republican Caucus Room

Meeting: Monday, June 3, 2002

6:30 p.m. – Democratic Caucus Room

(Report)

(Report)

Co-Chair Spandow reported that the Personnel Committee met on Wednesday, May 22, 2002.

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| 1. P26.017 | APPROVAL of one time pension adjustment for Stamford Police Pension recipients.
03/22/02 – Submitted by Pension Board
05/22/02 – Held in Committee | HELD IN
COMMITTEE |
| 2. <u>P26.019</u> | APPROVAL; of contract with Mathog & Moniello Companies, Inc. for self-funded claims administration and consulting services.
04/08/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/22/02 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 3. P26.020 | APPROVAL; of Teamsters Contract for the period July 1, 2001 through June 30, 2003.
05/01/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Favorable Advisory by Board of Finance
06/03/02 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |

4. P26.021 REVIEW; of City of Stamford early retirement buyout **REPORT**
policies. **MADE**
05/06/02 – Submitted by Rep. DeLuca, Mirkin &
Coppola
05/22/02 – Report Made

Co-Chair Spandow stated that Rep. Fedeli will provide a report to the full Board on Item No.4.

Rep. DeLuca asked whether anyone questioned Mr. Stover regarding the mayor's statement that the law requires anyone who retires before an early retirement plan is ineligible to participate in the plan. Rep. DeLuca asked if this is a law, how can we permit this to go through?

Co-Chair Spandow stated that she would defer to Mary Fedeli's report. She added that this issue did come up, but she doesn't have notes on it.

Rep. DeLuca asked if anyone questioned Mr. Stover if there were others who elected not to take the buyout but were terminated anyway, and if they were later determined to be eligible for the buyout? Co-Chair Spandow stated that no one asked this question.

Rep. DeLuca stated that a terrible precedent is being established here, and that perhaps an opinion from the law department is in order. He is interested in details of the law that the Mayor referred to.

Rep. Coppola stated that he asked Bill Stover about the Mayor's quote in the Advocate. Mr. Stover replied that he was told by the actuary that once they knew there was going to be a buyout, it was up to Mr. Stover to let that be known. Rep. Coppola stated he was not satisfied with that answer because he agrees with the Mayor's quote in the Advocate. If a person retires before the offer is made, he doesn't see why the City of Stamford is obligated to extend the offer to that individual. He emphasized this has nothing to do with the individual.

Rep. Mirkin stated that he asked whether there were others that could be eligible, and the Committee was told there were no other people. Alice Fortunato was the only person because the union, not Alice Fortunato, came to Mr. Stover with a request that she be included. Mr. Stover communicated that he knew prior to Christmas when he had conversations with Ms. Fortunato, and he failed to advise her of the imminent buyout plan. After speaking with the actuary, he felt he was obligated to include Ms. Fortunato. Mr. Mirkin stated he would like to have the Board notified of what actually will be offered to Ms. Fortunato in the end.

Rep. Loglisci stated he got the feeling from Mr. Stover that he felt he erred in not letting an individual know about the plan when they inquired. Also, the time difference was only a few days. In reviewing those individuals who retired, this was the only individual who would have been eligible, and the actuary concurred that she should be given an opportunity to be included in the package.

Rep. Skigen stated that Rep. Loglisci was accurate. Mr. Skigen stated that Rep. Coppola said that Mr. Stover knew that a plan was going to be adopted but told Ms. Fortunato that it wasn't. Mr. Stover took responsibility for giving her that answer. Regarding whether people who were fired post the early retirement plan, that question was not asked. The question that Mr. Mirkin asked was whether there was anyone else who fell into the same category, and there were no other individuals that did. They reviewed retirees back to November.

President Martin asked that the Committee Co-chairs ask Mr. DeLuca's question and report back to the Board. If the questions were not answered as a result of the report, then he would request a legal opinion.

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

LEGISLATIVE & RULES COMMITTEE: **Maria C. Nakian, Chair**
(Attendance) **Jim Shapiro, Vice Chair**
(Votes) Meeting: Monday, May 20, 2002
7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee was held on Monday, May 20, 2002. Present were Committee Member Reps. Nakian, Fahan, Mitchell, Spandow, Zelinsky, DeLeo and Benyus present; excused were Rep. Greenberg. Also present was Rep. McCullen and Rep. Skigen; Tim Curtin; and Andrew McDonald. A public hearing was held on Item No. 1 and no one was present to speak on the matter.

1. [LR26.005](#) PROPOSED ORDINANCE; for final adoption; of tax abatement request by the Landmark Baptist Church for property located on Crescent Street. **APPROVED ON CONSENT AGENDA**
02/01/02 – Submitted by Dr. Vince J. Massa
02/25/02 – Held in Committee
04/01/02 – Held in Committee
05/06/02 – Approved for publication
05/20/02 – Committee approved 6-0-1

Rep. Fahan left the floor for the discussion on LR26.005.

2. [LR26.012](#) PROPOSED ORDINANCE; for publication; repealing Section 40-20 relating to pensions in the Office of the Registrar of Voters. **APPROVED ON CONSENT AGENDA**
04/29/02 – Submitted by Rep. Skigen
05/20/02 – Committee approved 6-0-0

3. LR26.013 AMENDMENT; to Rules of the Board providing that all candidates for replacement for elective officers be interviewed by the Appointments Committee. **FAILED BY MACHINE VOTE (22-16-0)**
04/29/02 – Submitted by Rep. Skigen
05/20/02 – Committee approved 7-0-0

Chair Nakian stated that the original proposal made by Rep. Skigen provided that candidates who were filling vacancies in elected offices be interviewed by the Appointments Committee. After much discussion, it was obvious this was not going to be approved by the Committee. Therefore, the Committee changed the proposal to provide that a candidate for an elective office would not be presented to the full Board until the candidate had been determined by the majority or minority leader of the respective party was eligible to serve pursuant to relevant provisions of City Charter and ordinances. Those provisions are political party, residency requirement and that no one can serve on an appointed board or commission along with service on the Board of Representatives. The Committee voted 7-0 to approve the change as amended. Chair Nakian moved the item; said motion was seconded.

Rep. Loglisci stated that he believes that this belongs with the Democratic and Republican Town Committees. He doesn't believe it is a function of this Board, he expects his registrar to know if the person was a Republican, and he believes the Town Committee would be talking to these individuals. The matter should be handled in the respective committees. He feels that this is something that we don't know, and rather than doing nothing, we decided to do something. It doesn't belong as a function of this Board.

Rep. Lyons stated he echoes some of Mr. Loglisci's comments. He feels it is well intentioned, but the language as drafted and the concept is somewhat flawed. This solution brings politicization to the process. The Town and City Committees know best as they are the people who nominate individuals for the general election slate, and he plans to vote against it.

Rep. Skigen stated that it is all well and good to say that the responsibility falls on the Town and City Committees and the Registrars of Voters, but the Charter gives the legal responsibility to the Board of Representatives, and therefore, the responsibility. Whether it should lie elsewhere is another issue, and it does lie with this Board. Rep. Skigen stated he would prefer that these go through the Appointments Committee, but he heard some compelling arguments the night of the Legislative & Rules Committee meeting that indicated to him that people did feel this was a political position. Therefore it should be a political member of this Board who is checking on their own party. There was discussion as to whether the Clerk should be responsible for checking party affiliation, residency and board or commission status. It was felt it was more appropriate that the majority and minority leader undertake that responsibility.

Rep. Skigen is surprised and dismayed that this Board does not take this responsibility more seriously. The Board has been embarrassed in the past, and he hopes it doesn't happen in the future. The bottom line is that legally the Board of Representatives fills these positions, including the Board of Finance, the Board of Education or the Mayor's slot. He feels it is important there be some type of vetting process, and this process is fair and will let the majority or minority leader know the person's name in advance of the meeting where that person will be proposed, so that they have an opportunity to confirm the person's eligibility to serve in the position.

Rep. Fahan stated that the Legislative & Rules Committee came to an excellent compromise on this issue.

Rep. Biancardi stated he thinks we are creating something that doesn't need to be created. In one particular instance, a certain common more of the Board of Representatives was not followed, and there is no purpose in this.

Rep. DeLeo stated that the Committee did an excellent job in reaching a compromise, but he believes this is the Board's duties, and this is the bare minimum – a three question survey. At some point in time in the near future, more detailed and precise rules and regulations and the writing of prior customs should be written out. He stated he supports this change to the rules.

Rep. Spandow stated that she agrees with Rep. Loglisci. This is a political thing and it belongs in each party. Each representative when they stand for election are approved and endorsed by their respective parties. She thought that this compromise keeps it within each party, and she will support it.

Rep. Mitchell stated that she felt this was a better compromise and provides an opportunity for the majority and minority leaders to go back and speak to the town or city committees. Also, it is our job to be sure that we don't have what happened in the past happen again.

Rep. Boccuzzi is willing to support the amendment to the rules. He was against going to the Appointments Committee. Rep. Boccuzzi stated that if someone comes in the night of the meeting, he will not take it up the night they come in. There needs to be a date by which their qualifications are submitted.

Rep. Esposito stated he supports the amendment. Being on the Board of Representatives, the Board of Finance or the Board of Education is an important position. Everyone works hard to get on the Board, and now we have a haphazard system to replace members and no system to verify replacements is irresponsible. Rep. Esposito stated that he hears about a protocol of the outgoing representative selecting the replacement, and he doesn't know where that came from. The reality is that this is not stated anywhere. The reality is that there is a member sitting on this Board tonight who was approved with a 19-16 vote. In reality, more than one person can come before the Board and fight for the

seat. Along the way, it has gotten too easy and too haphazard. More thought and introspection toward the position should be given.

Rep. Zelinsky stated that he is the individual that Rep. Esposito referred to. He ran for a vacant seat with another individual, and it was a close vote. Rep. Zelinsky stated he concurs with Rep. Skigen. He serves on the L&R Committee, it was a compromise, and it is the Board's responsibility. The best way is to give the responsibility to the majority and minority leader to ensure the individuals are minimally qualified to serve on this Board.

Ms. Figueroa stated that she will support this amendment. As a newly elected member, she worked hard to win the election, along with Mr. Kernan. The newcomers are very lucky, they didn't have to work in order for them to be here. While she is happy for them, it is only fair for the constituents that someone check on the newcomers.

Rep. O'Neill moved the question; said motion failed by a machine vote of 17-21-0 (see [Vote Record #265](#)).

Rep. Greenberg stated he agrees with Mr. Loglisci. He doesn't feel an amendment is necessary to have the majority and minority leader find this information out.

Rep. Lyons stated that he applauds the committee for its compromise and intentions. He has heard references to the Charter, and since there is a charter review committee, now is a good time to look at this subject. Rep. Lyons also stated that filling an unexpired term is a challenging issue. You need to run alone in the next election and you don't have the luxury of running with your district mate or the full Board. You have to campaign quietly and lonely. It proves if you are truly electable or not.

Rep. Nakian stated that she thinks the Board looks on the issue primarily in terms of the Board of Representatives, but this is for all elected appointments – the Board of Finance, the Board of Education, Registrar of Voters or the Mayor. There have been times when there was more than one candidate, and the Board knew nothing about them. It is good to have a system in place. She originally agreed with Mr. Skigen that the Appointments Committee should interview them. A compromise was reached where the majority and minority leaders acted as the representatives of their parties, and they could take this job on so at least the Board knew that there was a system that assured the candidate complied with the Charter and the Code. Rep. Nakian sees nothing wrong with having information verified by a process, and she will vote in favor of the item.

Rep. Loglisci stated that he believes in history, and we have been doing this a certain way for 50 years. He stated that problems seem to come when we overlook protocol, and he doesn't need a paragraph to tell him what his job is. If he is replacing a member, he is going to know what party that person belongs to and will know something about his/her approach and will ensure that they live within their district. This is implying that if it is not written down, the majority and minority leaders will not do their jobs.

Rep. Skigen stated, in response to Rep. Loglisci's question, the Boards of Finance and Education have no say in replacing members of their Boards. The Board of Representatives has the legal responsibility to fill the vacancy. This amendment states that it is the obligation of the minority or majority leader to come forth and say that he has done his due diligence and all candidates meet the minimum qualifications to serve on the Boards of Finance or Education. The Board of Representatives does not set rules for those Boards, and those boards don't have any responsibility to fill vacancies. Under the Charter, this is the Board of Representatives' responsibility.

In response to Rep. Lyons' comments regarding sending the matter to Charter Revision, Rep. Skigen stated that Charter Revision will not come back before the Board for at least eighteen months; secondly, Charter Revision cannot tell the Democratic City Committee or the Republican Town Committee what to do. The Charter only affects city government. Rep. Skigen stated that the responsibility falls under this Board's duties, and the Board should take the responsibility seriously and it should do some sort of checking on candidates before their names appear on the floor.

Rep. Fahan stated that, in all due respect to the members that oppose this, he believes they are making the issue more complicated than it is. The purview of this is only to make certain that the replacement candidate is a member of their party, is not a member of a board or commission, and is a resident of their district. This is a safeguard, and he doesn't understand why we are making this more difficult than it is. He added that it is not a charter issue.

President Martin stated that this item requires a two-thirds vote, and anyone who doesn't vote doesn't count toward the two-thirds. It is two-thirds present and voting.

Chair Nakian moved item No. LR26.013; said motion was seconded and failed by a machine vote of 22-16-0 (see [Vote Record #266](#)).

4. [LR26.015](#) APPROVAL; of concept for advertising in the form of Ad Boards (affixed to walls of city-owned garages) for advertising in city-owned parking garages. **APPROVED BY MACHINE VOTE (21-14-0)**
04/24/02 – Submitted by Mayor Dannel P. Malloy
05/20/02 – Committee approved 6-0-0

Secondary Committee: Land Use/Urban Redevelopment

Concur 5-1-0

Chair Nakian moved Item No. LR26.015; said motion was seconded. Chair Nakian reported that the City is exploring the possibility of contracts with advertisers to have advertising in three city garages. This is done in other parts of the country, an RFP process would be used, the City would have the right to approve the ads as to concept, size and location, and the City would receive 30% of the gross revenue that the lessee obtains for the advertising.

Chair Nakian added that before an RFP Committee is formed and the RFP process is undertaken, the City wanted to know if the Board would approve the concept of this. The Committee approved the concept by a vote of 6-0-0.

Rep. Loglisci asked whether this would cost the city any money. Chair Nakian responded that she does not see why it would cost any money, but she could not answer for certain. Rep. Loglisci stated that he was assuming that the advertising would only be inside, and Chair Nakian confirmed that the Committee was told that the advertising would be inside. Rep. Loglisci asked how much income the city expected to receive. Chair Nakian replied that Mr. Curtin would not know until the contracts came in.

Rep. Loglisci stated that there is nothing that ever gets done in the City that doesn't cost money, for perhaps a study. He also stated that the Board may not have control. Once the City accepts advertising, would the City have to accept all advertising. Rep. Loglisci stated that unless he receives assurances that the City can earn several hundred thousand dollars, he would then move on to other questions. For all we know, we are looking at receiving a few thousand dollars and have no control over what is on the walls of our parking garages. Rep. Loglisci stated he will not vote for this.

Rep. White stated that he voted no on the secondary committee. He voted no because it is a quality of life matter. Once the City goes down the road of selling advertising space, first in parking garages, it just a matter of time before it spreads. You will see advertising on the outside of city garages, on other city buildings, in schools, baseball fields, etc. Rep. White stated it is ugly and distracting, and it is not the way a city should be going in terms of aesthetic beauty. Rep. White stated that it is like a cancer, it will spread and grow, to beaches, pavilions and all other city buildings and parks. After a while, we will get seduced by this money and it will be hard to stop.

Rep. O'Neill stated that we don't need more visual pollution in our City, and that is what this will be. Rep. O'Neill doesn't want advertising in the parks or posted inside or outside of public buildings. Rep. O'Neill stated we had a recent favorable court case which determined that we did not want billboards along I-95 in the City of Stamford, and it seems that if we are to go along with that point of view that we disapprove of advertising in our public places, it would be inconsistent to bring it into our garages. The idea that we would have oversight of the content of the advertising is a naïve point of view; it overlooks the constitutional freedom of speech rights. Once someone has purchased that space, he believes we would have very little ability to control the content of the space. Rep. O'Neill stated that he agrees with Mr. White's statement that this is a possible new revenue stream, and while he appreciates the City's ambitious policy to try to pick up more revenue, bringing advertising into our public spaces is not the way he would like the City to find revenue.

Rep. Zelinsky confirmed that the City would earn 30% of gross revenue, and questioned why it would only be 30%. Rep. Zelinsky stated that we are supplying the space and we should get more than 30%. Chair Nakian stated that this must be industry standard,

because this is the amount used throughout the country. She added that the only thing we are doing is supplying the location, and we are not supplying the ad boards or the upkeep.

Rep. Biancardi stated that he doesn't know too many businesses that give a 30% referral fee. Little League baseball fields have advertising to support their activities. The Board should be pro-commerce, and to say that we are not pro-commerce is foolish. In this building alone, in the main lobby, we have ATM machines, stamp machines and a bank representative. We could try to keep everything as neat and clean as possible, but we are not a little village. We are a major small city and a commercial zone. Putting lighted signs for advertising, where the city earns 30%, in basically gruesome structures, does not affect the beauty of anything. If we were putting them in the middle of Cummings Park there may be an issue.

Rep. Lyons stated that he is somewhat ambivalent for his support of this concept. Rep. Lyons asked whether the Zoning Board approved billboards and signage. Chair Nakian responded that the Zoning Board did enact zoning regulations. The Zoning Board only deals with private property, not city property. Rep. Lyons asked whether one garage could be used as a pilot project for one year. This would allow us to see how much revenue would be received. For example, we would be limiting liquor and tobacco, and these are traditionally the most generous companies that want advertising space. Limiting that also opens the city up to a freedom of speech lawsuit. Rep. Lyons asked whether there was any language in the contracts that would guarantee that the lessee would be responsible for defending the City in any freedom of speech lawsuits.

Chair Nakian responded that the Legislative & Rules Committee felt that cigarettes and liquor should not be included. When Land Use discussed this as a secondary committee, they felt that cigarettes and liquor should be allowed. When you get into the area of what is and what is not appropriate, it will be hard to get a consensus. Andrew McDonald was at the meeting, and he said that based upon the first amendment rights, it is very hard to limit the content of advertising. He felt that there was probably enough legal precedent to ban alcohol and cigarettes. Mr. Curtin made a note of the concerns, and stated that this is something the RFP Committee would look into. The Board of Representatives is the City body that approves advertising on city-owned property, and that is why they came to us with that concept.

Rep. Lyons stated that the City just spent close to \$300-\$400,000 to hire a professor from the St. Louis area to help write the legal language to defeat Granite State Outdoor Advertising with the billboards along the highway. Rep. Lyons stated that he is very skeptical, without a legal ruling in hand, about approving something that could open the City up to a lawsuit, of which the taxpayers would have to subsidize against a lessee who refused to run ads for certain industries. Rep. Lyons asked who would be responsible for vandalism or repair of vandalism to the signs. Chair Nakian stated the Lessee would be responsible, and this would be in the RFP.

Rep. Lyons stated he would not support the item because there were too many gray areas. If it came back with some of these questions resolved, he would then reconsider it.

Rep. Fahan stated he voted to approve the concept in Legislative & Rules. It was his understanding that this was just a concept, this would not cost the City anything, and because Mr. McDonald stated he would get back to the committee regarding the first amendment issues. Rep. Fahan stated that the Board should move forward in the hopes of having more spirited debate in the future. We are not approving a contract, and we could ultimately not approve the contract. He would like to see the concept move forward.

President Martin asked Mr. Day to give the secondary committee report on the issue. Rep. Day stated Land Use approved the concept by a vote of 5-1, with Vice Chair White in objection. Rep. Day stated that we are not approving a resolution, nor are we approving a final plan. The Director of Operations came to us just saying, "do you think it is worth taking a look at." That is all the Committee voted on. Rep. Day stated that we are not talking about a real danger of metastasis here because the Board of Representatives can contain it if we don't like it. Secondly, it is hard to imagine that the advertising, in lit boxes, could do anything but enhance the interior of the garages. It is frustrating that Tim Curtin didn't have any numbers, and if we vote no we will never find out how much the taxpayers could benefit from this. By voting yes, the Committee did not think it was great to have advertising in the garages, it voted yes to continue considering the concept.

Rep. DeLuca stated he supports the item. It is just a concept, and Dan Colleluori should be complemented for being proactive, which we don't find often with the City. He has found ways to generate revenue. The advertisement will be inside with no adverse effect to the environment. As for maintenance, the bus stops are maintained by those that place the advertising there. Further, there have been no lawsuits as to content on the bus stop advertising that he is aware of. Scalzi Park has all kinds of advertisement to benefit Little League, and he has not received negative feedback on this. Rep. DeLuca stated there should not be alcohol and tobacco advertising.

Rep. Boccuzzi asked whether the Board of Representatives would approve the RFP. Chair Nakian stated that the Board approves advertising on city property, going back to the golf carts. She is unaware of any process laid out in the code to approve RFPs. Mr. Curtin believes that the contract has to be approved by the Board.

Rep. Boccuzzi stated he is uncertain as to how he wants to vote, but if the Board has input into the RFP, he would vote to go forward with the concept. Regarding the advertising spreading, he feels everyone should have faith in the Board to contain any future advertising.

Chair Nakian stated that the Committee did not specifically ask if a member of the Board could be on the RFP Committee, but she got the impression from Mr. Curtin that he would be amenable to that. She stated that if the concept is approved, perhaps the President could write and request a seat on the Committee.

Rep. Esposito moved the question; said motion was approved by a machine vote of 26-9-0 (see [Vote Record #267](#)).

The main motion was approved by a machine vote of 21-14-0 (see [Vote Record #268](#)).

<p>5. LR26.014 Resolution</p>	<p>RESOLUTION; approving a lease for 700 sq. ft. of space at Government Center with Congressman C. Shays; term of lease: May 1, 2002 through December 31, 2002 with renewal option; monthly rent: 5/1/2 to 12/31/2 - \$1,320; 1/1/3 to 12/31/3 - \$1,449; 1/1/4 to 12/31/4 - \$1,521.45. 04/08/02 – Submitted by Mayor Dannel P. Malloy 05/07/02 - Approved by Planning Board 05/09/02 – Approved by Board of Finance 05/20/02 – Committee approved 6-0-0</p>	<p>APPROVED ON CONSENT AGENDA</p>
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Chair Nakian reported that Item No. 5 was on the Consent Agenda.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1, 2 and 5, was approved by unanimous voice vote. Mr. Fahan did not participate in Item No. 1.

Clerk of the Board Summerville noted that there were 33 members present at this time. Absent were Reps. Blackwell, Crowley, Fedeli, Figueroa, Hunter, Kernan and Owens.

<p>FISCAL COMMITTEE: (Attendance) (Votes) (Report)</p>	<p>Randall Skigen, Chair Bobby E. Owens, Vice Chair Meeting: Tuesday, May 28, 2002 7:00 p.m. – Democratic Caucus Room</p>
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Chair Skigen reported that the Fiscal Committee met on Tuesday, May 28, 2002. Present were Committee Member Reps. Cannady, DeLuca, Fedeli, Figueroa, Giordano, Lyons, Loglisci, Mirkin, Owens and Skigen. Rep. Hunter was excused. Also present were Reps. Sherer and O'Neill; Ernie DiMattia and Tom Cassone of the Ferguson Library; Joseph Kennedy of the Police Union; Lou David of Solid Waste; Jay Sandak, Esq., attorney for the Police Union; Donna Loglisci; Ernie Orgera of Operations; Al Barbarotta of the Board of Education; Assistant Superintendent John Chardavoyne and Superintendent Anthony Mazzullo; Board of Education Members Kim Olds, Martin Levine, Dudley Williams and Nicola Tarzia; Sandra Dennies of the Grants Office; Mani Poola of Traffic Engineering; Donald Whitting of Risk Management; Dr. Anthony Iton, Health Director; Cptn. Gregory Tomlin of the Police Department; Chief Louis DeCarlo of the Police Department; Director of Administration Tom Hamilton; Director of Operations Tim Curtin; Director of Legal Affairs Andrew McDonald; and OPM Director Dena Diorio.

1. [F26.082](#) RESOLUTION; authorizing the Mayor to enter into a contract with the State of CT library for a historic preservation grant.
04/22/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 7-0-0 **APPROVED
ON CONSENT
AGENDA**

2. [F26.088](#) \$23,254.00 ADDITIONAL APPROPRIATION (Operating Budget); Town Clerk; Salaries; to fund shortfall in salary account due to vacation pay out of previous Clerk; to re-fund account due to transfer of funds to Seasonal Account for New Visions System contract.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 6-0-1 **APPROVED
ON CONSENT
AGENDA**

3. [F26.105](#) RESOLUTION; approving submittal of list of programs to the State in accordance with the Provisions of the Connecticut Neighborhood Assistance Act.
05/06/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 7-0-0 **APPROVED
ON CONSENT
AGENDA**

4. [F26.098](#) \$7,860.70 ADDITIONAL APPROPRIATION (Operating Budget); City Contributions to Grant Funds; Other Grants/Transfer Grant Fund #24; to appropriate the City’s share of the required match for FEMA grant (\$7,561.70) and Local Law Enforcement Block Grant (\$299).
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0 **APPROVED
ON CONSENT
AGENDA**

5. [F26.107](#) RESOLUTION; authorizing an application for school construction grants for the inter- and intra-district magnet school at Rippowam.
05/08/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 7-0-0 **APPROVED
BY MACHINE
VOTE (26-5-2)**

Secondary Committee: Education

Concur 6-0-2

Chair Skigen moved Item No. F26.107; said motion was seconded. Chair Skigen stated that the Board of Education is making a valiant effort to deal with a difficult problem,

however, he doesn't believe this is the answer. Right now they are proposing a new inter-district magnet school at Rippowam that would have a total enrollment of 650 students. If it is built as an inter-district magnet school, and the City can bring in 20% of the total population from surrounding towns, the State will pay for the construction of this school. That would mean that the maximum Stamford student enrollment would be 500, and in order to get the State to pay for it, we would have to keep 150 students from surrounding towns in the school. Chair Skigen stated that he doesn't think that the program that they have is going to draw students from surrounding towns.

Chair Skigen stated that what is being proposed here is an attempt to try to save the City money in building a desperately needed new school, but he doesn't think it will work. There may be a program out there that might attract students from surrounding towns, but the Academy of Information Technology and the Engineering and Architecture plan will not be successful in doing that.

Additionally, Chair Skigen added, the Superintendent is now proposing that we eliminate middle schools and have a K-8 program. He hopes to have that plan in effect by the time this school is up and running. If that were to happen, the Rippowam campus would have students ranging in age from five to eighteen, because that school would be a K-8 in the current building and an inter-district magnet in the new building. Chair Skigen stated he thinks that is a disaster waiting to happen. Additionally, in order to meet the projected number of students in the school, they are projecting that the number of students that go to Wright Technical will increase from 200 to 600. He feels this is a pipe dream. Therefore, although he believes the Board of Education is trying to deal with the problem the best way it can because they have been told that the City will not provide the funds for a new school, this program will not work. If the City is going to build a new school, they could try a magnet school, but maybe it shouldn't be a 650-seat school, maybe it needs to be a 1,000-seat school that could hold the capacity needed because he does not believe the Wright Tech program will work.

Chair Skigen stated that for those reasons he cannot support this.

Rep. Loglisci stated that he shares some of the same concerns, but believes that the 650 number is a movable number. He is unsure that we can attract 20% from outside. Rep. Loglisci stated he remembers when Wright Tech competed very well for students and when the school was full. Part of the overall solution is that the State wants to bring Wright Tech up to code. There is a definite need for technical schools and we have forgotten a lot of kids that are not going on to college. Because this is an application for a school construction grant, we should allow them to apply for it. This is not any authorization for them to build. There are not a whole lot of choices here, and at this point, we should apply and see how the State responds. Rep. Loglisci said that the State does not support the City of Stamford in its efforts, and here is a chance to get some money from the State. Rep. Loglisci stated he would support the item.

Rep. Lyons stated that this is merely a resolution, not an additional appropriation, and if we can get our signatures on a sheet of paper that gets us \$30 million or so back from

Hartford to help subsidize the taxpayers of Stamford who have been short-changed on state reimbursement for education in this City for at least the past two or three decades. While the mandate of what the Board of Education does with the building may change over time, it is long overdue that this City go after every dollar that it can get from Hartford to put back into the tax base of the City. The taxpayers pay time and time again for new schools and renovated schools, new books, more costly bus routes, and it is time Hartford give back to Stamford.

Rep. Day stated he agrees with Reps. Loglisci and Lyons. He added that it would be foolhardy to not apply for the funds.

Rep. Biancardi if we got the money and couldn't achieve the 20%, would we have to pay it back. Also, he agrees with Rep. Skigen that he cannot possibly see New Canaan busing its students to a Stamford school.

Chair Skigen stated that the City would have to pay the money back, and that is a very important point. Chair Skigen stated that he agrees with Reps. Lyons, Day and Loglisci, and we should go after the money, but we shouldn't delude ourselves. If we do not maintain the 20% ratio, then we owe that money back to the State. So be prepared for a \$30 million capital expenditure down the line. In any event, if we don't apply for it, we still need to build a school.

Rep. White asked what this program is going to offer for students from Greenwich, New Canaan and Darien. He doesn't see it happening. You may get some students from Norwalk, but beyond that you are not going to attract anyone to these programs.

Chair Skigen stated that there was a draft provided to the Committee that says that the high school will expand upon the existing academies – the Academy of Information Technology and the Academy of Engineering and Architecture – and he agrees with Rep. White that these are not going to draw from the surrounding towns. Chair Skigen believes that possibly a program could be put together, with the University of Connecticut, to offer a pre-business degree, along with our corporate community, and then we might be able to achieve the 20%.

The item was approved by a machine vote of 26-5-2 (See [Vote Record #269](#)).

6. F26.087	ADDITIONAL APPROPRIATION (Operating Budget); Various; to contracted fund salary increases for nurses and dental hygienists; to fund new school nurse position at Scofieldtown School.	APPROVED ON CONSENT AGENDA
\$237,600.00	04/29/02 – Submitted by Mayor Dannel P. Malloy 05/09/02 – Approved (\$237,800) by Board of Finance 05/28/02 – Committee approved 8-0-0	

Secondary Committee: Public Safety & Health

Concur 8-0-0

7. [F26.086](#) \$15,000.00 ADDITIONAL APPROPRIATION (Operating Budget); Health Department; Laboratory; Supplies; to fund reallocation of employee.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance **APPROVED
ON CONSENT
AGENDA**
8. [F26.099](#) \$12,799.00 ADDITIONAL APPROPRIATION (Grants Budget); Health Department; Immunization Program; to appropriate funds to match state allocation.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0 **APPROVED
ON CONSENT
AGENDA**
9. [F26.096](#) \$4,500.00 ADDITIONAL APPROPRIATION (Grants Budget); Health Department; TB Grant; Salaries (\$2,438); Overtime (\$2,014) and Social Security (\$48); to increase account to state allocation.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0 **APPROVED
ON CONSENT
AGENDA**
10. [F26.097](#) \$99.50 ADDITIONAL APPROPRIATION (Grants Budget); Health Department; WIC Farmer’s Market; Seasonal; to increase account to state allocation.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0 **APPROVED
ON CONSENT
AGENDA**
11. [F26.100](#) \$15,123.40 ADDITIONAL APPROPRIATION (Grants Budget); Emergency Management; Salaries; to appropriate city’s match of grant funds.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0 **APPROVED
ON CONSENT
AGENDA**
12. [F26.101](#) \$2,985.00 ADDITIONAL APPROPRIATION (Grants Budget); Law Enforcement Block Grant; Overtime; to appropriate funds to match increased state allocation. **APPROVED
ON CONSENT
AGENDA**

04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 8-0-0

13. F26.072 ADDITIONAL APPROPRIATION (Operating Budget); Police Department; Court Time; to fund 3% contract raise. **FAILED BY UNANIMOUS VOICE VOTE**
\$5,400.00
03/22/02 – Submitted by Mayor Dannel P. Malloy
04/11/02 – Approved by Board of Finance
05/06/02 – Held in Committee
05/28/02 – Failed in Committee 1-7-2

Chair Skigen moved Item No. F26.072; said motion was seconded. Chair Skigen reported that the Police Department has been spending \$12,000 per month on court time and they have approximately \$50,000 in the account. The Committee felt that the additional appropriation was not necessary for the remainder of the fiscal year. The motion failed by unanimous voice vote.

14. F26.076 ADDITIONAL APPROPRIATION (Capital Budget); Public Services - Highways; Parking Meters; to purchase and install new meters with life cycle of 20 years. **RETURNED TO COMMITTEE BY MACHINE VOTE OF 25-5-1**
\$54,735.00
03/28/02 – Submitted by Mayor Dannel P. Malloy
04/11/02 – Approved by Board of Finance
05/06/02 – Approved 7-0-2 (\$193,275)
05/28/02 – Committee approved 9-0-1

Secondary Committee: Transportation

Waived

Chair DeLuca moved to waive the Secondary Committee Report; said motion was seconded and approved by unanimous voice vote.

Chair Skigen stated that last month there was a proposed appropriation for new meter heads to replace some meters and to add meters on Franklin, Hoyt and Morgan Streets. The Board removed the Franklin, Hoyt and Morgan Street items from the appropriation. The administration has come back for the additional funds to cover the 108 additional meters. The Committee approved the item 9-0-1. Chair Skigen moved the item; said motion was seconded.

Rep. Zelinsky stated that as of today neither Jim Shapiro nor he have received any information from the administration or any details as to the specifics on this particular issue. Rep. Zelinsky stated he telephoned Ernie Orgiera three times; Mr. Orgiera returned his call twice. On his third try, he left a message just requesting the information and he has not received a reply to date. Rep. Zelinsky stated that the Transportation

Committee did not meet on this, and he attempted to attend the Fiscal Committee meeting, but that night the Board of Education was meeting and he had to attend that meeting.

Rep. Zelinsky stated it is an insult to not contact the two representatives of the District for their input as well as the constituents about having parking meters on residential streets. Morgan and Hoyt Streets are residential streets. There are office buildings along with a children doctor's office. Rep. Zelinsky asked whether parents who bring their sick children to doctors' offices are going to have to worry about how much time is left in the meter. Rep. Zelinsky stated that Stamford's taxpayers, who already pay a state income tax, sales taxes and come July 1, 2002, property tax increases of 7% and a car tax increase of 12%, now we are going to nickel and dime our residents to pay to park in front of their homes. Rep. Zelinsky asked whether the city administration thinks that apartment dwellers are second class citizens. Does the city want to become a miniature New York City with parking meters on every street, and our Stamford residents have to pay to park in front of their residences, Rep. Zelinsky asked. If we put parking meters on Morgan and Hoyt Streets, it will only be the beginning. In six months or one year, other streets will be added. We must stop this infringement on our residential neighborhoods. There are residents who live in apartments on these streets who work nights and sleep during the day. Are they supposed to set their alarm clocks every two-three hours to remember to put money in the meters? What about young families with children not yet in school. Mothers who have to run out with their young children to put money in meters. There are also senior citizens and handicapped citizens who would have to deal with this.

Rep. Zelinsky stated he has spoken to many of the residents on these streets, and they are all opposed. The idea of putting new parking meters on residential streets is morally and fundamentally wrong and should not be done. Rep. Zelinsky asked his fellow representatives to vote against this appropriation to support our Stamford residents.

Rep. Biancardi suggested that the meters should have to be a four-hour meter. It would be unfair to jurors and people who work in the court system.

Rep. O'Neill stated that Franklin Street is one of the oldest, small residential streets in Stamford, and because there is very limited off-street parking there, and since the City has never supplied anyone with a map as to where the meters would be placed, the Board has had no opportunity to contact those residents to see how they feel about the meters. Rep. O'Neill cannot imagine them approving of them, therefore he is opposed to the item.

Rep. Esposito moved the question and was defeated by a machine vote of 8-22-0 (see [Vote Record #270](#)).

Rep. Shapiro stated he agrees with much of what Rep. Zelinsky stated. This is an affront to the residents of the district, and it will be going to other neighborhoods if the Board approves it. Meters in residential areas will sprout if it is not stopped now. In addition,

he stated that Mr. Biancardi's issue regarding court parking is valid. There is a problem with parking at the courthouse; however, you are going to put these meters in place to solve that, and then the courthouse parking garage is going to come up and alleviate that problem, but the meters are never going to go away. This will cause harm in this neighborhood, and the problem is going away on its own. This is not well thought out and not needed.

Rep. Loglisci stated that these meters would be Monday through Friday from 9:00 to 5:00 for three hours. Rep. Loglisci stated that if the Board amended the item by increasing the meters to four hours and provide residents in the area with an exempt tag, so that people who work in the evening or stay home for the day won't get tickets. The City said they are looking for a way to get money from the people at the Court building, and therefore we could hold harmless those people living in the area.

President Martin stated that appropriate motions here is to reduce the fiscal item or propose a resolution incorporating these provisions. President Martin suggested returning the item to Committee would be a more appropriate action.

Rep. Loglisci stated that because they need to buy all of the meters at one time, he does not want to hold the funds up.

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

Rep. Coppola stated that if the representatives in that district asked for information and did not receive it, it should go back to committee.

Rep. Loglisci stated that by returning the item to committee, the dollar amount is not in question. The question is how we are going to go about doing it, and returning the funds does not solve the problem of whether there should be meters on these streets.

President Martin stated that he believed that Rep. Loglisci believes that the Board should make additional recommendations or policies or resolutions or something beyond the scope of a fiscal additional appropriation. The problem was that the type of motion that Rep. Loglisci wanted to make was not appropriate for this item. The President stated he was trying to find a way to do that, and either you separate them and pass or defeat one now and deal with another resolution later, or you put it back into Committee and ask the Committee to come up with a resolution that accompanies it.

Rep. Lyons stated that he does not want to see the City suffer with its volume buy discount on these meters, however, he fully sympathizes with the problems with the location of the meters. Rep. Lyons offered a friendly amendment on the motion to return to committee with a restriction on the siting and use of the meters.

President Martin stated that Rep. Lyons was trying to put a restriction on a fiscal appropriation, and what is before us is a fiscal appropriation, not a policy on siting of

meters. President Martin stated that it would be in order for him to recommend that the Committee consider such a resolution.

Rep. White stated that the item should be defeated.

Rep. Zelinsky thanked Rep. Loglisci for his assistance in trying to remedy this problem. Rep. Zelinsky stated the whole concept is bad and sending the item back to committee the situation will not be rectified. Morally and fundamentally it is not appropriate to put parking meters on residential streets. It is not going to stop on Morgan and Hoyt Streets. Rep. Zelinsky stated he would like to see it defeated now.

Rep. Day stated that the most number of people here can be satisfied by not returning it to committee, but by doing what Mr. Lyons suggested – going ahead and passing the item subject to a condition to the appropriation. Rep. Day stated that the Board can definitely pass a fiscal appropriation with a condition to it by way of resolution.

President Martin stated that legally we cannot do it, but he is confident that if the Board passed a resolution attached to a fiscal appropriation that the City administration would honor it.

Rep. Day stated that the majority of the people here think the parking meters are appropriate as long as the residents are protected.

Rep. Sherer stated he is confused because the residents of the district stated they don't have the information they requested, yet one of the representatives just stated definitively that it is not a good policy. So either he has the information to formulate that opinion or he doesn't have the information and needs more time. Therefore, he recommends it goes back to Committee for the purpose of allowing those representatives time to get that information.

Rep. Lyons stated that the city can install old parking meters on those streets; they don't have to be new meters. On the motion to return to Committee, last month the Board approved a certain amount and held another amount back. Rep. Lyons moves to approve \$1 and hold \$54,734 back in Committee subject to a resolution attached to it next month in lieu of the motion to return to Committee.

President Martin asked for Mr. Lyons' rationale. Mr. Lyons stated that he does not want the City to think that the additional appropriation won't be approved and for the vendor that has offered the volume discount to not think that the City is intent on buying them. Rep. Lyons doesn't want to pay more because the Board is not happy with the siting plan.

President Martin stated there is a motion to return to committee, and Rep. Lyons has amended that motion to returning all but \$1 to committee and approve \$1. No second was made.

President Martin stated the motion on the floor is Mr. DeLeo's motion to return the item to Committee.

Rep. Lyons restated his motion to return all but \$1 to committee; said motion was seconded.

Rep. Lyons withdrew the motion; no objections to the withdrawal were heard.

Rep. Skigen stated that it is generally his policy to stick with how the Committee has voted, however, he believes a return to committee is appropriate so that the representatives from the affected districts can get the information they need. He understands from Mr. Zelinsky's comments that Mr. Orgiera has tried to contact him, but they have not been able to hook up and he is not laying blame anywhere, but he thinks it is incumbent upon the administration to provide this information to the district representatives.

The motion to return to committee was approved by a machine vote of 25-5-1 (see [Vote Record #271](#)).

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| 15. F26.106 | FUNDING RESOLUTION (formerly Exhibit A); amending Resolution No. 2735 to increase the appropriation by \$54,735.00.
04/22/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 9-0-1 | RETURNED TO
COMMITTEE
BY MACHINE
VOTE OF 26-4 |
|-----------------------------|--|--|

Chair Skigen moved Item No. F26.106. A motion to return the item to committee was made and seconded and approved by a machine vote of 26-4-1 (see [Vote Record #272](#)).

- | | | |
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| 16. F26.083 | RESOLUTION; regarding the Forest Street Intersection Improvements Project grant.
04/24/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 10-0-0 | APPROVED
ON CONSENT
AGENDA |
| 17. F26.102
\$300,000.00
\$133,000.00 | ADDITIONAL APPROPRIATION (Operating Budget); Operations – Administration; Government Center Electric; to reimburse CL&P for electrical service not recorded by a malfunctioning meter.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0 | APPROVED BY
UNANIMOUS
VOICE VOTE
(as amended) &
BALANCE
RETURNED TO
COMMITTEE |

A motion to return \$167,000 to Committee was made and seconded and approved by unanimous voice vote.

A motion to approve the \$133,000 was made and seconded and approved by unanimous voice vote.

18. [F26.084](#) ADDITIONAL APPROPRIATION (Capital Budget); Operations; Daugherty Murals; to acquire four historical WPA murals by Daugherty from Hiram H. Hoelzer. **APPROVED BY MACHINE VOTE (22-5-1)**
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/07/02 - Approved by Planning Board
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 9-1-0

Secondary Committee: Parks & Recreation
0

Concur 7-1-

A motion to approve Item No. F26.084 was made and seconded; said motion was approved by a machine vote of 22-5-1 (see [Vote Record #273](#)).

19. [F26.085](#) FUNDING RESOLUTION (formerly Exhibit A); in connection with F26.084 above; Operations; Daugherty Murals. **APPROVED BY MACHINE VOTE (21-6-1)**
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 9-1-0

Chair Skigen moved to approve Item No. F26085. Said motion was seconded and approved by a machine vote of 21-6-1 (see [Vote Record #274](#)).

20. [F26.092](#) ADDITIONAL APPROPRIATION (Operating Budget); Operations – Public Services; Haulaway/Bulky Waste; to fund increase in tonnage being disposed of by Operations Department. **APPROVED ON CONSENT AGENDA**
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0

Secondary Committee: Operations

Waived

A motion to waive the Secondary Committee report was made, seconded and approved by unanimous voice vote.

21. [F26.093](#) \$736,000.00 ADDITIONAL APPROPRIATION (Operating Budget); Operations – Public Services; Haulaway/Garbage; to fund increase in tonnage being disposed of by Operations Department; 80% of appropriation will be offset by tipping fee revenue.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0
- APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Operations

Waived

A motion to waive the Secondary Committee report was made, seconded and approved by unanimous voice vote.

22. [F26.089](#) \$356,209.00 ADDITIONAL APPROPRIATION (Operating Budget); Risk Management; Self Insurance Payments – General Liability; to fund two claim settlements of \$420,000; to fund anticipated liability claims settlements of \$33,617.58.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 9-0-1
- APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Legislative & Rules

Concur 5-0-

2

23. [F26.090](#) \$427,765.00 ADDITIONAL APPROPRIATION (Operating Budget); Risk Management; Self Insurance Payments – WC; to eliminate shortfall in Self-insurance payments-WC account.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0
- APPROVED
ON CONSENT
AGENDA**

24. [F26.091](#) \$267,972.00 ADDITIONAL APPROPRIATION (Operating Budget); Risk Management; Self Insurance Payments – Worker’s Compensation; to fund shortfall in workers’ compensation account.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0
- APPROVED
ON CONSENT
AGENDA**

25. [F26.094](#) ADDITIONAL APPROPRIATION (Operating Budget); Employee Benefits; Medical & Life; to fund deficit in account due to two catastrophic claims.
\$1,100,000.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0

**APPROVED
ON CONSENT
AGENDA**

26. [F26.095](#) ADDITIONAL APPROPRIATION (Operating Budget); Various; to fund MAA contract settled in December 2001.
\$205,332.00
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0

**APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Personnel

A motion to waive the Secondary Committee report was made, seconded and approved by unanimous voice vote.

27. [F26.103](#) APPROVAL; of contract with Space Page Inc. dba Wireless Gear for wireless services at the Government Center; term of contract: July 1, 2002 through June 30, 2004; cost of contract: prevailing rates less 10%.
04/29/02 – Submitted by Mayor Dannel P. Malloy
05/09/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0

**APPROVED
ON CONSENT
AGENDA**

28. F26.104 REVIEW; of police extra duty fee.
05/01/02 – Submitted by Sandak Friedman et al.
05/28/02 – Report Made

**REPORT
MADE**

Chair Skigen stated he will establish a subcommittee to work with the Police Department and the union in order to try to find ways to achieve cost savings on the administration of extra duty work.

29. [F26.108](#) ADDITIONAL APPROPRIATION (Operating Budget); Ferguson Library; Contract Settlement; to fund contract settlement for period 7/1/99 through 6/30/02.
\$311,000.00

**APPROVED
ON CONSENT
AGENDA**

05/10/02 – Submitted by Thomas Cassone, Esq.
05/20/02 – Approved by Board of Finance
05/28/02 – Committee approved 10-0-0

A motion to suspend the rules to take up an item not on the Agenda was made; no second was received.

30. [F26.058](#) RESOLUTION (formerly Exhibit A); in conjunction with F26.050, Board of Education, Energy Performance Contract (Noresco). **NO ACTION TAKEN**
02/26/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 10-0-0

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1-4, 6-12, 16, 20-27 and 29, was approved by unanimous voice vote.

APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair
(Attendance) **Annie M. Summerville, Vice Chair**
(Votes) Meeting: Tuesday, May 28, 2002
7:00 p.m. – Republican Caucus Room

Chair Esposito reported that the Appointments Committee met on Tuesday, May 28, 2002. Present were Reps. Fahan, Summerville, Esposito, Kernan, Coppola, Clear, DePina, Blackwell, Morrow and Mirkin. Excused was Rep. Boccuzzi.

1. [A26.054](#) **Parks & Recreation Commission** **APPROVED ON CONSENT AGENDA**
Vincenzo Martino (D) Reapp.
25 Charles Mary Lane Exp. 12/1/1
Stamford, CT 06905
Term Expires: 12/01/04
04/10/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 10-0-0
2. [A26.055](#) **Water Pollution Control Authority** **APPROVED ON CONSENT AGENDA**
Chris Maggio (R) Reapp.
2029 Shippan Avenue Exp. 1/1/00
Term Expires: 01/01/03
04/10/02 – Submitted by Mayor Dannel P. Malloy
05/28/02 – Committee approved 10-0-0

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

RESOLUTIONS

1. SENSE OF THE BOARD RESOLUTION
congratulating Julia A. Stark School on its 75th
Anniversary.
05/29/02 – Submitted by Rep. Spandow
- APPROVED BY
UNANIMOUS
VOICE VOTE**

MINUTES

1. May 6, 2002 Regular Board Meeting
- APPROVED BY
UNANIMOUS
VOICE VOTE**

COMMUNICATIONS

1. Chair Martin reported that a Committee to combat graffiti city-wide was being put together; any representative interested on serving on the Committee should notify him.
2. Chair Martin reported the following committee changes: Rep. Sherer is going back to Fiscal Committee. Rep. Mirkin, who was temporarily a member of Fiscal during the budget hearings, will no longer serve on Fiscal. Rep. Crowley will serve on Parks and Recreation and is no longer serving on Public Safety & Health. Rep. Copolla will be serving on Public Safety & Health and will no longer be serving on Parks and Recreation.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 12:45 a.m.