

*The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Monday, July 7, 2003 at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.*

# Minutes

**CALL TO ORDER:** By President David R. Martin

**INVOCATION:** By Rep. Greenberg

“We are grateful, for all the blessings, opportunities and responsibilities that befall us as Americans, residents of the City of Stamford and Individuals. Bless us as we meet together, as Government Leaders, to make decisions that affect our families and the residents of our City.

Give us open minds; a clear understanding and a steady purpose to make the most of our talents. Allow us to continue each day with optimism, renewed energy, and a commitment to service.

Guide us in our service. Keep us well so we can serve. And bless those peoples who are touched by our works, so that they, too, can have the joy of a fulfilling life, full of good health and companionship, in surroundings that are beneficial to all.”

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

**ROLL CALL:** Conducted by Clerk of the Board Annie Summerville. There were thirty-five members present and five members absent-excused (Reps. DeLeo, Figueroa, Imbrogno, McCullen and Pavia.

**VOTING MACHINE STATUS:** The machine was in good working order.

**MOMENTS OF SILENCE:** For the late: Harry Mattioli, Jr., Edward Esposito, Rose Cordova, Lawrence J. Koda, Peter Noti Chagaris, Arthur C. Danna, Robert W. Rosum Irene C. Kipphut and Marianna A. Dagostino, by Rep. Giordano; Michael R. Lacerenza and John T. Viesta by Reps. Giordano and Loglisci; Joseph A. Thomas, Arnt R. Thorstensen and Frank B. Lobbuono by Reps. Zelinsky and Loglisci; Monroe Silverman by Reps. Skigen and Zelinsky; James V. Greco, Adolph M. Joblonski, Frances E. Grabowski, Theresa M. Nosal and Melvin E. Stern by Rep. Zelinsky; Eulalie D'Andrea, Earnest Autrey and Eleanor V. DeRosa by Rep. Loglisci; and Rose A. Giannitti by Reps. Loglisci and White.

**PAGES:**

**MAYOR'S STATE OF THE CITY ADDRESS:** Text of the Mayor's State of the Union address is attached hereto and made a part hereof.

**STANDING COMMITTEES**

**STEERING COMMITTEE:** Meeting: Monday, June 9, 2003  
(Attendance) 7:00 p.m. – Democratic Caucus Room  
(Report)

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**

Vice Chair Summerville reported that the Appointments Committee did not meet during the month of June.

**FISCAL COMMITTEE:** **Randall Skigen, Chair**  
(Attendance) **Linda Cannady, Vice Chair**  
(Votes) Meeting: Monday, June 30, 2003  
7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Appointments Committee met on Monday, June 30, 2003. Present were Committee Member Reps. Skigen, Cannady, DeLuca, DePina, Fedeli, Figueroa, Giordano, Hunter, Loglisci and Mirkin. Also present were Terry Drew, Sandra Dennies, Jeanette Brown and Tim Curtin.

1. F26.213 ADDITIONAL APPROPRIATION (Grant Funded); **APPROVED**  
~~\$70,000.00~~ Education through Adventure; grant funds to **ON CONSENT**  
\$40,000.00 support recreation programs. **AGENDA**  
06/03/03 – Submitted by Mayor Dannel P. Malloy  
06/12/03 – Approved by Board of Finance \$40,000  
06/30/03 – Committee Approved 10-0-0

*Secondary Committee: Parks & Recreation*

*Concur 6-0-0*

2. F26.214 ADDITIONAL APPROPRIATION (Grant Funded); **APPROVED**  
\$2,500.00 Summer Tennis Camp; to pay for seasonal **ON CONSENT**  
instructors and costs for 30 children. **AGENDA**  
06/02/03 – Submitted by Mayor Dannel P. Malloy  
06/12/03 – Approved by Board of Finance  
06/30/03 – Committee Approved 9-0-1
3. F26.215 REJECTION; of WPCA budget for FY 2003-04. **FAILED BY**  
06/02/03 – Submitted by 26<sup>th</sup> Board **UNANIMOUS**  
06/12/03 – Board of Finance approved budget of **VOICE VOTE**  
\$10,461,384  
06/30/03 – Committee Rejected 0-10-0

Chair Skigen reported that during the budget deliberations, the Board unknowingly made line item cuts to the WCPA budget. The Charter only allows the Board to approve or reject that budget. The Board then subsequently rejected the Budget as a whole, and the WPCA thereafter made changes to the budget. The Board had recommended approximately \$213,000 in cuts to the budget; they came back with \$209,000 in cuts. The bulk of the cuts were where the Committee had recommended, and some were in places they felt were more appropriate.

The motion is to reject the budget. The committee voted not to reject the budget 0-10-0. Chair Skigen moved for rejection of the budget; said motion was seconded and failed by unanimous voice vote.

4. F26.207 REVIEW; establishment of new format for Board **REPORT**  
of Education budget. **MADE**  
05/07/03 – Submitted by Rep. Lyons  
05/21/03 – Report Made  
06/30/03 – Report Made

*Secondary Committee: Education*

*Report Made*

Chair Skigen reported that the Committee discussed the matter at some length. There are five members of the Board currently working with the Stamford Public Education Foundation, which is the preferred forum of the Board of Education to try and reach a resolution that is acceptable not only to the Board of Representatives but also to the Board of Education, the Board of Finance, the Mayor's Office as well as the general public. Mr. Hunter, Mr. O'Neill, Mr. Loglisci, the President and Mr. Skigen are all serving on various subcommittees of that group, and they will report on a regular basis as to the progress that is being made.

Mr. Skigen added that during a meeting with the Education Budget Committee, Assistant Superintendent Chardavoyne and Mr. Dunn, interim finance director, both felt that it was not only possible but highly likely that we will have a new format in place for next year's budget. It may not be 100% perfect, but that no format that would be changed to would meet everyone's requirements in the first year. They are committed to moving forward.

Mr. O'Neill gave the secondary committee report. The Education Committee reviewed this item on June 25, 2003. Rep. Hunter proposed that the Education Committee recommend to the full Board of Representatives that we in turn recommend to the Board of Education that they adopt the Westport Board of Education format for its use. This was approved by a unanimous vote of the Committee. Since there was not a quorum, this item will be put on next month's agenda.

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

**LEGISLATIVE & RULES COMMITTEE:**

[\(Attendance\)](#)  
[\(Votes\)](#)  
[\(Report\)](#)

**Maria C. Nakian, Chair**

**Jim Shapiro, Vice Chair**

Meeting: Monday, June 23, 2003

7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on June 23, 2003. Present were Committee Member Reps. Nakian, Shapiro, Esposito, Mitchell, Nowakowski, Spandow, Zelinsky, Benyus and Browne present. Reps. Greenberg and DeLeo were excused. Also present were Thomas Hamilton, William Forker and Thomas Cassone.

1. [LR26.028](#)

PROPOSED ORDINANCE; for publication;  
requirement for publishing entire text of ordinances  
prior to a public hearing.  
05/03/03 – Submitted by Clerk Summerville & Rep.  
Nakian  
05/19/03 – No Quorum  
06/23/03 – Committee Held 9-0-0

**HELD IN  
COMMITTEE**

Chair Nakian stated that this item was held because the opinion from corporation counsel was received at the meeting and there was not time to come up with an ordinance. Further information is in the committee report. The question is how to take advantage of the State's allowance for alternate means of publication. The Committee will continue to look into this matter.

2. [LR26.029](#) RESOLUTION; **for publication & final adoption;** **REPORT  
MADE**  
concerning the levy of a special tax to be imposed  
on commercial vehicles and manufacturing  
machinery and equipment, per CT Public Act 03-2.  
05/08/03 – Submitted by Mayor Dannel P. Malloy  
05/19/03 – No Quorum  
06/23/03 – Committee Approved to Publish 7-1-0

Chair Nakian reported that this resolution concerns a state program, which grants a five-year exemption to Connecticut businesses, exempting them from the local tax on new vehicles, new machinery and equipment. The State would reimburse the full cost back to the municipality. This was done as an incentive to bring businesses into Connecticut and to get them to invest in new equipment. Last year, the State cut its reimbursement to 80% and for the 2002 grand list, it is down to 65%. The City has gone from \$2.1 million in reimbursements to under \$1.7 million and this year it is down to \$1.278 million. The City is losing a considerable amount of revenue it had received in the past.

Chair Nakian stated that there was a lot of discussion in the Committee as to whether or not this was fair to the businesses in the City. The Committee decided that it would hold a public hearing on the matter. The Committee voted to publish the resolution 7-1.

3. [LR26.030](#) RESOLUTION; approving a lease agreement **HELD IN  
COMMITTEE**  
between the City of Stamford and Saturn of  
Stamford; term of lease: May 1, 2003 to October  
31, 2005.  
05/29/03 – Submitted by Mayor Dannel P. Malloy  
06/12/03 – Held by Board of Finance  
06/24/03 – Approved by Planning Board  
06/23/03 – Held in Committee 8-0-0

Chair Nakian reported that this matter had not been taken up by the Planning Board or the Board of Finance, and the Committee held the item.

**PERSONNEL COMMITTEE: Sanchia Spandow, Co-Chair**

(Attendance)  
(Votes)  
(Report)

**Mary Lisa Fedeli, Co-Chair**  
Meeting: Thursday, June 26, 2003  
7:00 p.m. – Democratic Caucus Room

The President turned the Chair over to Clerk of the Board Summerville.

Co-Chair Fedeli reported that the Personnel Committee met on June 26, 2003. Present were Committee Member Reps. Fedeli, Spandow, Figueroa, Cannady, Loglisci and Browne; excused were Reps. Skigen, Pavia, DeLeo and McCullen. Also present was John Lindquist, IT Director; Fred Manfredonia and Bill Stover from Human Resources; and Tom Cassone, Director of Legal Affairs.

1. P26.042 RESOLUTION; supporting amendments to binding arbitration. **HELD IN COMMITTEE**  
06/03/03 – Submitted by President Martin  
06/26/03 – Held in Committee 6-0-0

Co-Chair Fedeli stated that the Committee voted to hold the item.

2. P26.043 REVIEW; of Code of Ordinances Sections 47-20 and 47-22, Wage Increases, with regard to advertising limits. **REPORT MADE**  
05/12/03 – Submitted by Steering Committee  
06/26/03 – Report Made

Co-Chair Fedeli stated that a report was provided to all representatives.

3. P26.044 APPROVAL; of amendment No. 1 to the software license and services agreement with regard to PeopleSoft; amount of contract: \$80,500. **APPROVED ON CONSENT AGENDA**  
05/27/03 – Submitted by Mayor Dannel P. Malloy  
06/12/03 – Approved by Board of Finance  
06/26/03 – Committee approved 6-0-0

Co-Chair Fedeli stated that this amendment allows the City to remove the benefits module from the contract, which would save the City \$80,500 over the course of the remaining contract. Currently, the benefits module is in use, however, it has limited use to the City and the Benefits Department. They are willing to take over the manual transactions with existing staff. There was also a discussion of the takeover of PeopleSoft by Oracle. The City is in good shape in this regard as it is serviced by an independent consultant, who is not an employee of either company and has the know-how to accommodate us should the platform of this product change.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 3, was approved by unanimous voice vote.



Co-Chair Zelinsky stated that the Operations Committee met on June 17, 2003. Present were Committee Member Reps. Zelinsky, Adams, Coppola, Day, Hunter, McDermott, O'Neill, Pavia and White. Excused were Reps. Imbrogno and Fahan. Also present were Reps. Mirkin and DeLuca; Glenn MacWilliams of the Operations Department; Sybil Richards of the Law Department; Ellen Bromley of the Social Services Department and Frank Speranza, owner of Independent Refuse Services.

1. O26.038    REVIEW; residential trash pickup to include expanding services in District C.    **REPORT MADE**  
06/02/03 – Submitted by Reps. DeLuca and Mirkin  
06/17/03 – Report Made

Reps. Mirkin and DeLuca spoke about the merits of expanding the service north of the Merritt Parkway. Glen MacWilliams stated a rough guess as to the annual cost would be \$800,000 in labor costs and \$1.3 million for 7 new trucks. A change in the charter would be needed to extend garbage pickup to non-sewered areas in the city. After much discussion, the Committee will ask Tim Curtin for a detailed study of the costs and advantages and disadvantages to provide garbage pickup to non-sewered areas of Stamford.

2. O26.030    REVIEW; matter of monitoring replacement of the Dial-a-Ride program.    **REPORT MADE**  
03/04/03 – Submitted by Reps. Zelinsky, Loglisci, DeLuca, Benyus, DePina, Blackwell, Browne, Coppola, McCullen, Hunter, Cannady, Summerville, Mirkin, Figueroa, Mitchell and Nowakowski  
04/07/03 – Report Made  
05/05/03 – Report Made  
05/28/03 – Report Made  
06/17/03 – Report Made

Co-Chair Zelinsky reported that Ellen Bromley answered questions from the Committee. The number of new Easy Access riders is 300. The Norwalk Transit District will honor the old Dial-a-Ride tickets. Ms. Bromley is drafting an RFP for non-profits in Stamford to bid on transporting non-disabled seniors to doctor offices and hospitals and other medical appointments. Ms. Bromley stated that both the Connecticut and Norwalk Transit Districts would not cover this service. Ms. Bromley assured the Committee that the Norwalk Transit District would start the service on July 1, 2003 in anticipation of the contract being signed.

Co-Chair Zelinsky asked the director of the Norwalk Transit District why they would not transport non-disabled seniors to medical appointments, and they responded that Stamford did not request this service.

3. O26.039    APPROVAL; of Stamford Senior Transportation    **APPROVED BY**



Agreement between the City of Stamford and the  
Norwalk Transit District.

06/04/03 – Submitted by Mayor Dannel P. Malloy

06/12/03 – To be considered by Board of Finance

06/17/03 – Committee Approved 5-3-0

**MACHINE VOTE**  
**33-0-0**

Co-Chair Zelinsky stated that the agreement says that the Norwalk Transit District will only operate a limited supplementary service to transport non-disabled seniors to and from senior nutritional program sites and shopping centers in Stamford. The cost for the program is \$148,500. Ms. Bromley will provide to the Board Office the breakdown of the costs and the rationale for the amount. The terms of this agreement is one year, beginning July 1, 2003. The Board Office will also be sent a monthly report. Tonight, an updated agreement, which includes the insurance certificate and the missing Schedule A, was provided. Mr. Barnes also sent a memo breaking down the \$148,500 cost.

Co-Chair Zelinsky moved Item No. O26.039; said motion was seconded.

Co-Chair Zelinsky stated he had a flier from when Dial-a-Ride was first initiated, which provided bus service to those over 62 and disabled individuals to medical appointments, nutrition sites, senior activity sites, banking and food shopping. Co-Chair Zelinsky stated that in all his years on this Board he has never witnessed such insensitivity and disregard to our seniors. This agreement does not cover ARI visits, Rehab Center, hospital, Bennett Cancer Society and private physician services. A sample breakdown of trips was provided by Mr. Barnes, and it shows that in one week there were 197 rides to ARI, 129 to the Rehab Center, 39 dialysis and 56 private medical service trips. An analysis of last year's Dial-a-Ride service showed in one week 87 ARI, 63 rehab, 16 dialysis and 47 private physician visits. Co-Chair Zelinsky stated that this agreement is only going to cover nutritional sites and the food stores and nothing more. Co-Chair Zelinsky stated he is unhappy with the level of service. He is also unhappy that an agreement with a non-profit to transport the non-disabled seniors for medical purposes has not even gone out to bid yet. Mr. Zelinsky stated that the City has dropped the ball for its seniors, they have lost services and the dedicated drivers who took personal care of all the seniors. Mr. Zelinsky stated that he was upset about discontinuing the Dial-a-Ride program, and he is concerned about the Norwalk Transit District's replacement of some of the services. Mr. Zelinsky stated he hopes that our seniors will be taken care of. Tonight, the Board has to approve the agreement or the seniors will not get rides to nutrition centers and food stores, so he will vote for the agreement.

Mr. Zelinsky stated that he was made aware of a legally-blind senior, who applied for Easy Access, and she was turned down about one month ago. She was turned down because she lives on a bus route. This is one example that Mr. Zelinsky feels very upset about.

The item was approved by a machine vote (See [Vote Record #414](#)).

**PUBLIC SAFETY & HEALTH COMMITTEE:**

(Attendance)

(Votes)

(Report)

**Richard Lyons II, Chair**

**Gail Clear, Vice Chair**

Meeting: Thursday, June 19, 2003

7:00 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on June 19, 2003. Present were Committee Member Reps. Lyons, Adams, Blackwell, Clear, Coppola, DePina, Kernan and Zelinsky. Rep. DeLuca, DeLeo and Mirkin were excused. Also present were Reps. Day and Fedeli; Ben Barnes; Tom Cassone and Cpt. Richard Conklin of the Stamford Police Department.

1. PS26.020 **PROPOSED ORDINANCE; for REPUBLICATION & PUBLIC HEARING; regulating massage establishments.** **APPROVED BY MACHINE VOTE (as amended) 31-0-1**
- 11/15/02 – Submitted by Rep. Lyons and John Mullin  
01/30/03 – Committee voted 7-0-0 to hold  
02/25/03 – Committee voted to Hold 8-0-0  
03/03/03 – Held in Committee  
04/07/03 – Approved for publication  
05/05/03 – Held in Committee  
05/29/03 – Committee approved to amend 8-0  
06/19/03 – Committee Approved 7-0-0

Chair Lyons stated the Committee held a public hearing, with nine people speaking regarding the ordinance. Rep. Day presented the Committee with his version of the ordinance; this version failed by a vote of 7-0-0. The Committee then debated and amended the original ordinance. Chair Lyons moved the following amendments; said motion was seconded.

Page 2, the term “massage therapy” is deleted from the last sentence of the last paragraph.

Page 3, in the second paragraph, the terms “naturopathy, chiropractic medicine, physical therapy, psychology or optometry” are added. The terms, “nor within their immediate office,” are added to the same paragraph.

Section II, the terms “naturopathy, chiropractic medicine, physical therapy, psychology or optometry” are added under “definitions” and under “exceptions.”

Section II, the fourth to the last sentence, the word “or” is deleted. “Nor within their immediate office” is added.

Section IV, the “City of Stamford Police Department and/or” is deleted from Sections I and IV. In the final sentence of Section IV, “any policy officer or” is deleted.

Article III, Section 3, Contents of Application. Under J, the sentence “such plans shall fairly depict the proposed establishment” is added.

Section IV, Paragraph C, the first sentence shall conclude: “pursuant to this fee being set by resolution of the Board of Representatives.”

Section VII is deleted entirely.

Section VIII, the final sentence of paragraph 5, the language “performance bond in accordance with Section VI” should be deleted.

Section VIII, Paragraph B. “The fee shall be set by resolution of the Board of Representatives.”

Section IX, Paragraph B. “The fee shall be set by resolution of the Board of Representatives.”

The amendments were approved by a unanimous voice vote.

Chair Lyons moved the main item; said motion was seconded.

Rep. O’Neill stated that the intent of this ordinance is good, however, the ordinance is cumbersome. While the intent is to clamp down on a handful of questionable practitioners, the burden of this legislation will fall upon the many law-abiding service providers long after the illegal practitioners have left Stamford. For that reason, Mr. O’Neill opposes this ordinance and believes that there exists current law to address the handful of illegal activity in businesses that is taking place in Stamford.

Rep. Zelinsky stated that he originally had mixed feelings on the ordinance. Mr. Zelinsky stated that the fee schedule was removed from the ordinance and based on that and on other changes that were made, he will support the ordinance.

Rep. Day stated that most board members are aware of how he feels about this ordinance. He added that this ordinance attempts to get at prostitution by regulating Connecticut state-licensed massage therapists. He added that none of the members seriously believe that state-licensed massage therapists need to be regulated, and he believes that this is aiming at one thing and firing at another. He feels the ordinance is regrettably insulting and demeaning to the people it is unfortunately regulating. He stated that there are probably better ways to get at the problem, he had offered an alternative which was not adopted,

and he also believes that assistance from the State is probably needed to resolve the issue.

Rep. Day stated that the committee made a number of amendments over the last few months that struck down especially obnoxious provisions, including the requirement of a \$100,000 bond be posted, that the patient logs be open and available to health inspectors, that certain exemptions be allowed with respect to shared offices. Ultimately, fees that could have ranged into the thousands of dollars were struck, and the Committee ultimately recognized that the fees were over-reaching and unfair to a group that doesn't even deserve to be regulated in the first place. With all of this and coupled with the commitment of the committee to undertake a 180 day review of this ordinance to determine whether it has been effective as to its target and whether it is too burdensome as to those people it affects, Rep. Day stated he would reluctantly support this ordinance.

Rep. Fedeli stated that as a district representative whose area is directly affected by this, she is in favor of this ordinance. Springdale currently has a facility in its neighborhood, on the main road, and her constituents are directly affected by this. While she respects Rep. Day's opinion, she differs mainly because Cpt. Conklin came and spoke to the Committee and said there is no mechanism in place right now that allows the police or the director of health to close these establishments. The Committee has worked long and hard, there have been nine versions of this ordinance, and she asks her fellow representatives to consider this. These types of establishments are going to spread. The East Side, Long Ridge Road, Bull's Head and Springdale have these types of establishments. Rep. Fedeli stated that the amendments were made to help the legitimate massage therapists. The ordinance will be reviewed after 180 days, and at that time cumbersome provisions can be addressed.

Rep. Lyons stated that this ordinance has been in the works for 18-24 months. There have been three public hearings. They tried to make it the least burdensome and intrusive on licensed practitioners. At the last two public hearings, there were 19 people that spoke on the ordinance; there were 150-200 signatures on petitions in support of the ordinance. There were members of business coalitions, the Stamford Partnership, the East Side Coalition and other private practitioners with legitimate businesses that spoke to the merits of the ordinance.

Rep. Lyons stated that he cannot recall in his tenure on the Board an ordinance or an item that has been refined, revised or targeted to specific concerns raised by the public more so than this ordinance. The ordinance will get the job done, even if it is not perfect. Unfortunately, Connecticut's public health code is far more effective in eliminating and closing businesses that are public health risks than the criminal code. So, Stamford, with the problems that exist, needs to use the public health code through this ordinance to address neighborhoods that are impacted by these businesses. The licensed massage therapists, at the end of

the last public hearing, felt that they were very well listened to and their concerns were attended to. Rep. Lyons urged the full Board to adopt this ordinance tonight, and let the process begin in trying to eliminate these types of establishments.

Rep. Clear stated that she concurs with Rep. Lyons and Rep. Fedeli. She is a representative of Springdale where an establishment exists on Hope Street. There was a prostitution arrest about a year ago at that establishment. Unfortunately it takes two more arrests from the police in order to close down the business. With businesses such as this creeping into family neighborhoods, they are upset along with business owners that these facilities exist. Rep. Clear urged the Board to approve the ordinance.

Clerk of the Board Summerville stated that this is not a neighborhood ordinance, it will affect the entire city. These types of facilities have existed downtown for many years and they originated in downtown Stamford, although no one ever referred to the establishments that are downtown. This is not something new. What is new is that other neighborhoods are becoming affected. Clerk Summerville stated that as long as the City is trying to attract nightlife downtown, these kind of establishments come with increased night activity.

Rep. Summerville stated that these establishments are problems, and asked representatives to not just look at problems when they spread out into the neighborhoods. These establishments are frequented by residents from all the neighborhoods of Stamford, and these establishments have been downtown for many, many years. Rep. Summerville reiterated that no one on the Board ever referred to these establishments as problems when they were limited to the downtown area.

Rep. Loglisci stated that the Republican Caucus did mention that these establishments are in the downtown area.

Rep. Lyons stated that at the first public hearing, Sandra Goldstein, Chair of the DSSD and Jack Conklin, President of the Chamber of Commerce, both expressed their support for the ordinance on behalf of the businesses located in the downtown area. The Police Department has constantly talked about the issue downtown. The reason you are not hearing references to the downtown problem tonight is because at the last public hearing most of the attendees were from the East Side, but at the first public hearing, the downtown business community was well represented and spoke in favor of the ordinance. Rep. Lyons stated that this ordinance is not targeted to any one situation or neighborhood – it is a citywide ordinance.

Rep. Esposito asked what will happen to close these establishments – what are the steps and processes. Rep. Lyons responded that within 120 days the establishments have to come into compliance with the ordinance. The

establishments will then have to comply with the terms of the ordinance related to plan review, public health inspections, physical layout review and the license status of those in the employ of these establishments. To become a licensed massage therapist, between 400 and 600 hours of study are required; it is a rigorous process that includes the obtaining of a state license. This is not required of a private licensed massage therapist, just an establishment. The Health Department then is allowed to conduct inspections and require compliance with the ordinance.

Rep. Lyons confirmed that the Health Department has committed to enforcing this ordinance; the Director of Public Safety & Health as well as the Police Department have also stated they would work to enforce the ordinance.

Rep. Esposito asked if the assumption was that after 120 days the City can expect these establishments will begin to be closed down.

The main motion was approved by a machine vote of 31-0-1 (See [Vote Record #415](#)).

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|-------------|---|------------------------------|
| 2. PS26.029 | REVIEW; of the Board of Education policies regarding classroom and school safety issues.<br>05/08/03 – Submitted by Rep. Mirkin<br>05/29/03 – Report Made<br>06/17/03 – Held in Committee | <b>HELD IN<br/>COMMITTEE</b> |
|-------------|---|------------------------------|

*Secondary Committee: Education*

*Held*

Chair Lyons stated that through no one's fault, there was a scheduling conflict between the Board of Ed and the Committee. The Committee is hopeful that in August a meeting can be held.

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|-----------------------------|--|---|
| 3. <a href="#">PS26.030</a> | PROPOSED ORDINANCE; <u>for publication</u> ;<br>extending the alarm registration period from one year to three years.<br>05/21/03 – Submitted by Mayor Dannel P. Malloy<br>06/17/03 – Committee Approved 6-0-0 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
|-----------------------------|--|---|

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 3, was approved by unanimous voice vote.

*Suspension of the Rules:*

Rep. Mirkin moved to suspend the rules to consider the resolution establishing the fees for the massage establishment ordinance; said motion was seconded and failed by a machine vote of 20-12-0. (See [Vote Record #416](#).)

President Martin thanked the committee for its hard work. Chair Lyons stated that both sides of the aisle deserved praise. They worked very hard, in a bipartisan manner and all members of the Committee deserve accolades.

## **PARKS & RECREATION**

### **COMMITTEE:**

(Attendance)

(Votes)

(Report)

**Linda Cannady, Co-Chair**

**Steve McDermott, Co-Chair**

Meeting: Tuesday, June 24, 2003

7:00 p.m. – Democratic Caucus Room

Co-Chair McDermott reported that the Parks & Recreation Committee met on June 24, 2003. Present were Committee Member Reps. McDermott, Kennedy, Clear, Giordano, Lyons and Morrow. Excused were Reps. Fedeli, McCullen, Imbrogno, Pavia and White. Also in attendance were four members of the Parks & Recreation Commission and Tim Curtin.

- |             |   |                              |
|-------------|---|------------------------------|
| 1. PR26.046 | REVIEW; creating a Harbor Management Commission as defined and authorized under Connecticut General Statutes.<br>05/07/03 – Submitted by Rep. Lyons<br>05/20/03 – Held in Committee 7-0-0<br>06/24/03 – Held in Committee 6-0-0 | <b>HELD IN<br/>COMMITTEE</b> |
| 2. PR26.047 | REVIEW; Kiwanis Park design plans.<br>05/29/03 – Submitted by Tim Curtin<br>06/24/03 – Approved design 6-0-0  | <b>REPORT<br/>MADE</b>       |

Co-Chair McDermott reported that the Committee informally approved the plan, and the item will be submitted to the Steering Committee for formal approval.

Rep. White stated that this park was originally set up in 1968, and it was supposed to be a vest pocket park. This was to be an area of open space, greenery and with native New England trees. When the Palace Theater first came in front of the Parks & Recreation Committee, one of the concerns that he and several other members had at that time, was that this park should not become a plaza to the Palace Theater. They used this park as a staging area to do the reconstruction.

Rep. White reviewed the plans, and what has happened is that this park is becoming a plaza for the Palace Theater. It is not even set up to serve as an open space, vest pocket park in Stamford. What you have is an area that is set aside for greenery with some potted trees, and that is it. The rest of it is paved

over. It doesn't even look like a park. He stated that it is not the intent of a city park to serve the Palace Theater as a plaza.

Rep. White urged his colleagues to study the plans and consider them. Rep. White does not think it is a good design and doesn't serve downtown Stamford as open space with any mature trees.

Rep. Zelinsky stated that he concurs with Rep. White. When the park was first established, Lady Bird Johnson came to Stamford to dedicate the park. It was supposed to be a green, vest pocket park. Rep. Zelinsky asked that the Committee invite those people involved in the project back to see if a better design can be achieved.

Rep. Loglisci stated that he normally agrees with Rep. White on these items, but feels that this is an ugly park, with an ugly fountain that never worked. It was brick, it never had any greenery and just had the plaque acknowledging Lady Bird Johnson's dedication of the park. Rep. Loglisci stated that the plans will be an improvement. His biggest concern is that the Palace Theater was paying for the park. Rep. Loglisci stated that it will be open to the public, and he does not have a problem with it because what it replaces was almost a blighted area.

Rep. White stated that he is not saying the last park was a beautiful park. The point is that at least it had thirty-year old trees. This is an opportunity to develop it the way it should have originally been developed.

Rep. Lyons stated that the cost of the park is going to be in excess of \$300,000; they have a 120-day window from the day it is approved. If the Board drags its feet and the Palace Theater runs overbudget on the project somewhere else, the money that is set aside for this park may be reduced and we may be left with less of a choice. Rep. Lyons urged the Board, even though it may not be a perfect design, to take the \$300,000 and build the park that the Palace is willing to build.

**EDUCATION COMMITTEE:**  
*(Report)*

**Thomas Hunter, Co-Chair**

**Brian O'Neill, Co-Chair**

Meeting: Wednesday, June 25, 2003

7:00 p.m. – Republican Caucus Room

Co-Chair O'Neill reported that the Education Committee met on June 25, 2003. Present were Committee Member Reps. O'Neill, Hunter, Day, McCullen, Browne and Loglisci. Rep. Molgano was excused. Other attendees included: Mickey Docimo, Tom Lombardo, Laurie Albano, Tim Curtin, Julian Sayer and Alvin Siegartel.

1. E26.007      REVIEW; of school playing fields and conditions;  
discussion on scheduled maintenance activities to  
improve conditions.

**REPORT  
MADE**



01/10/03 – Submitted by Rep. Hunter  
01/21/03 – Report Made  
02/25/03 – Report Made  
03/07/03 – Report Made  
04/07/03 – Report Made  
05/05/03 – Report Made  
05/21/03 – Report Made

The City is anticipating all the parks under one management company, and is presently reviewing the existing City policy guide regarding playing fields and will be holding future meetings to discuss recommendations. Enforcement will be the larger challenge to controlling the overuse of the fields.

2. E26.008	REVIEW; of consultants employed by the Board of Education. 05/07/03 – Submitted by Rep. O'Neill 05/21/03 – Report Made	<b>REPORT MADE</b>
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Co-Chair O'Neill reported that Mr. Siegartel explained the codes used by the Board of Education, and supplied the 2002 annual report of the Board of Education.

Rep. Browne stated that he was impressed by Mr. Siegartel and noted that Mr. Siegartel is the only accountant on the Board of Education staff. He is being terminated, and two lower-level accountants will be brought in. In that the Board of Education represents 60.22 percent of tax budget, having only one staff accountant is incredible. Mr. Browne stated he lauds the co-chairs of this Committee for conducting these inquiries. There was a lot of information that Mr. Siegartel provided that had not been in the news before and had not been discussed. It was a tremendously informative meeting.

Rep. O'Neill added that much to the committee's delight, the Board of Education has been submitting annual financial reports, however, the Town Clerk's office has not been receiving these nor has the Board of Representatives office. The practice of submitting these to the Town Clerk and the Board of Representatives should be automatic for the Board of Education.

<b>STATE AND COMMERCE COMMITTEE:</b> <u>(Attendance)</u> <u>(Report)</u>	<b>Jim Shapiro, Chair</b> <b>John Morrow, Vice Chair</b> Meeting: Wednesday, July 2, 2003 6:30 p.m. – Democratic Caucus Room
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Chair Shapiro reported that the State & Commerce Committee met on July 2, 2003. Present were Committee Member Reps. Shapiro, Morrow, Nakian, Day, Fedeli, Summerville and Lyons. Excused were Reps. Spandow, Skigen and DeLuca.

1. SC26.003      REVIEW; state and regional policies regarding Indian Point Nuclear Facility in Buchanan, New York.      **REPORT  
MADE**  
05/07/03 – Submitted by President Martin  
07/02/03 – Report Made

*Secondary Committee: Public Safety & Health*

*Waived*

Chair Shapiro stated a report was provided to everyone tonight. In summary, Mr. Shapiro stated that Director Barnes attended and a member of Riverkeeper, an organization designed to monitor the Hudson River and which has testified before Congress, also attended.

Chair Shapiro stated that Indian Point's Nuclear Facility is about 25 miles from Stamford. All of Fairfield County is included in the path if there was an accident. The report by New York State shows a variety of safety concerns. Four to six other counties and cities have passed resolutions calling for the suspension of operations at Indian Point.

There are a variety of concerns from typical nuclear events to sabotage and terrorist events. There is no communication. A New Jersey town that is supposed to be a host for a Westchester town in the case of evacuation, but no one even told the town about it. There is no evacuation plan, and Director Barnes stated that on I-95 and the Merritt, there probably can be no evacuation plan. There are 20 million people near this nuclear facility; that is the greatest concentration of population around any nuclear site in the United States.

Chair Shapiro stated that the ultimate control is by the Nuclear Regulatory Commission, but that is not to say that governors as well as members of congress and localities cannot influence the process. It is a highly political process, and adding our voice to the chorus may not be a bad idea.

There are some local things we can do including the use of potassium iodine in a limited way. It prevents certain types of cancer and is most effective with young children. At the next meeting, a representative from Entergy, the company that runs Indian Point, will be invited to attend.

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

#### **HOUSING/COMMUNITY DEVELOPMENT/**

#### **SOCIAL SERVICES COMMITTEE:**

(Attendance)

(Votes)

**Elaine Mitchell, Chair**

**Philip Giordano, Vice Chair**

Meeting: Monday, June 23, 2003

6:30 p.m. – Republican Caucus Room

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met on June 23, 2003. Present were Committee Member Reps. Mitchell, Giordano, McCullen, Browne, Fahan, McDermott and Molgano. Also present was Tim Beeble.

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| 1. HCD26.014 | REVIEW; of the policies for administration of the HOME Program.<br>05/12/03 – Submitted by Reps. Summerville & Mitchell<br>05/20/03 – Report Made<br>06/23/03 – Held in Committee  | <b>REPORT<br/>MADE</b>         |
| 2. HCD26.015 | APPROVAL; of transfer to the contingency line of excess funds from the Westside Organizer – Mutual Housing Association project.<br>05/27/03 – Submitted by Tim Beeble<br>06/23/03 – Committee voted 6-0-0 to transfer \$10,000 to contingency; voted 7-0-0 to allocate \$10,000 from contingency to the Stamford Partnership for Waterside Community Organizer | <b>NO ACTION<br/>NECESSARY</b> |
| 3. HCD26.016 | Presentation of the HOME Program.<br>06/04/03 – Submitted by Rep. Summerville<br>06/23/03 – Held in Committee  | <b>HELD IN<br/>COMMITTEE</b>   |

**TRANSPORTATION COMMITTEE:**

(Attendance)

(Votes)

(Report)

**Robert “Gabe” DeLuca, Chair**

**John Fahan, Vice Chair**

Meeting: Thursday, June 12, 2003

7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on June 12, 2003. Present were Committee Member Reps. DeLuca, Fahan, Mirkin, Giordano, Kernan, Blackwell and Zelinsky.

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| 1. <u>T26.030</u> | PROPOSED ORDINANCE; <b><u>for FINAL ADOPTION &amp; PUBLIC HEARING</u></b> ; amending Section 231 by adding Section 231-54 Article VI Towing Regulations, Administrative Towing Fee to provide for a \$35 fee that the tow company will forward to the City; and by adding Sec. 231.55, Towing Registration Fee, to provide for a \$250 annual fee to companies that are utilized to tow cars.<br>02/10/03 – Submitted by Mayor Dannel P. Malloy<br>02/13/03 – Held in Committee | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
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| 1. SB26.001 | REVIEW; status of Board of Education Budget.<br>09/09/02 – Submitted by Rep. Skigen<br>10/07/02 – Report Made<br>12/02/02 – Report Made<br>01/27/03 – Report Made<br>03/03/03 – No report<br>06/30/03 – Report Made | <b>REPORT<br/>MADE</b> |
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Chair Skigen reported that Mr. Chardavoyne and Mr. Dunn attended. Both feel that the budget format can be altered before next budget season. Mr. Chardavoyne stated that the Board of Education would not run a deficit for the fiscal year just ended. Mr. Dunn believed that it was highly unlikely that there will be a deficit.

## **RESOLUTIONS**

## **MINUTES**

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| 1. | <a href="#"><u>June 2, 2003 Regular Board Meeting</u></a> | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
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## **COMMUNICATIONS**

1. President Martin stated he will not be at next month's meeting and that the agenda will provide for the election of a temporary chair.
2. President Martin stated that the agenda order will be reversed for the September meeting.
3. President Martin stated he has been attending some of the Charter Commission meetings. After discussion it was decided that the Co-Chairs of the Charter Review Committee will be invited to any Charter Commission meetings that the President is invited to attend.

## **OLD BUSINESS**

## **NEW BUSINESS**

1. Rep. Loglisci stated that he has done some research and learned that Dr. Iton had a five year contract with the City; Rep. Loglisci asked that the Co-

Chairs of the Personnel Commission discuss the issue of appointees fulfilling their contractual obligations.

**ADJOURNMENT**

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:22 p.m.