

The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Tuesday, October 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 Martin.

INVOCATION: Given by Rep. Joseph Coppola.

“Let us pray. O God, help us to look to the past with gratitude and to the future with hope. We remember this day those who have gone before us here, who labored in these chambers with a vision of building for the future, a city better than they had known. Inspire in us a like vision, that we too may labor for things beyond ourselves. Make us unafraid of hopes and dreams. Teach us to be realistic about our limitations but never to lose faith in our ability to transcend them. Help us realize the significance of our time together, that it may open our eyes to the blessings of the past and the promise of the future. And Father, grant our Jewish brothers and sisters a new year of peace, good health and happiness and an end to suffering throughout the world.”

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

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were thirty-six members present and four members absent/excused (Reps. Browne, McDermott, Mitchell and O’Neill (note: Rep. Browne arrived after roll call)).

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

MOMENTS OF SILENCE: For the late: John Frank McAllister by Rep. Summerville; Robert A. Johnson by Rep. Coppola; Anne Kilcoyne by Reps. Coppola and Loglisci; Marcella Siciliano by Rep. Imbrogno; Ann S. Brown by the

Republican Caucus and Rep. White; Margaret Ann Ross by the Republican Caucus; Constantine Brandy by the 26th Board of Representative3s; Anthony Vozzella, Bert V. Sessa, Irving Lotstein and Ralph L. Labozzo, Jr. by Reps. Loglisci and Zelinsky; Peter Coles by Rep. Loglisci; Jacques A. Roy by Reps. Loglisci and Giordano; Agnes Cocolis by Reps. Loglisci and White; Nora Zajdel by Rep. Zelinsky; Mildred C. Raina by Reps. Giordano and Zelinsky; Eleanor K. Denham by Reps. Giordano, Lyons, Zelinsky and White; and Dr. Bernard Svedlow by Rep. Giordano.

PAGES:

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, September 8, 2003
(Report) 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.

TRANSPORTATION COMMITTEE: **Robert “Gabe” DeLuca, Chair**
John Fahan, Vice Chair

No report.

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

(Attendance)

Elaine Mitchell, Chair

Philip Giordano, Vice Chair

Meeting: Monday, September 8, 2003

8:00 p.m. – Democratic Caucus Room

(#1-immediately following Steering)

- and

Meeting: Tuesday, September 16, 2003

6:30 p.m. – Democratic Caucus Room

(Attendance)

(Votes)

Vice Chair Giordano reported that the Housing/Community Development/Social Services Committee met on September 8, 2003 and on September 16, 2003. Present at the September 8, 2003 meeting were Committee Member Reps. Browne, Giordano, Fahan, McCullen, McDermott, Mitchell and Molgano. Also

present were Reps. Adams, DeLuca, Lyons, Martin, O'Neill, Summerville, White, Zelinsky; Anthony and John Scalzi, Yvonne Jackson, Bob Owens, Tim Beeble,

At the September 16, 2003 meeting, Committee Member Reps. Browne, McCullen, Fahan, Mitchell, Molgano and Giordano were present; also present were Rep. Adams and Cannady.

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| 1. HCD26.016 | Presentation of the HOME Program.
06/04/03 – Submitted by Rep. Summerville
08/11/03 – Held in Steering Committee
09/08/03 – Report Made | REPORT
MADE |
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Tim Beeble, Director of Community Development gave a presentation following the Steering Committee meeting. After questions and comments from the Committee, the Committee will recommend procedures for policies for administering the HOME Program at its October meeting.

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| 2. HCD26.014 | REVIEW; of the policies for administration of the HOME Program.
05/12/03 – Submitted by Reps. Summerville & Mitchell
05/20/03 – Report Made
08/11/03 – Held in Steering Committee
09/16/03 – Report Made | REPORT
MADE |
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| 3. HCD26.018 | RESOLUTION; approving modifications to the loan terms of the Lead Hazard Control Program.
07/10/03 – Submitted by Tim Beeble
08/11/03 – Held in Steering Committee
09/16/03 – Committee approved 6-0-0 | HELD IN
COMMITTEE |
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The HUD Lead Hazard Control Program grant requires that a minimum of three years' of rent affordability for all assisted units. The Committee agreed to modify the terms lowering the terms of affordability from 15 years to 5 years. The purpose for doing this is to get more landlords to participate in the program.

Vice Chair Giordano moved to approve this item; said motion was seconded. Mr. Lyons moved to hold the item; said motion was seconded. Rep. Loglisci asked why this item is being held.

Rep. Adams stated that he was in support of holding the item because he felt an undue financial burden would be placed on homeowners who take advantage of the program. With this change, the homeowner would have to potentially repay the \$30,000 for the repairs in five years.

Rep. Lyons stated that after attending the public presentation, it is clearly a very beneficial program for many homeowners and developers. However, he thinks that some of the thresholds and requirements can be changed to make it more accessible to those currently excluded. Rep. Lyons stated that the Committee can consider changes next month to some of the thresholds so that this program can benefit more people.

The motion to hold was approved by unanimous voice vote.

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| 4. HCD26.017 | REVIEW; of lead safe home program.
06/03/03 – Submitted by Tim Beeble
08/11/03 – Held in Steering Committee
09/16/03 – Report Made | REPORT
MADE |
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Vice Chair Giordano stated that Tim Beeble gave a presentation to the Committee, and after questions and comments, the Committee will recommend policies.

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

Chair Shapiro reported that the State & Commerce Committee did not hold a meeting this month. A site visit to Indian Point Nuclear was held and included Reps. Shapiro, Cannady, Martin, Giordano, O'Neill, Nakian, Morrow, Greenberg, DeLuca, Molgano, Coppola and Mirkin.

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| 1. SC26.003
<u>(Site Visit Report)</u> | REVIEW; state and regional policies regarding Indian Point Nuclear Facility in Buchanan, New York.
05/07/03 – Submitted by President Martin & Rep. Shapiro
07/02/03 – Report Made
08/21/03 – Report Made
10/07/03 – Report Made | REPORT
MADE |
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Secondary Committee: Public Safety & Health

Chair Shapiro stated that Indian Point has two reactors and one dormant reactor. The reason the Committee visited Indian Point is because in the wake of September 11, Gov. Pataki commissioned a report to review the security of the plant because one of the hijacked planes flew over the plant on its way to the World Trade Center. The report was performed by James Lee Witt Associates, former head of the FEMA.

Chair Shapiro stated that the Committee met several months ago with Riverkeeper, an environmental organization that has testified before Congressman Shay's committee on national security. Congressman Shay's committee has also met with Entergy and has called for the closure of Indian Point. Chair Shapiro wanted to provide Entergy an opportunity to rebut the criticisms of the facility and its evacuation plans, security and the ability of the reactors to withstand aircraft crashes; the Committee also wanted to discuss the flow of radioactive plumes in the event of an accident and whether or not it could affect lower Fairfield County. They invited the Committee members to visit the plant.

Locations to the plant were clearly marked, and members noted that there was a significant presence of heavily-armed private security and a small National Guard detachment that covered the 54-acre site. There was a perimeter fence that is not electrified or monitored, but there are interior fences that are monitored and activated.

Chair Shapiro stated that there are reactors and holding places for radioactive waste, or spent fuel rods. With respect to the reactor's safety, it was not originally designed to defend against planes, but it happens to be able to do so. Similarly, the reactor core is buffered by more concrete and could withstand a crash. The spent fuel rods, which are the most dangerous to humans, are buried in a pool under lots of water, about 40 feet deep. The building they are housed in is not built to withstand plane crashes. It is a regular building, among other buildings that are of varying thickness and protection. It is arguable how the pools would do. Entergy stated firmly that the pools would withstand this, but it was not intuitive upon inspection.

Chair Shapiro stated that if and when there is a plume, Entergy showed them maps with overlays, and depending on the wind speed and direction, they could see where the plume would go and how disseminated it would be. Their presumption was that under any of the circumstances that could bring the plume to Stamford, it would involve a wind speed that was so fast, it would disperse the radiation to non-harmful levels.

Chair Shapiro added that the Committee did not cover the evacuation plan. Their plan is to evacuate a ten-mile radius, which does not include Stamford. This would involve around 300,000 people. The 50-mile radius, which is what FEMA actually requires they plan for, includes Stamford and equals about 20 million people. Everyone agrees that there is no way to evacuate this number of people. Also, communication among law enforcement and first responders was cited by Entergy as a problem and it is being worked on.

Chair Shapiro stated that the grounds appear to be fairly secure, but there are issues about planes flying over. Entergy was asked about a no-fly zone, and it

did not seem interested in having this in place. Access by water is another concern, and Entergy stated that they are addressing this risk.

Chair Shapiro stated that all nuclear plants are monitored by the Nuclear Regulatory Commission, and critics have stated that the NRC has become lax in its oversight. Chair Shapiro stated that you cannot expect people in any business to do a whole lot more than what is required of them, and there are issues about this agency and its regulation. Secondly, there have been reports that the mock terrorist incident test that Indian Point underwent a few weeks ago was actually too easy. Entergy performed well, but they were informed ahead of time, and purported terrorists crossed an open field in broad daylight, and this is probably not the way actual terrorists would operate. This was not discussed because they did not want to divulge secrets regarding security.

Chair Shapiro stated that there is a report by the Union of Concerned Scientists which actually includes former members of the NRC, which was critical of plants generally, and Indian Point specifically about debris clogging in the event of cooling during an accident and the fact that clogging could create a meltdown.

Chair Shapiro stated that this matter will be discussed at next month's committee meeting.

EDUCATION COMMITTEE: **Thomas Hunter, Co-Chair**
(Attendance) **Brian O'Neill, Co-Chair**
Meeting: Wednesday, September 17, 2003
7:00 p.m. – Democratic Caucus Room

Co-Chair Hunter reported that the Education Committee met on Wednesday, September 17, 2003. The committee did not have a quorum but informally discussed the two items on the Agenda.

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| 1. E26.007 | REVIEW; of school playing fields and conditions; discussion on scheduled maintenance activities to improve conditions.01/10/03 – Submitted by Rep. Hunter01/21/03 – Report Made02/25/03 – Report Made03/07/03 – Report Made04/07/03 – Report Made05/05/03 – Report Made07/22/03 – Held in Committee08/04/03 – Held in Committee08/11/03 – Placed on Pending Agenda09/17/03 – Report Made | REPORT
MADE |
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Co-Chair Hunter stated that Laurie Albano presented a draft policy, and Director Curtin has forwarded it to the Parks & Recreation Commission. This matter will be discussed next month.

2. E26.008 REVIEW; of consultants employed by the Board of Education.05/07/03 – Submitted by Rep. O’Neill05/21/03 – Report Made07/22/03 – Held in Committee08/04/03 – Held in Committee08/11/03 – Placed on Pending Agenda09/17/03 – No Action Taken **NO ACTION TAKEN**

PARKS & RECREATION

COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Linda Cannady, Co-Chair

Steve McDermott, Co-Chair

Meeting: Tuesday, September 23, 2003

7:00 p.m. – Republican Caucus Room

Co-Chair Cannady reported that the Parks & Recreation Committee met on September 23, 2003. Present were Committee Member Reps. Cannady, McDermott, Clear, Giordano, Imbrogno, Lyons, McCullen, Morrow, Pavia and White. Rep. Fedeli was excused. Also present was Mickey Docimo, Tim Curtin, John Valmis and Dean Pomeroy.

1. [PR26.052](#) RESOLUTION; approving reduced rates for off-peak times at E. Gaynor Brennan Municipal Golf Course. **APPROVED ON CONSENT AGENDA**
09/02/03 – Submitted by Mayor Dannel P. Malloy
09/23/03 – Committee approved 8-0-0

Co-Chair Cannady stated that on regular weekday, the 18-hole rate for residents would be \$11 from 11:00 a.m. to 2:00 p.m. For non residents, the rate would be \$24. Mickey Docimo gave the Committee a brief report, and stated that play has been down substantially due to the poor weather. This is intended to try and make up the revenue shortfall.

2. PR26.053 RESOLUTION; increasing the youth hockey rate for hourly ice rental from \$135 to \$145 per hour. **APPROVED ON CONSENT AGENDA**
09/04/03 – Submitted by Mayor Dannel P. Malloy
09/23/03 – Committee approved 9-0-1

3. [PR26.046](#) PROPOSED ORDINANCE; **for publication**; creating a Harbor Management Commission as defined and authorized under Connecticut General Statutes. **HELD IN COMMITTEE**
05/07/03 – Submitted by Rep. Lyons
05/20/03 – Held in Committee 7-0-0
06/24/03 – Held in Committee 6-0-0
07/22/03 – Report Made
08/04/03 – Report Made

08/19/03 – Committee Approved 7-1-0 (for publication)
09/02/03 – Report Made
09/23/03 – Committee approved 7-2-0

Co-Chair Cannady stated that the Law Department is currently reviewing the proposed ordinance. In view of this, Co-Chair Cannady moved to hold Item No. 3 in Committee; said motion was seconded. The motion was approved by unanimous voice vote.

4. PR26.049 REVIEW; of submittal application for historic designation for certain portions of Rosa Hartman and Fort Stamford Parks. **REPORT MADE**
06/17/03 – Submitted by Rep. O'Neill
07/22/03 – Committee Held 9-0-0
08/04/03 – Held in Committee
08/19/03 – Held in Committee 8-0-0
09/23/03 – Held in Committee

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

PUBLIC SAFETY & HEALTH COMMITTEE:

(Attendance)
(Votes)
(Report)

Richard Lyons II, Chair
Gail Clear, Vice Chair
Meeting: Thursday, Sept. 25, 2003
7:00 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on September 25, 2003. Present were Committee Member Reps. Lyons, Adams, Blackwell, Coppola, Clear, DeLuca, DePina, Mirkin and Zelinsky. Reps. DeLeo and Kernan were absent; Rep. Loglisci was also present.

1. PS26.035 REVIEW; of assistance by city/state to control deer population; of lyme disease statistics and trends; and of damage caused to property and the potential for accidents caused by deer on the roads **REPORT MADE**
07/22/03 – Submitted by Rep. Mirkin
08/21/03 – Report Made
09/02/03 – Held in Committee
09/25/03 – Report Made
2. APPROVAL; of an amendment to the agreement **APPROVED BY**

PS26.034

with Haven Healthcare Management, LLC
regarding Smith House.

07/22/03 – Submitted by Mayor Dannel P.
Malloy

08/25/03 - *Approved by Board of Finance*

08/21/03 – Failed in Committee 1-7-0

09/02/03 – Held in Committee

09/25/03 – Committee Approved 8-0-0

**MACHINE VOTE
(31-5-1)**

Chair Lyons stated that there were two positions that Haven Healthcare asked to be written into their contract so that they could fill them outside the civil service sector. One is the Director of Nursing and the other is the Admissions Coordinator. Both of these positions have very competitive wages, they have been advertised numerous times by the City, the City has had a difficult time filling it. Haven has many facilities and feels it can fill these positions more easily than the City can. Chair Lyons stated that the Admissions Coordinator position is vital in order to ensure the beds are filled.

Chair Lyons stated that there was lengthy discussion at the Committee meeting; Director Barnes assured the Committee that there are no intentions on the City's side to try and privatize any other positions, especially collectively-bargained union positions that have already negotiated the right to collectively bargain. There are new RFPs going out for the management of Smith House; the current contract expires on December 31, 2003. There have been numerous assurances that this is not a behind the scenes attempt to privatize this facility.

Rep. DeLuca stated that his primary reason for taking the matter off consent is to get into the record that we were assured by Ben Barnes and Bill Callion that there will not be any attempt to break the unions – 1199 and the nurses union. The RFP will indicate words to the effect that the Smith House will not be privatized and that no other positions, with the exception of MAA positions, will be privatized.

Rep. Lyons stated that Rep. DeLuca is correct in his summary, but he believes that the RFP's language would state that the collectively-bargained union rights must stay in existence up there.

Rep. White stated that these are vacant civil service and unionized positions within the MAA. He stated that if these two positions are shifted to Haven, they will be removed from the MAA. Rep. White states he doesn't see the advantage to this except to Haven. This is not independent people serving in these positions, they will be under Haven's authority. Rep. White stated that this matter should be negotiated by the union.

Rep. DeLuca stated unfortunately, and he was completely surprised himself, that the MAA is the only union that allows anyone to privatize positions. He was surprised that the MAA allowed this to happen. The union voted for this provision

in its contract and Rep. DeLuca stated that he was surprised because he would expect that the union would try to protect its members. But, this particular union here does not have any protection for its members. In addition, the Smith House has about six other positions that are in the MAA union. Once again, Mr. DeLuca stated, the Committee was assured that these are the only two positions that will be privatized.

Chair Lyons stated that Mr. DeLuca is correct that the MAA has not collectively bargained its right to negotiate privatization of positions, and he added that Smith House city employee residents will benefit from this in the short term he does not want the nursing director position vacant nor the admissions coordinator position vacant. These civil service positions have been posted with very few qualified applicants, and with the assurance of no further privatization, it behooves us to get these positions filled.

Rep. Spandow asked how long the positions have been vacant. Chair Lyons responded that Director Stover reported that the Director of Nursing has been vacant for at least a year and has been posted two or three times. The Admissions Coordinator has been vacant for probably six months.

Rep. White stated that he assumes that if this amendment goes through that Haven can fill these positions very quickly. Chair Lyons responded that they can be filled almost instantaneously from existing staff. Chair Lyons stated he doesn't understand why they can't fill these positions with the higher-paying civil service salaries. Rep. Mirkin stated that it was his understanding that they have identified someone who could start immediately, and they seem to have a better pool of available people to fill these positions. Rep. Mirkin stated that Haven pays less than the City would pay. Chair Lyons stated that the salaries are three to five percent less annually, maybe more overtime, when you include benefits and salaries.

Rep. White stated he believes this is the road to privatization, and that this is just chipping away.

Rep. DeLuca stated that we have received a memo from Director Barnes that states that this will not happen to the 1199 and union positions. A copy is in the Board office. The Committee has received a copy of this memo. Rep. DeLuca stated he confirmed this with Ben Barnes and Bill Callion at their last meeting.

Rep. Summerville stated that there are 36 members present; Rep. Browne has now joined the meeting.

The motion to approve Item No. PS26.034 was made and seconded. Said motion was approved by a machine vote of 31-5-1 (Reps. Figueroa, Giordano, Kernan, Shapiro and White opposed; Rep. Cannady abstaining) (See [Vote Record No. 432](#)).

3. PS26.037 REVIEW; citywide response to recent blackout. **REPORT
MADE**
09/03/03 – Submitted by Rep. Lyons
09/25/03 – Report Made

Chair Lyons reported that there is a copy of Director Barnes report in the Board Office.

4. PS26.038 REVIEW; citywide fire marshal organization and responsibilities. **REPORT
MADE**
09/03/03 – Submitted by Rep. Lyons
09/25/03 – Report Made

Chair Lyons reported that there is a copy of Director Barnes report in the Board Office.

OPERATIONS COMMITTEE: **John R. Zelinsky, Jr., Co-Chair**
(Attendance) **Anthony Imbrogno, Co-Chair**
(Votes) Meeting: Wednesday, September 24, 2003
(Report) 7:00 p.m. – Democratic Caucus Room

Co-Chair Imbrogno reported that the Operations Committee met on Wednesday, September 24, 2003. Present were Committee Member Reps. Zelinsky, Imbrogno, McDermott, O'Neill, Hunter, Adams, Pavia; excused were Reps. Coppola, Day, Fahan and White.

1. O26.042 PROPOSED ORDINANCE; **for publication**; **APPROVED BY
MACHINE VOTE**
amending Chapter 164-3 Definitions and Chapter **(37-0) (as
amended)**
164-5 Noise Levels
07/14/03 – Submitted by Rep. Zelinsky
08/20/03 – Committee approved 5-1-0
09/02/03 – Held in Committee
09/24/03 – Committee Approved 6-1-0

Co-chair Imbrogno moved Item No. O26.042; said motion was seconded. Co-Chair Imbrogno stated that a lengthy discussion was held, and the Committee approved to change the noise ordinance on Sundays and holidays only to restrict noise after 5:00 p.m. rather than 8:00 p.m. Other days remain the same.

Rep. Zelinsky asked his colleagues' support on this item. Rep. Zelinsky thanked Rep. Nakian for helping him draft the ordinance in proper form. Rep. Zelinsky stated that this is a quality of life issue not only for his constituents but for all Stamford residents. This amendment came about as a result from one of his constituents because of someone removing heavy boulders and tree stumps

from his property until late evening with heavy and loud machinery. This amendment would change the stopping time for daytime hours on Sundays and federal and state holidays from 8:00 p.m. to 5:00 p.m. Rep. Zelinsky stated he believes this would go along way to give residents some peace and quiet on Sundays and on state and federal holidays by mandating the day hours end at 5:00 p.m. Rep. Zelinsky thanked his colleagues.

Rep. Lyons stated that he is concerned that for example on Memorial Day weekend, if he was at his house and wants to clean his yard or use power tools or have a backyard barbecue with a band that after 5:00 p.m. the band has to go down to under 45 decibels. Rep. Lyons asked about these types of issues.

Co-Chair Zelinsky stated that the Committee did not address people having parties. This came about as a result of heavy, booming machinery, drilling boulders and tree stumps until 8:00 p.m. on a Sunday evening. It is not the intent to deprive city residents from having parties or having music. However, if the decibel level is above those in the ordinance, they would be in violation and it would be perfectly correct for neighbors to call the police to measure the decibel level. If they are in violation, they could be issued a summons, or more than likely the police officer would ask the people to turn the noise down. Certainly, the intent is not to deprive anyone of their right to have a party.

Rep. Pavia stated that the ordinance specifically address construction and demolition noise.

Rep. Mirkin asked to what degree the city gets complaints annually regarding this situation. Rep. Zelinsky stated that at an earlier Operations Committee meeting a captain from the Police Department stated he has one or two complaints a year pertaining to loud noise that would possibly be in violation of the present ordinance.

Rep. Mirkin asked if in those cases the Captain mentioned if summons were issued. Rep. Zelinsky stated that this information was not provided. Rep. Zelinsky stated that the Police Department has two machines that can measure the decibel level.

Rep. Loglisci stated that this ordinance would help the quality of life in Stamford.

Rep. Lyons asked whether the noise ordinance only applies to construction and demolition.

Rep. Pavia stated that in Committee, the entire noise ordinance was not discussed. The conversation addressed the specific section that dealt with construction and demolition. The noise ordinance itself covers a vast array of different noise conditions and standards, none of which were addressed. Hours of construction and hours of demolition were discussed.

Rep. Lyons stated that the language needs to be clearly defined and delineated; it affects only one small section. Also, certain businesses are allowed higher levels. Rep. Lyons stated more clarity in this ordinance.

Rep. Summerville stated that she does have a concern along the lines of Rep. Lyons. Rep. Summerville felt this ordinance will become very difficult with residential dwellings being built in industrial areas. Rep. Summerville asked whether businesses will be damaged as a result of residences being built in these areas and restrictions being placed on them for the residents' benefit.

Rep. Nakian stated that the ordinance says that you can't have any noise above a certain decibel level – whether commercial or residential – during certain hours. The change tonight is the definition of the hours. The change in times will affect any type of activity, whether a party or a bulldozer. Rep. Nakian added that construction is specifically exempted from the decibel level during the daytime hours. Rep. Nakian added that this has been a very difficult ordinance and whenever changes are proposed, it gets very involved.

Rep. Zelinsky responded that this ordinance pertains to the entire city. The original purpose of the ordinance was to ensure an environment free of excessive noise that could degrade their quality of life. Rep. Zelinsky stated that all we are going to do is limit the hours on Sunday from 8:00 p.m. to 5:00 p.m.

Rep. Lyons stated that he could see a scenario where a contractor is under a deadline, and they want to work on a Monday holiday to finish a job. Rep. Lyons stated he understands the intent, but feels it should be more thoroughly reviewed. Rep. Lyons added that maybe someone from Land Use or Operations should borrow the Police Department's noise meter for a month or two, and go out and sample these different areas, because these settings and measurements were set in 1985. Maybe the decibel thresholds should be changed, also.

Rep. Imbrogno stated he does not believe that the three-hour change would create a great hardship.

Rep. Loglisci stated that he is in support of the change.

Rep. Nakian stated that the ordinance may not be worded properly in that if the definition of daytime hours is changed, the definition of nighttime hours must also be changed.

A motion to send the ordinance back to committee was made and seconded.

Rep. Zelinsky stated he is against returning it to the Committee because the daytime hours and nighttime hours are different; he feels it is very clear.

Rep. Lyons stated that earlier an item was held because it is in the Legal Department; this ordinance is not right, and if it needs to be sent back again, it is better than rushing through it. Clearly, it needs to be returned.

Rep. Zelinsky stated that if any member wants to look for a reason not to vote for it, that is fine. But, to insult someone by saying that not enough time has been devoted to this, he reminds everyone that it has been in Committee for three months. It is now reworded properly. To send an item back for changing three hours is not only ludicrous but insulting. Rep. Zelinsky stated he is not talking about revising the whole ordinance. Rep. Zelinsky stated that he is certain that everyone is intelligent enough to decipher what nighttime hours are – they are the hours between 5:00 p.m. and 10:00 a.m. Sunday and federal and state holidays. Rep. Zelinsky stated that the ordinance clearly specifies that in the event of an emergency, there can be work done at any time – 24 hours a day.

Rep. Zelinsky stated that anyone who doesn't want to give the public three hours of quiet on a Sunday should vote against it. He asked for a roll call vote so that the public can know who cares about this and who doesn't.

A motion to return the item to committee was made and seconded; said motion failed by a vote of 16-20-0 (Reps. Benyus, Blackwell, Boccuzzi, Browne, Clear, DeLeo, DeLuca, Esposito, Giordano, Kernan, Lyons, Mirkin, Morrow, Nowakowski, Skigen and Spandow in favor; Reps. Adams, Cannady, Coppola, Day, DePina, Fahan, Fedeli, Figueroa, Greenberg, Hunter, Imbrogno, Loglisci, Martin, McCullen, Molgano, Pavia, Shapiro, Summerville, White and Zelinsky opposed) (See [Vote Record No. 433](#)).

Rep. Nakian moved the following amendment: under "night time hours" insert the language "The hours between 5:00 p.m. and 8:00 a.m. on Sunday evening ...". Said amendment was seconded and approved by a machine vote of 37-0 (See [Vote Record No. 434](#)).

The main motion was approved by a machine vote of 37-0 (See [Vote Record No. 435](#)).

2. O26.044 REVIEW; of installation of sewer line/private lateral line into North Stamford.
08/06/03 – Submitted by Rep. Skigen
08/20/03 – Report Made
09/02/03 – Held in Committee
09/24/03 – Held in Committee

**HELD IN
COMMITTEE**

LAND USE/URBAN REDEVELOPMENT COMMITTEE:

(Attendance)

Patrick J. White, Co-Chair

(Votes)
(Report)

Harry Day, Co-Chair
Meeting: Wednesday, October 1, 2003
7:30 p.m. – Republican Caucus Room

Co-Chair Day reported that the Land Use/Urban Redevelopment Committee met on October 1, 2003. Present were Committee Member Reps. Day, Benyus, Boccuzzi, Loglisci, Nakian, Shapiro and Summerville. Also attending were Tom Cassone, Steve Osman, Laszlo Papp and Rachel Goldberg from the URC; Ron Markey and Phil D'Amico from the Parks Department and Cindy Barker from Land Use Administration.

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| 1.
<u>LU26.043</u> | APPROVAL; of third amendment of the lease agreement between the City and Louis Dreyfus Properties, LLC for 23 Richmond Hill Avenue.
08/12/03 - Submitted by Sybil Richards
08/26/03 – Approved by Planning Board
09/11/03 – Approved by Board of Finance
10/01/03 – Committee Approved 8-0-0 | APPROVED
ON CONSENT
AGENDA |
| 2.
<u>LU26.045</u> | RESOLUTION; renaming a portion of Vine Place to Merriman Road.
09/04/03 – Submitted by Robin Stein
10/01/03 – Committee Approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 3.
<u>LU26.036</u> | PROPOSED ORDINANCE; for publication ;
amending Section 8-2 of the Demolition Ordinance (requirements for older buildings).
09/18/02 – Submitted by Rep. O'Neill
06/30/03 – Report Made
07/28/03 – Report Made
08/04/03 – Report Made
08/27/03 – Held in Committee 7-0-0
10/01/03 – Held in Committee 8-0-0 | HELD IN
COMMITTEE |
| 4.
LU26.044 | REVIEW; and update of Block 9 parking garage and Park Square West project.
09/03/03 – Submitted by Rachel Goldberg
10/01/03 – Report Made | REPORT
MADE |

Ms. Goldberg, Mr. Osman and Mr. Papp presented a comprehensive review and update for the schedule for the URC parking garage project in Block 9. The Schedule calls for city Board approvals commencing this fall, demolition of the buildings at the southwest corner and creation of temporary parking at such corner by the end of the year; issuance of a design/build RFP package early next year; commencement of construction by early next year and completion and opening of the facility in the fall of 2005. An integral part of this project will be the

completion of Winthrop Place in time to service traffic to the Target Store, which is projected to be completed next fall.

- | | | |
|----------------|--|------------------------------|
| 5.
LU26.039 | REVIEW; of the Code of Ordinances, Section 227,
Tree Ordinance.
07/10/03 – Submitted by Rep. White
07/28/03 – Held in Committee 7-0-0
08/04/03 – Held in Committee
08/27/03 – Held in Committee 7-0-0
10/01/03 – Held in Committee 7-0-0 | HELD IN
COMMITTEE |
| | | |
| 6.
LU26.041 | REVIEW; of the placement of outdoor for profit
clothing donation bins in shopping centers and
parking lots. Should special signage or zoning be
necessary so as not to confuse these drop off bins
with non-profit drop off centers?
08/07/03 – Submitted by Rep. O'Neill
08/27/03 – Held in Committee
10/01/03 – Held in Committee 7-0-0 | HELD IN
COMMITTEE |

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

**PERSONNEL COMMITTEE: Sanchia Spadow, Co-Chair
Mary Lisa Fedeli, Co-Chair**

No report.

LEGISLATIVE & RULES COMMITTEE: Maria C. Nakian, Chair
[\(Attendance\)](#)
[\(Report\)](#)
Jim Shapiro, Vice Chair
Meeting: Monday, Sept. 22, 2003
7:00 p.m. – Democratic Caucus Room
- and -
Meeting: Tuesday, October 7, 2003
6:45 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on September 22, 2003. Present were Committee Member Reps. Nakian, Shapiro, Spadow, Zelinsky and Browne present. Reps. Esposito and Greenberg were excused; Reps. DeLuca, McCullen and Martin were also present; also present were Tom Cassone and William Forker. There was no quorum at the meeting. Chair Nakian called a meeting today at 6:45; again there was no quorum.

Chair Nakian moved to take Item No. LR26.037 out of committee; said motion was seconded and approved by unanimous voice vote.

1. [LR26.037 Resolution](#) RESOLUTION; approving a lease with St. Andrews Episcopal Church regarding the Franklin Street Parking lot; term of lease: 3 years (with 1 year extension **option**).
08/20/03 – Submitted by Mayor Dannel P. Malloy
09/11/03 – Approved by Board of Finance
- APPROVED BY MACHINE VOTE (34-1-0)**

Chair Nakian reported that this is a small piece of property belonging to St. Andrews on Franklin Street, which the City is proposing to lease for a term of three years in order to create a parking lot. The City will pave it and stripe it and it will be managed by an outside company. It will provide parking for 47 cars. The terms of the lease provide that St. Andrews will receive 40% of the profits, after construction expenses. When the City's capital expenses have been recovered, then they will get 50% of any net income on the lot.

Chair Nakian stated that soon asphalt factories close for the season, so this matter needs to be acted on in a timely manner.

Rep. Summerville asked about the extension period. Chair Nakian stated that there is an option to renew for one year should the City need the property after the three-year period. Co-Chair Shapiro explained that it is an option to extend the lease; it is not an automatic extension.

Chair Nakian moved Item No. LR26.037; said motion was seconded and approved by a machine vote of 34-1-0 (Rep. White opposed) (See [Vote Record No. 436](#)).

2. LR26.032 REVIEW; of tax relief program for veterans.
07/09/03 – Submitted by Reps. Boccuzzi, DeLuca & Zelinsky
07/21/03 – Held in Committee
08/04/03 – Held in Committee
08/25/03 – Held in Committee
09/22/03 – Report Made
- REPORT MADE**
3. LR26.038 REVIEW; of approval process for new sewer lines/private laterals.
09/04/03 – Submitted by Rep. Skigen
09/22/03 – Report Made
- REPORT MADE**

Chair Nakian stated that the Committee learned that the Northeast sewer line is not a sewer line, but a building connection, connecting the building to the sewer.

The fact that the sewer is approximately one mile away is a rather tortured definition of a building lateral, but that is the way it stands at the moment. Because it is a lateral, nobody else can tie into it. The committee raised a lot of questions with Corporation counsel, and more problems can be foreseen regarding this. Chair Nakian stated that she doesn't know if agreement was reached at the meeting. Chair Nakian stated that this is an issue that the Board may wish to consider by amending the WPCA ordinance and probably the sewer commission ordinance. Although the Charter and the Code of Ordinances both say that sewers are approved by the Sewer Commission, not by the WPCA, in practice it is the WPCA that is approving these sewer extensions. The commission only sets the rates at this point. Chair Nakian stated that the Board may wish to investigate this area.

4. [LR26.028](#) PROPOSED ORDINANCE; **for publication**; **NO ACTION TAKEN**
 concerning 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
 07/21/03 – Held in Committee
 08/04/03 – Held in Committee
 08/11/03 – Placed on Pending Agenda
 09/22/03 – No Action Taken

Chair Nakian stated that the Law Department approval of the ordinance was not received until the day of the meeting. No action was taken

FISCAL COMMITTEE: **Randall Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Votes\)](#) Meeting: Monday, September 29, 2003
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on September 29, 2003. Present were Committee Member Reps. Skigen, Cannady, Loglisci, DeLuca, DePina, Fedeli, Giordano, Hunter, Lyons and Mirkin. Rep. Figueroa was excused. Also present were Reps. Adams and Browne; Police Chief DeCarlo; acting Director of Administration Ben Barnes; Grants Director Sandy Dennies; OPM Director Peter Privitera and Robin Stein of the Land Use Department.

1. F26.253 RESOLUTION; accepting \$338,500 in donations from private entities to fund the annual 4th of July celebration. **APPROVED ON CONSENT AGENDA**
 09/04/03 – Submitted by Pete Privitera
 09/29/03 – Committee approved 8-0-0

2. [F26.237](#) ADDITIONAL APPROPRIATION (Operating Budget); Fee Supported Programs; Busing; to reimburse expenses used to fund the 4th of July celebration. **APPROVED ON CONSENT AGENDA**
\$16,000.00
07/31/03 – Submitted by Mayor Dannel P. Malloy
08/25/03 – Approved by Board of Finance
08/25/03 – Committee approved 8-0-0
09/02/03 – Held in Committee
09/29/03 – Committee approved 8-0-0

3. [F26.238](#) ADDITIONAL APPROPRIATION (Operating Budget); Fee Supported Programs; Contracted Services; to reimburse expenses used to fund the 4th of July celebration. **APPROVED ON CONSENT AGENDA**
\$24,000.00
07/31/03 – Submitted by Mayor Dannel P. Malloy
08/25/03 – Approved by Board of Finance
08/25/03 – Committee approved 8-0-0
09/02/03 – Held in Committee
09/29/03 – Committee approved 8-0-0

4. [F26.246](#) ADDITIONAL APPROPRIATION (Grant Funded); SAMHSA Grant (Substance Abuse & Mental Health Services Administration Targeted Capacity Expansion Grant); to expand and enhance substance abuse treatment services for women and children. **APPROVED ON CONSENT AGENDA**
\$165,488.00
08/29/03 – Submitted by Mayor Dannel P. Malloy
09/11/03 – Approved by Board of Finance
09/29/03 – Committee approved 9-0-0

Secondary Committee: Public Safety & Health

Waive

A motion to waive the Secondary Committee Report was made and seconded; said motion was approved by unanimous voice vote.

5. [F26.251](#) ADDITIONAL APPROPRIATION (Grants Budget); Bio-Terrorism Emergency Response; grant funds from CDCP to enhance emergency response capacities; funds part of a Sanitarian and public health nurse and benefits. **APPROVED ON CONSENT AGENDA**
\$20,000.00
09/04/03 – Submitted by Mayor Dannel P. Malloy
09/11/03 – Approved by Board of Finance
09/29/03 – Committee approved 9-0-0

6. [F26.248](#) \$17,000.00 ADDITIONAL APPROPRIATION (Grants Budget); Historic Document Preservation Grant; Contracted Services; to be used for contracted services for the preservation of plats as part of continuing program for preservation of deteriorating records. 08/29/03 – Submitted by Mayor Dannel P. Malloy 09/11/03 – Approved by Board of Finance 09/29/03 – Committee approved 9-0-0 **APPROVED ON CONSENT AGENDA**

7. [F26.247](#) \$448,500.00 ADDITIONAL APPROPRIATION (Capital Budget); Land Use Bureau; Property Acquisition 8 and 12 West Park Place; to purchase land approved per Board Resolution No. 2612. 08/29/03 – Submitted by Mayor Dannel P. Malloy 09/11/03 – Approved by Board of Finance 09/09/03 – Approved by Planning Board 09/29/03 – Committee approved 10-0-0 **APPROVED ON CONSENT AGENDA**

Secondary Committee: Land Use

Concur

8. [F26.244](#) \$396,000.00 ADDITIONAL APPROPRIATION (Operating Budget); Police; Capital Outlay – Vehicles; as part of ongoing replacement cycle, to purchase 12 police patrol vehicles. 08/29/03 – Submitted by Mayor Dannel P. Malloy 09/11/03 – HELD by Board of Finance 09/15/03 – Approved by Board of Finance 09/29/03 – Committee approved 10-0-0 **APPROVED ON CONSENT AGENDA**

Secondary Committee: Public Safety & Health

A motion to waive the Secondary Committee Report was made and seconded; said motion was approved by unanimous voice vote.

9. [F26.245](#) \$85,581.00 ADDITIONAL APPROPRIATION (Operating Budget); Big 5 Volunteer Fire Department; Glenbrook; Salaries; to fund retroactive and future increases as a result of labor contract settlement. 08/29/03 – Submitted by Mayor Dannel P. Malloy 09/11/03 – Approved by Board of Finance 09/29/03 – Item Withdrawn **ITEM WITHDRAWN**

Secondary Committee: Personnel

10. F26.250 RESOLUTION; approving issuance and sale of **NO ACTION**

\$12,860,000 of Wastewater System Revenue Bonds of the WPCACity of Stamford, 2003.
09/04/03 – Submitted by Rep. Skigen
09/11/03 – Approved by Board of Finance
09/29/03 – No action required

REQUIRED

11. F26.249 RESOLUTION; approving the issuance and sale of \$35,000,000 general obligation bonds of the City of Stamford, issue of 2003.
08/29/03 – Submitted by Pete Privitera
09/11/03 – Approved by Board of Finance
09/29/03 – No action required

NO ACTION REQUIRED

12. F26.252 REVIEW; of property revaluation effective for the October 1, 2003 Grand List.
08/26/03 – Submitted by William Forker
09/29/03 – No action required

REPORT MADE

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 through 8, was approved by unanimous voice vote.

Suspension of Rules (Committee voted 10-0-0)

Chair Skigen stated the Committee took up the following item, which is the refunding of \$35 million in general obligation bonds of the City of Stamford. Chair Skigen moved to suspend the rules; said motion was seconded and approved by unanimous voice vote.

13. F26.258 RESOLUTION; approving the issuance and sale of up to \$6035,000,000 general obligation bonds of the City of Stamford, issue of 2003.
09/29/03 – Submitted by Fiscal Committee
09/29/03 – Committee approved 10-0-0

APPROVED BY UNANIMOUS VOICE VOTE

Chair Skigen stated that Mr. Barnes received a telephone call on September 26, 2003 from UBS Warburg informing him that they believed there was an opportunity to refund a number of our outstanding bonds in order to achieve a savings of approximately \$800,000. As members of this Board know, the market changes on a minute-to-minute basis, so the numbers are up in the air, but Mr. Barnes is asking for our approval of a resolution that would authorize the administration to move forward on the refunding in order to try to achieve savings on the level of approximately \$800,000 to \$1,000,000. After discussing this matter, the Committee voted to approve a resolution that would allow the refunding of \$35 million in bonds. However, Chair Skigen added, that the

financial advisor to the City has recommended that we allow the refunding of an amount up to \$60 million, rather than \$35 million. Depending on where the market is at any particular point, it is the belief of the financial advisor and the City that this \$800,000 can be achieved but it may require refunding a greater amount of bonds than originally discussed. The proposals that have been received by the City involve refunding somewhere between \$20 and \$60 million, with a present value savings of approximately \$800,000.

Chair Skigen stated that everyone received a package on his/her desk tonight, which includes a memo from Mr. Barnes, correspondence from Robinson & Cole, and a resolution for the Board of Representatives with respect to the authorization, issuance and sale of not exceeding \$60 million City of Stamford general obligation refunding bonds.

Chair Skigen moved the above resolution as presented to the Committee; said motion was seconded. Chair Skigen moved to amend the resolution by changing \$35,000,000 to "up to \$60,000,000."

Rep. Loglisci stated that he voted to approve the \$35 million and he is taken aback that we are now talking about \$60 million to generate the same savings that they had talked about at \$35 million. He is surprised that the market changes that much in such a short period of time. During the presentation, he got the impression that Mr. Barnes was perhaps thinking of going to \$60 million, but he thought that would bring even greater savings –not that we would have to double the amount to achieve the same savings.

Rep. Loglisci stated he would feel confident okaying this new amount, as long as it is written that there is not to be an action unless we realize savings of \$1 million. He stated that he doesn't want to hear that the market changes and that we played with \$60 million to save \$200,000. Rep. Loglisci stated that there is a lot of freedom in this transaction, and he is concerned with the speed that the details changed. When Mr. Barnes spoke, he didn't think that he was anticipating that much more money. He said that Mr. Barnes mentioned \$60 million, but he didn't get the feeling that he was discussing \$60 million at the same savings that we are looking to get for \$35 million. Rep. Loglisci asked how they came to the conclusion that we approve the \$60 million, with no increase in savings.

Rep. Skigen stated that based on his discussions with Mr. Barnes, it is not a fait accompli that they would refund \$60 million, but they are looking for that authorization in order to take into account potential market fluctuations. As things currently stand, they have received four proposals from different bond underwriters, and those proposals involve refunding anywhere between \$20 million and \$60 million with present value savings of approximately \$800,000. Mr. Barnes has indicated to us that his standard as well as the industry standard, is to try and achieve a 2% minimum savings for bond refunding, and he indicated

to the Committee that it is not his intention to go forward unless we meet that threshold. Additionally, if you look at the letter that came from Robinson & Cole (bond counsel), they indicate that the proper procedure to be followed in bond refunding cases is that the legislative body authorizes the refunding of bonds, and then the Board of Finance approves the manner of sale and the principal amount of the bonds to be issued. We would be authorizing a maximum of \$60 million, and the Board of Finance would set the actual amount of bonds to be refunded, which could be any amount up to \$60 million. The target would be to save at least the \$800,000; if they can achieve it with \$35 million, they will do it with \$35 million; if they can achieve it with \$20 million, they'll do it with \$20 million; and if they can only do it with \$60 million, then they will refund the \$60.

Rep. Loglisci stated that 2% of \$60 million is \$1.2 million, so obviously, they are anticipating a lot less if they are looking for \$800 to \$1 million.

President Martin stated that he would offer some clarification on how refinancings occur, and asked Mr. Skigen to correct him if he is wrong. President Martin stated that we have a lot of bonds out there, and as the interest rates drop, some bonds become worthwhile to refinance. As interest rates continue to drop, more and more bonds become advisable to refinance, but as more bonds become available, what they give you is not very much, so the old bonds are getting very valuable to refinance, and the new bonds are just adding a little bit. What that means is that if rates are very favorable, then typically you will want to refinance as much as you can and so if rates are very favorable, you will try to refinance the entire \$60 million. The stuff between \$40 and \$60 may not give you very much, but since you are already doing the refinancing, it makes sense to go ahead and do the whole thing. This only works when rates are very low. Typically you will tend to get \$800,000 or more, but if the rates make it advisable to refinance more bonds, you will typically get more and more savings. If the rates move the other way, you will get less than \$800,000, and you would never refinance \$60 million because it is not worthwhile.

Rep. Mirkin asked for clarification to the phrase that it was "Acting Director of Administration Barnes *intention* to achieve a 2% savings," and asked whether this 2% was required in the documents. Rep. Mirkin stated that the discussion in the Fiscal Committee meeting was pegged to the industry standard of 2%. Further, Rep. Mirkin stated that he would like the record to reflect that during the Fiscal Committee meeting, he asked Acting Director Barnes what the plan was for the funds that were saved – specifically what year would the savings be charged to. Rep. Mirkin stated that at the last bond refunding, he had asked that the savings be utilized over three years. At that time Director Hamilton said that it would happen that way, and it did not happen that way. Rep. Mirkin's understanding is that most of the savings went into the previous fiscal year.

Rep. Mirkin stated that he wants the record to reflect that Acting Director Barnes did say that he was willing to work with this Board to spread the savings over

three or more years. Rep. Mirkin stated that he doesn't want to put any more reserve into the current fiscal year, that could perhaps encourage less than good fiscal behavior. Rep. Mirkin stated that we should get a commitment that will be honored regarding this.

Rep. Skigen stated that ultimately this Board has to put some faith into Mr. Barnes, the administration and ultimately the Board of Finance, which will approve these bonds in the manner in which they are sold. Rep. Skigen stated that we cannot put into the resolution a minimum 2% return on the refunded amount. Rep. Skigen stated that Mr. Barnes clearly expressed his willingness to work with us. Rep. Skigen has no recollection of Mr. Barnes saying a 3-year period, but he does recall Mr. Mirkin saying it and Mr. Barnes' response was that he would take it under consideration. Chair Skigen asked that the record reflect that Mr. Barnes did not make a commitment to do it over 1, 2 3 or 10 years, but that he was willing to work with this Board and consider all options. Chair Skigen stated that his recollection is also that Director Barnes stated that it was his intention to use the bulk of the savings in the next fiscal year, hopefully to soften the impact that some may feel from the revaluation.

Rep. Mirkin stated he is certainly willing to have confidence and faith in the administration, but his only experience was from last time around where the individual (who is no longer here) said that the monies would be spread over a period certainly greater than one year, and this didn't happen. Rep. Mirkin said he agrees with Mr. Skigen that we should work with Acting Director Barnes, but he is uncertain as to when and how we should get this commitment. Perhaps at the next Fiscal Committee meeting we should recommend what we think the appropriate time period is.

Rep. Day stated that he has a great deal of confidence in the outside experts, UBS and bond counsel, both of whom are extraordinarily sophisticated in these matters, and the Board should not hamstring them in order to save the city money. The 2% is probably a bogey that is just used, that ought not to be cast in concrete by any means. Rep. Day stated that a number that generally relates to the transactional costs of these refundings. There is a point that if you don't have a minimum return, you are not covering the cost of the transaction. This points to some of President Martin's comments where today's markets may not be adhering to traditional rules. Combining the transactions may save transactional costs, and he believes that what we are doing is authorizing the underlying transaction. It is the responsibility of the Board of Finance to fine-tune it in reliance on those experts that the City pays a lot of money to provide us expertise.

Rep. Loglisci said that for the first time, we are going to take a surplus and use it in the next year. We have never done that before, and we just did it with the police cars, which he voted on because the cars are needed. Now, it appears we are going to take these funds in the next budget year, and Rep. Loglisci thinks

the Board should decide how the Board feels about this, is it prudent, and it should respond in strong terms. We shouldn't be saying that we have to trust others; the people that vote for us trust us.

Rep. Skigen stated that as to Mr. Loglisci's first point, he will leave it to those with longer histories, but he does understand that we have used budget surpluses in the following fiscal year as opposed to the second following fiscal year in the past – he has been so informed. This has happened infrequently, but it has happened. Secondly, as to the application of the savings, Mr. Barnes stated that it would be his intention to use the bulk of those savings, not all of them, in the next fiscal year, but that he would certainly discuss it with the Board of Finance and the Fiscal Committee. He said that he wants to work with us and have a good working relationship with us. Rep. Skigen stated it is his intention to work with us to come up with a fair distribution of the proceedings.

The motion to amend was seconded and approved by unanimous voice vote. The main motion was approved by a unanimous voice vote.

Clerk of the Board Summerville noted that Rep. DeLeo had left the meeting at 11:05 p.m. and did not participate in the last vote.

**APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair
Annie M. Summerville, Vice Chair**

No report.

SPECIAL COMMITTEES

**CHARTER COMMITTEE: Maria Nakian, Co-Chair
Robert "Gabe" DeLuca, Co-Chair**

No report.

**EDUCATION BUDGET COMMITTEE: Randall Skigen, Chair
No meeting**

No report.

RESOLUTIONS

1. [Sense of the Board Resolution](#)
commemorating Polish Heritage Month.

**APPROVED BY
UNANIMOUS
VOICE VOTE**

MINUTES

1. [August 4, 2003 Regular Board Meeting](#)
2. [September 2, 2003 Regular Board Meeting](#)

**APPROVED BY
UNANIMOUS
VOICE VOTE**

**APPROVED BY
UNANIMOUS
VOICE VOTE**

COMMUNICATIONS

1. President Martin announced that the Steering Committee will meet next Tuesday night at 7:00 p.m. The deadline for submissions is Friday morning.
2. President Martin announced the Rep. Loglisci will take Rep. DeLeo's place on the Public Safety & Health Committee

OLD BUSINESS

1. Rep. Zelinsky stated that he verified that the WPCA approved the sewer line for Northeast School after last month's board meeting.

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 10:15 p.m.