

*The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held **Tuesday, September 7, 2004** 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: President David Martin called the meeting was called to order at 9:23 p.m.

INVOCATION: By Rep. Figueroa.

“Good evening, everyone, let us pray. Dear Lord, you are our refuge when the day is long, our shelter when times are hard. You are the sharer of our dreams, our support when we are challenged and our very best friend on this earth. Yours is the wisdom we want to learn from, and Yours are the arms we want wrapped around us at the end of each day, especially on days when we have to make decisions for every citizen living in the City that Works. Dear Lord, once again, we also want to thank You for keeping us together and for letting us work as a single board. Amen”

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

ROLL CALL: Conducted by Administrative Assistant Valerie Pankosky (in the absence of the Clerk). There were 33 members present and five excused (Reps. Benyus, Esposito, Coppola, McDermott and Summerville; two vacancies exist.

APPOINTMENT OF TEMPORARY CLERK: Upon motion duly made by Rep. Boccuzzi and seconded, Elaine Mitchell was unanimously appointed Acting Clerk. President Martin announced that Ms. Mitchell would be voting from Clerk Summerville’s seat.

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

MOMENTS OF SILENCE: From the 26th Board: Sidney Sherer. President Martin stated that Mr. Sherer and his son, Don, both sat on the Board of Representatives. For the late Patricia Loglisci Trombetta, the sister of Representative Ralph Loglisci. President Martin expressed the Board's deepest condolences. Walter R. Maguire.

Diane Johnson, Lamar D. Hardy and Henry Freeman by Clerk of the Board Annie Summerville; Anne DeSalvo, Reuben J. Alexander and Michael F. Michalski by Reps. Giordano and Zelinsky; Angelina DeFillippis, Ann R. Vinci, Patrick Inzitare and Josephine C. Racaniello by Rep. Loglisci; Kimberley Nuro Scimonelli by Reps. Clear and Loglisci; Thomas A. Sonnevile and Neil Henry Monos by Rep. Giordano; Margaret Peg Maloni, George P. Vitallo and Stanley Krupnik by Rep. Zelinsky; Joseph A. Romano by Reps. Pavia, Loglisci and Zelinsky.

FILLING OF VACANCIES: Vacancy (1) John Fahan – 6th District and Frank Browne – 18th District. President Martin announced that the vacancy in the 6th District would not be handled this evening. Rep. Loglisci nominated Bryan Munger to replace Rep. Browne in the 18th District. Mr. Loglisci stated that luckily an individual was located who will strive to continue Frank's legacy, and this individual has 13 years of experience in fire service. He is a five-year career firefighter and appointed Deputy Fire Marshall. He is at the Turn of River No. 2 firehouse at Roxbury. He is a 30-year old gentleman, a Stamford resident for 28 years and is anxious to help this City through this Board. Said motion was seconded and approved by unanimous voice vote.

President Martin administered the Oath of Office to Mr. Munger.

RESOLUTIONS

Suspension of Rules

Upon motion duly made and seconded and approved by unanimous voice vote, the rules were suspended to take up the following resolutions:

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| 1. | <u>SENSE OF THE BOARD RESOLUTION;</u>
congratulating Sergeant First Class Anthony Rivera, Sr. on his retirement from the United States Army after 25 years of service. | APPROVED
BY
UNANIMOUS
VOICE VOTE |
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08/18/04 – Submitted by Rep. Molgano

President Martin read the Resolution and presented it to Mr. Rivera. Rep. Molgano read into the record a letter he received from our Congressman: “Sergeant Anthony Rivera, Sr., Stamford, Connecticut. Dear Anthony, it gives me great pleasure to join in congratulating you for 25 years of exceptional service in the United States Army. As a member of Congress, I have a special appreciation for the commitment you have made to protecting freedom here at home and around the world. Your efforts in Operation Desert Storm, Enduring Freedom and Iraqi Freedom, and as a member of Connecticut’s Homeland Security Team will never be forgotten. I commend your strength, courage and dedication to our great country. On behalf of a grateful nation, please accept my heartfelt best wishes, for your peace and joy. Sincerely, Christopher Shays, Member of Congress.”

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| 2. | <u>SENSE OF THE BOARD RESOLUTION</u>
congratulating Stamford’s 16-year old Babe Ruth Baseball Team.
09/02/04 – Submitted by Rep. Esposito | APPROVED
BY
UNANIMOUS
VOICE VOTE |
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President Martin read the Resolution and presented it to the Team members.

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| 3. | <u>SENSE OF THE BOARD RESOLUTION;</u>
wishing Sergeant Joseph Skelly success in his mission in Iraq.
08/19/04 – Submitted by Rep. Browne | APPROVED
BY
UNANIMOUS
VOICE VOTE |
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| 4. | <u>SENSE OF THE BOARD RESOLUTION;</u>
congratulating Debbie Weaton on being named Teacher of the Year.
08/23/04 – Submitted by President David Martin & Rep. Skigen | APPROVED
BY
UNANIMOUS
VOICE VOTE |
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COMMUNICATIONS:

President Martin provided copies of the McGladrey & Pullen disclosure letters for representatives to fill out and return.

STEERING COMMITTEE: Meeting: Monday, August 9, 2004
7:00 p.m. – Democratic Caucus Room

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

Suspension of Rules:

Rep. Zelinsky moved to suspend the rules to take up an item out of order was made and seconded; said motion was approved by a machine vote of 32-1 (See [RCS Vote Record No. 545](#)). (Note Rep. Munger voted aye.)

Reps. White and Clear left the floor. Rep. Martin left the floor at the time of the vote.

7. F26.432 \$1,940,000.00	ADDITIONAL APPROPRIATION (Operating); Board of Education; to appropriate surplus funds from 03-04 budget year. 07/26/04 – Submitted by Peter Privitera 08/09/04 – Approved by Board of Finance (see attached memo) 08/30/04 – Committee approved 4-3-3	APPROVED BY MACHINE VOTE
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Chair Skigen reported that the Fiscal Committee met at 7:00 p.m. on Monday, August 30, 2004. Present were Committee Member Reps. Cannady, DeLuca, Fedeli, Figueroa, Giordano, Hunter, Loglisci, Lyons, Mirkin and Skigen. Also present were Superintendent Mazzullo; Roseanne McManus, Angela Lorenti, Martin Levine, Dudley Williams and Marggie Laurie of the Board of Education; Hugh Murphy and John Chardavoyne of the Stamford Public Schools; Michael Pollard and Tim Abbazia of the Board of Finance; Archie Elan, candidate for the Board of Education; Ben Barnes, Director of Administration; Peter Privitera, Director of OPM and Sandy Dennies of the Grants Office.

Chair Skigen reported that there was a lengthy discussion held on this item, they discussed where the surplus came from, how this money could be applied, charter issues related to the use of these funds this year. The Committee received a legal opinion from Tom Cassone, Corporation Counsel, indicating that if the Board of Finance and the Board of Representatives approved the use of these funds, it is not a violation of the Charter. There was a lengthy discussion regarding the process and procedure, which everyone is somewhat concerned or regretful for, and after this discussion, the Committee voted 4-3-3. Chair Skigen moved Item No. F26.432; said motion was seconded.

Rep. Zelinsky stated that this item is controversial, with one side believing that appropriation these funds will violate the charter. Rep. Zelinsky read a letter from Tim Abbazia in support of the appropriation. Rep. Zelinsky stated that the Board of Education says that if the funds are not approved, jobs will have to be cut. Rep. Zelinsky stated that the Board of Finance told the Board of Education that they would appropriate these funds. Rep. Zelinsky stated that the Board of

Education members are personally responsible for any spending over its budget limit. Rep. Zelinsky stated he does not want to take a chance on teachers and others losing their jobs. Rep. Zelinsky stated that even though the procedure that this was done is not well-liked among Board members, he supports the appropriation request.

Rep. Nakian moved to amend the appropriation to \$1.2 million. Said motion was seconded. Rep. Nakian stated that we find ourselves in the position this evening of trying to make right something that was decided between two other boards, who evidently have never bothered to read the City Charter. The Board of Finance made an arrangement to cut the Board of Education budget, giving them just a 4.5% increase, which this Board thought was the bottom line, and now we find out that there was an arrangement with the Board of Education to give \$1.2 million back. The Board of Education, in their ignorance, re-appropriated their budget to include this money, without ever coming to the third Board in line and getting the money appropriated. Now, it is before us, and we have to do something. We all recognize that to not do something is as dangerous for the City as setting a precedent by doing something, and by trying to make this right. This process, in Rep. Nakian's opinion, is outside of the Charter.

Rep. Nakian stated that she would like to show a good faith attempt to give the Board of Education the money that they need. Rep. Nakian stated that she certainly believes in education and believes that because the money is a surplus in the Board of Education, it is probably best spent on the children in the City, but on the other hand, she would like to feel comfortable in doing it in a way that is in accordance with our Charter and is not setting any further precedent for doing things in a patched-up manner. Rep. Nakian stated she would support \$1.2 million with the understanding that if this is not enough money somewhere down the road, the Board of Education can explain why they need additional money and the Board will consider that. But, in good conscience she cannot vote for the entire appropriation this evening, she does not believe it was done in the proper way, and she doesn't believe that we should be part of covering this up and just appropriating the money and swallowing all of the bad feelings behind it.

Rep. Zelinsky stated that the amount that is requested, \$1.94 million, was put toward the health insurance costs, and unless that information is incorrect, if we approve the \$1.2 million, the Board of Education will still be short \$740,000, and to delay it and tell them to come back again is not what he wants. He believes the entire amount should be voted on this evening. Rep. Zelinsky stated that the Board of Representatives should have been made aware of this, but during his time on the Board, there have been more than a dozen times where last minute situations have come up and we have been asked to vote on items. Rep. Zelinsky stated we are talking about our children's future, and he would hate to see even one new teacher fired for lack of money. Rep. Zelinsky urged his colleagues to vote for the full amount.

Rep. Loglisci stated that either we are right or wrong in voting. If we are going to go half way in order to make ourselves better, he doesn't agree with that. He does not believe that the Board of Education should bear the burden for what many consider the arrogance of the Board of Finance. Rep. Loglisci stated that the Board of Finance took it upon itself to make a promise, and this is on tape, because all kinds of words were used like "backroom government deals." He believes that the Board of Finance did what it had to do, which was to save money, and they did it in various ways. Rep. Loglisci stated that we should not be punishing the Board of Education. The idea that if the Board of Finance had funded the Board of Education by an increased amount would result in larger cuts to other city departments, is purely speculation. Rep. Loglisci stated we have a legal opinion that says this is legal, last year we bought police cars out of the surplus. He stated he believes we should vote on the \$1.9 million and give the funds to the Board of Education at this time.

Rep. Day stated that this amendment is like cutting the baby in half. If we are violating the charter, then we shouldn't do any of it at all. The question of Charter compliance is arguable; legislative action in this context should have the presumption of legitimacy, and probably would. Obviously we are in a situation where as a Board we are left to clean up a mess, not of our own creation. In that context, Rep. Day looks at it as the Board of Finance having made a commitment to the Board of Education, the Board of Education relied on it in good faith – whether they should have or not, they did – and he doesn't believe we should take any action here that would punish the Board of Education for action the Board of Finance is really responsible for. As a result, the Board of Representatives will actually be blamed. Rep. Day stated he opposes the amendment as it is not consistent with the underlying issue nor is it supportable by the facts.

Rep. Mirkin stated that no one is trying to punish or reward anyone. Rep. Mirkin stated that there was definitely bad advice given to the Board of Education by the City Director of Administration, Ben Barnes. In conversations with a couple of the Board of Education members, the Board of Finance made an agreement, and that doesn't mean that this Board needs to be responsible for living up to someone else's agreement. The Board of Education does have a responsibility to the other elected body, the Board of representatives, and just to triangulate, it would have been wise on their part to come to the Board of Representatives to check all bases. Having said that, Mr. Mirkin stated that the taxpayer comes first. When we look at the \$1.9 million surplus, and with the amendment by Ms. Nakian to \$1.2 million, there is a significant difference. \$1.2 million is realistic.

Rep. Mirkin stated that everyone voted on the Board of Education budget, and it was everyone's impression that the budget experienced a \$5.7 million reduction to the Board Education budget. As a member of the Board and of the Fiscal Committee, had he known that this agreement was made, other cuts to the Board of Education budget would have been made and would have passed. Rep.

Mirkin stated that he had conversations with Board of Education members this evening, and some said that \$1.2 million would be acceptable. Mr. Mirkin stated that the \$1.2 million is still a significant increase over what the Board thought it voted on. Rep. Mirkin urged his colleagues to support the \$1.2 million addition.

Rep. Hunter stated that he shares the concerns of his fellow board members and of being in this awkward position of having to make up the mistakes of other Boards. On the other hand, he understands the rationale for the \$1.9 million. The \$1.2 million came out of the blue, and he doesn't know where this number came from. Rep. Hunter stated the choice is to turn it back to the City and let it be spent on anything or to approve this resolution for \$1.9 million and know where the money is going. Rep. Hunter urged his colleagues to support the \$1.9 million appropriation.

Rep. O'Neill stated that although he joins many others in this room, he is disappointed in the procedures not being followed. Rep. O'Neill stated that in the past, people have punished the bearers of bad news, and in this case, we see the punishment of the bearers of good news. While some people may interpret this as a mess, he celebrates the success of the CFO of the Board of Education in finding this surplus. He wishes more departments would bring this kind of mess before the Board of Representatives. He is grateful that there is a \$2 million surplus in any department. Rep. O'Neill stated he sees no reason to penalize them.

Rep. Boccuzzi stated that in reading the Charter, Sec. C8-30-11, he doesn't see where the Board is allowed to appropriate these funds. Rep. Boccuzzi stated that the Board of Education was part of this agreement with the Board of Finance. This Board approved the Board of Education's budget, and now he learns that the Board of Education budgeted for this surplus. It is his understanding that the budget should be put together with the money that has been approved by this Board.

Rep. Boccuzzi stated that all 40 members sitting here this evening attend extra meetings every month, we do our job, but yet, when an agreement is made between other boards, this board is not informed. Rep. Boccuzzi stated he always thought that this Board had the final say and should be in the loop before the final decisions are made. Rep. Boccuzzi stated that why should we, as city representatives, try to do our job diligently, while other Boards and Commissions make agreements and agree on certain things that this Board has to rule on, and we are not part of it. Rep. Boccuzzi stated we are not 40 people without anything else to do but come to meetings and say yes. This Board should have known from the beginning when agreements are made, not after the fact.

Rep. Boccuzzi stated that this Board is being taken advantage of, and we should do the right thing and let them come back if they want to later in the year.

Rep. DeLuca stated that Rep. Nakian gave a good presentation for the \$1.2 million. Some people have asked where the \$1.2 million came from, and the \$1.2 million came from the \$1.5 that the Board of Education said that they could live with, and he is sure they can live with \$1.2 million. Rep. DeLuca stated that any staff reductions are caused by the Board of Education, because this Board made a final budget approval, and they had no right to increase their budget based on the surplus. We say that we should reward them for coming up with a surplus, but in private industry, the job is to find ways to save money. Rep. DeLuca stated that the Board of Education should have realized they had to come before the Board of Representatives for these funds.

Rep. DeLuca stated that we are misleading the taxpayer when the Board of Finance said that the Board of Education was cut \$5.7, when unbeknownst to the taxpayers and everyone else, they allow a surplus to be added back. In essence, it was not a \$5.7 million cut, and this was misleading all the way around. Mr. DeLuca stated that Rep. Nakian's compromise is reasonable. Also, this is too early in the budget process to come in and ask for more money.

Rep. Pia stated that obviously the first question is why there was a surplus and why it wasn't spent. He said he spent 18 years on the Board of Education, and obviously when you get toward year end, some years there may be a surplus and some with a deficit. There is probably no one on the Board that is happy with the fact that there was some sort of agreement with the fiscal board or administrators. But, they didn't spend the money based on the fact they were told they could use it in this particular fiscal year, they made arrangements and budget adjustments to use that money now, and we are in a situation, as Mr. Day said, where he hopes that we vote down the \$1.2 and vote up the \$1.9.

Rep. Hunter stated that the Board of Education is unique in that if they accepted the \$1.9 million and they continued on the basis that they were going to get an additional \$700,000, then they are knowingly overspending their budget, and State law provides that they are individually liable for these funds. He doesn't think it is fair to ask them to put up essentially a bond, which probably means their residence, to satisfy this state requirement. Mr. Hunter thinks this is unreasonable, and he believes the \$1.9 million is the correct number and it was arrived at fairly.

Rep. Loglisci stated that he recalls a couple of years ago the anger and the indignation of this Board when the Board of Education was \$1.8 million short on health costs. The problem is there is no contingency setup for the Board of Education, and the City side does have a contingency fund.

Rep. Loglisci stated that the Board of Finance, when they realized there was this surplus, it was incumbent upon them to send it over to the Board of Representatives. It was not the Board of Education's responsibility. Rep. Loglisci stated it would be wrong for us to not give the Board of Education the

\$1.9 million, and just picking the number of \$1.2 million as an appeasement, creates another mistake upon the first mistake. Rep. Loglisci stated he will not vote for the \$1.2 and urged the Board to approve the \$1.9.

Rep. Boccuzzi stated that first of all, he congratulated Mr. Hunter and his Committee. It was the Education Committee of this Board that pushed to have the Board of Education to look at how they get their grants and spend their money. But, to Chair Skigen, at the time you deliberated on the Board of Education's budget, you had the Board of Finance cuts, did the Board of Education tell the Fiscal committee of the Board of Representatives about the agreement that was made between the Board of Finance and the Board of Education.

Rep. Skigen stated that the Board of Education was not present at our budget deliberations, and that occurred after the meeting with the Board of Education to discuss their budget. At that time they did indicate they anticipated a surplus, and his recollection is that they anticipated a surplus in the range of \$1.5 million. Chair Skigen stated that these conversations had not yet occurred with the Board of Finance when the Board of Education presented its budget.

Rep. Boccuzzi stated that the Board of Finance's cuts were not real at budget process time, and therefore, this whole matter leaves a lot to be desired.

The motion to amend the amount of the appropriation to \$1.2 million. Said motion was seconded and failed by a machine vote of 13-19-1 (See [RCS Vote Record No. 546](#)).

The main motion was approved by a machine vote of 26-5-0 (See [RCS Vote Record No. 547](#)).

SPECIAL COMMITTEE

CHARTER COMMITTEE: Maria Nakian, Co-Chair

[\(Attendance\)](#)

Robert "Gabe" DeLuca, Co-Chair

Meeting: Wednesday, September 1, 2004

7:15 p.m. – Republican Caucus Room

- and -

[\(Attendance\)](#)

Meeting: Tuesday, September 7, 2004

6:30 p.m. – Conference Room #1

Chair Nakian reported that the Charter Revision Committee met on September 1, 2004. Present were Committee Member Reps. Nakian, Lyons, DeLuca and Fedeli present; Reps. Day and Summerville were excused.

1. [Explanations](#) for Charter Revision [questions](#) for the **APPROVED** November 2, 2004 ballot.

[Explanations](#) 08/02/04 – Submitted by Charter Committee
as revised by 09/07/04 – Committee approved 7-0-0
Committee

**ON CONSENT
AGENDA**

Chair Nakian stated that a quorum was not present, but the committee discussed the explanations. The explanations were prepared by the same attorney who helped write the questions for the ballot. The Committee tightened up some of his language. The only question the Committee had was whether, in the two questions dealing with the Superintendent of Parks & Recreation and the Director of Transportation, is whether the explanations should include the fact that they will serve as ex-officio members of their respective commissions.

President Martin asked whether this was on consent, and Chair Nakian stated that it was because the Committee met this evening at 6:30 with a quorum present. The Committee approved the item by a vote of 7-0-0.

Chair Nakian moved the Consent Agenda, consisting of Item No. 1. Said motion was approved by unanimous voice vote.

STANDING COMMITTEES

TRANSPORTATION COMMITTEE: **Robert “Gabe” DeLuca, Chair**
[\(Attendance\)](#) Meeting: Wednesday, August 18, 2004
[\(Votes\)](#) 7:00 p.m. – Republican Caucus Room
[\(Report\)](#)

Chair DeLuca reported that the Transportation Committee met on Wednesday, August 18, 2004. Present were Committee Member Reps. DeLuca, Mirkin, Giordano, Kernan, Zelinsky and Blackwell. Also present were Reps. Loglisci, Hunter and Figueroa; Director of Operations Curtin; Ernie Orgiera of the Operations Department; Rachel Goldberg of the URC; and James Grunberger, Diane O’Conner and Carmen Domonkos of the East Side Partnership.

1. T26.054 REVIEW; matter of installation of 62 parking meters on East Main Street. **HELD IN COMMITTEE**
07/26/04 – Submitted by Rep. DeLuca
08/18/04 – Held in Committee 6-0-0

Chair DeLuca reported that Item No. T26.054 will be held.

2. [T26.055](#) APPROVAL; of an agreement between the City of Stamford and the Urban Redevelopment Commission for the management of parking lots located on portions of Re-Use Parcels 19 and 19B. **HELD IN COMMITTEE BY MACHINE VOTE 19-13-1**
08/04/04 – Submitted by Mayor Dannel P. Malloy
08/18/04 – Committee approved 6-0-0

Chair DeLuca moved Item No. T26.055; said motion was seconded. Rep. O'Neill moved to take the item off of Consent. Chair DeLuca stated that this is an agreement between the City and the URC to take over Lots a, b and c or Parcels 19 and 19b. There are 262 spaces, of which 100 are going to be for monthly parking, and with the City managing the lots, the City can generate \$160-\$200,000 in revenue. Right now the URC has an agreement with GB Parking, which is leasing the lots on a month-to-month basis. The URC felt that since the City has been a good neighbor and a good partner with the URC, they felt that the City would be better off managing the lots.

Rep. O'Neill moved to hold the item; Rep. Skigen seconded the motion.

Chair DeLuca stated that the Board of Finance voted on this item this evening, voting 5-1 for approval and that he doesn't see what we will gain by holding it.

The motion to hold was seconded and approved by a machine vote of 19-13-1 (See [RCS Vote Record No. 548](#)).

Suspension of Rules:

Chair DeLuca moved to suspend the rules to take up an item not appearing on the Agenda. Said motion was seconded and approved by unanimous voice vote.

3. [T26.057](#) [RESOLUTION](#); regarding the closure of the I-95 entrance ramp at Canal Street **APPROVED BY UNANIMOUS VOICE VOTE**
09/02/04 – Submitted by Rep. DeLuca

Chair DeLuca stated that this resolution requests that the Canal Street ramp be open during rush hours. Chair DeLuca moved the item; said motion was seconded and approved by unanimous voice vote.

**STATE & COMMERCE COMMITTEE: Jim Shapiro, Chair
John Morrow, Vice Chair
Meeting: ~~Thursday, August 26, 2004~~
7:00 p.m. — ~~Democratic Caucus Room~~
MEETING CANCELLED**

1. SC26.008 RESOLUTION; addressing the State Tax Commission's surcharge at the Stamford Train Station. **NO REPORT**
08/09/04 – Submitted by President Martin & Reps. Shapiro and DeLuca
08/31/04 – Meeting Cancelled

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

Elaine Mitchell, Chair

[\(Attendance\)](#)

Philip Giordano, Vice Chair

[\(Votes\)](#)

Meeting: Wednesday, August 25, 2004

[\(Report\)](#)

6:30 p.m. – Republican Caucus Room

Chair Mitchell reported that the Housing/Community development/Social Services committee met on August 25, 2004. Present were Committee Member Reps. Blackwell, Figureoa, Giordano, McDermott and Mitchell; Rep. Molgano was excused. Also in attendance were Bill Callion, Director of Public Safety, Health & Welfare; Lydia Brown, Neighborhood Housing Services; Ellen Bromley, Social Services Coordinator; Ross Burkhart, New Neighborhoods; Carmen Domonkos of the Stamford Partnership; Flavia Lasalandra of the Waterside Coalition and Tim Beeble, Director of Community Development.

1. HCD26.25 REVIEW; of Linkage Ordinance.
08/05/04 – Submitted by Tim Beeble
08/25/04 – Held in Committee

**HELD IN
COMMITTEE**

Chair Mitchell reported that the growth of commercial development in Stamford has resulted in rapid increase in housing costs thereby making it difficult for low-to-moderate income individuals to locate affordable housing in the community. A linkage ordinance was created including a housing development fund, which was to share in some of the building permit fees collected by the Building Inspection Department for the repair, alteration or renovation of existing buildings in Stamford. A threshold of \$3.3 million was set for FY2001-02, and to be increased by 5% annually. As of FY end 2003-04, the Housing Development has not received any funding from the Building Inspection Department. The Committee is in the process of looking for another way of funding the Housing Development Fund. Mr. Callion has requested additional information from Tony Strazza. This item is held in Committee.

2. HCD26.26 APPROVAL; of assignment of \$220,000 allocated for 31 Mission Street & 26 Taylor Street from NHS to a new corporation comprised of NHS and New Neighborhoods, Inc.
08/05/04 – Submitted by Tim Beeble
08/25/04 – Committee approved 5-0-0

**NO ACTION
NECESSARY**

Chair Mitchell reported that Neighborhood Housing Services and New Neighborhoods, Inc. has entered into a joint venture to create NHS/NNI Mission Taylor, LLC. This venture will create 10 units of affordable housing on properties located at 31 Mission Street and 26 Taylor Street. These rental units will be completed by late fall of 2005 or early 2006. Both organizations submitted letters

stating that they were in agreement of assigning \$220,000 to the new corporation.

3. HCD26.27 REVIEW; of qualifying neighborhood coordinators as CDBG economic development activities. **HELD IN COMMITTEE**
08/05/04 – Submitted by Tim Beeble
08/25/04 – Held in Committee

Chair Mitchell stated that neighborhood coordinators are funded under the public services for CDBG activities. There are two neighborhoods currently receiving funding: Waterside Coalition and the South End NRZ. Last year there was a request from the East Side and in the past the West Side has requested funding for neighborhood coordinators. Currently, \$195,000 allocated to public services activity, which receives requests from the Homeless Shelter, Food Bank, St. Luke's and other needy organizations make it impossible to fund community coordinators. The Committee is working with Tim Beeble to see if the neighborhood coordinators can be funded under other economic development activities. This item was held in Committee.

4. HCD26.28 REVIEW; of Housing Commitment Report Form. **HELD IN COMMITTEE**
08/05/04 – Submitted by Tim Beeble
08/25/04 – Held in Committee

Chair Mitchell stated this item was held in Committee.

EDUCATION COMMITTEE: **Brian O'Neill, Co-Chair**
Thomas Hunter, Co-Chair

No meeting; no report.

PARKS AND RECREATION COMMITTEE: **Linda Cannady, Co-Chair**
Steve McDermott, Co-Chair
[\(Votes\)](#)
[\(Report\)](#)
Meeting: Tuesday, August 24, 2004
7:00 p.m. – Republican Caucus Room

Co-Chair Cannady reported that Mr. McDermott chaired the meeting this month, but in his absence, she will give the report. Co-Chair Cannady reported that the Parks & Recreation Committee met on Tuesday, August 24, 2004.

1. PR26.066 PUBLIC HEARING AND RESOLUTION; authorizing E.G. Brennan Golf Course to offer discounts and/or special rates during off-season **HELD IN COMMITTEE**

and slow times.
08/04/04 – Submitted by Tim Curtin
08/24/04 – Held in Committee 8-0-0

Co-Chair Cannady reported that the Golf Commission members stated that they would like to be able to offer specials and reduced rates and that they did not have a plan ready. The Committee was receptive to the idea and informed the members to come back at a future date to provide the information. The item was held in Committee 8-0-0.

2. PR26.065 REVIEW; and introduction of recently-appointed Harbor Management Commission members. **REPORT MADE**
07/12/04 – Submitted by Rep. Lyons
07/13/04 – Placed on Pending Agenda
08/24/04 – Report Made

Co-Chair Cannady stated that 5 of the 7 members of the Harbor Commission came. John Mullen reviewed the ordinance, and the Committee reviewed the enabling state statutes.

**PUBLIC SAFETY &
HEALTH COMMITTEE:**

Richard Lyons II, Chair
Gail Clear, Vice Chair
~~Meeting: Thursday, September 2, 2004~~
~~7:00 p.m. — Democratic Caucus Room~~
MEETING CANCELLED

No meeting; no report.

1. PS26.051 REVIEW; regulation and use of pocket bikes in the City of Stamford. **NO REPORT**
07/06/04 – Submitted by Reps. Boccuzzi, Fedeli & Loglisci
07/29/04 – Report Made
08/02/04 – Report Made & Held in Committee
09/02/04 – Meeting Cancelled
2. PS26.054 REVIEW; of State Regulations regarding the use and sale of Fireworks. **NO REPORT**
07/07/04 – Submitted by Reps. Lyons & Coppola
07/29/04 – Report Made
08/02/04 – Report Made & Held in Committee
09/02/04 – Meeting Cancelled

3. [PS26.055](#) PROPOSED ORDINANCE; **for publication**; **NO REPORT**
 amending Section 146-45, Blighted Properties to address high grass and weeds as part of definition of blighted.
 08/01/04 – Submitted by Rep. DeLuca
 09/02/04 – Meeting Cancelled

OPERATIONS COMMITTEE: **John R. Zelinsky, Co-Chair**
 ([Attendance](#)) **Scott Mirkin, Co-Chair**
 ([Report](#)) Meeting: Wednesday, August 25, 2004
 7:00 p.m. – Democratic Caucus Room

Co-Chair Mirkin reported that the Operations Committee met on August 25, 2004. Present were Committee Member Reps. Mirkin, Adams, Coppola, Day, Hunter, McDermott, Pavia, Layton and Zelinsky; Rep. O’Neill was excused. Also present were Rep. Nakian; Tim Curtin, Director of Operations; Frank Fedeli of Citizens Services and Jeanette Brown, Executive Director of WPCA.

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

1. [O26.058](#) REVIEW; WPCA's resolution regarding 90-day requirement for hooking to sanitary sewers. **REPORT MADE**
 06/21/04 – Submitted by President David Martin
 07/21/04 – Report Made
 08/02/04 – Report Made & Held in Committee
 08/25/04 – Report Made
2. O26.060 REVIEW; the designation of unaccepted and private streets and city responsibility for the maintenance of unaccepted streets, particularly those open to traffic prior to 1953 that are used by the general public as major city streets. **REPORT MADE**
 08/04/04 – Submitted by Rep. Nakian
 08/25/04 – Report Made
3. O26.061 REVIEW; reports from Citizens Service Bureau of citizen requests for services. **REPORT MADE**
 08/05/04 – Submitted by Rep. Mirkin
 08/25/04 – Report Made

LAND USE COMMITTEE:

Patrick White, Co-Chair

Harry Day, Co-Chair

~~Meeting: Tuesday, August 31, 2004~~

~~7:30 p.m. — Republican Caucus Room~~

MEETING CANCELLED

No meeting; No report.

1. LU26.047 REVIEW; of the feasibility of instituting an architectural review board or commission as part of the land use permitting process. **NO REPORT**
11/14/03 – Submitted by Reps. Browne & O'Neill
12/22/03, 01/05/04 – Held in Committee
01/27/04 – Meeting Cancelled
02/17/04 – No action reported
03/01/04 – Report Made
03/29/04 – No action reported
04/07/04; 05/24/04; 06/07/04, 07/06/04 – Held in Committee
07/28/04 – Report Made
08/02/04 – Report Made & Held in Committee
08/31/04 – Meeting Cancelled

2. [LU26.054](#) REVIEW & RESOLUTION; approving an amendment to the Urban Redevelopment Plan with respect to add a new section 601.3. changing the West Main Street Bridge to a pedestrian bridge capable of providing emergency vehicle access. **NO REPORT**
[Memo](#)
08/05/04 – Submitted by Rachel Goldberg
08/31/04 – Meeting Cancelled

PERSONNEL COMMITTEE:

Sanchia Spadow, Co-Chair

Mary Lisa Fedeli, Co-Chair

Meeting: Wednesday, September 1, 2004

7:00 p.m. – Democratic Caucus Room

- and -

Meeting: Tuesday, September 7, 2004

6:45 p.m. – Conference Room #2

[\(Report\)](#)

Co-Chair Fedeli reported that the Personnel Committee met this evening in Conference Room No. 1. Those present were Co-Chairs Spadow and Fedeli; Reps. Boccuzzi, Cannady, Figueroa, Layton, Loglisci and Skigen. Also present were Fred Manfredonia and Dennis Murphy.

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| 1. P26.061 | APPROVAL; of a contract extension with HealthNet.
08/09/04 – Submitted by Fred Manfredonia
08/09/04 – Approved by Board of Finance
09/07/04 – Committee approved 8-0-0 | APPROVED
BY
UNANIMOUS
VOICE VOTE |
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Chair Fedeli moved Item No. P26.061; said motion was seconded and approved by unanimous voice vote.

LEGISLATIVE & RULES COMMITTEE: Maria Nakian, Chair
(Attendance) **Jim Shapiro, Vice Chair**
(Report) Meeting: Monday, August 23, 2004
 7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on Monday, August 23, 2004. Present were Committee Member Reps. Nakian, Esposito, Shapiro, Spadow and Zelinsky present; Reps. Layton and Mitchell were excused. No quorum was present so no action was taken.

A committee report was provided on Item Nos. 1, 3 and 4.

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| 1. LR26.060 | PROPOSED ORDINANCE; for publication;
amending the Code of Ethics and other sections of the Code of Ordinances relating to gifts.
03/03/04 – Submitted by the Democratic Caucus
03/22/04 – Held in Committee
04/07/04 – Held in Committee
05/18/04 – No quorum
06/07/04 – No action taken
07/06/04 – Held in Committee
07/19/04 – Held in Committee
08/02/04 – Held in Committee
08/23/04 – No Quorum; Report Made | REPORT
MADE |
| 2. LR26.068 | APPROVAL; of a contract between the City of Stamford and the Patio Café for space at 888 Washington Boulevard; term of contract: 5 years; amount of contract: \$50,000 in improvements in Year 1 plus electrical expenses.
07/07/04 – Submitted by Mayor Dannel P. Malloy
07/19/04 – Committee approved 8-0-0 <i>(as a lease with original language)</i>
07/26/04 – Approved by Board of Finance
08/02/04 – Held in Committee
08/09/04 – Approval sustained by Board of Finance
08/23/04 – No Quorum; Report Made | APPROVED BY
MACHINE
VOTE
26-6-0 |

Chair Nakian moved to take Item No. LR26.068 out of committee; said motion was seconded and approved by unanimous voice vote.

Chair Nakian moved Item No. LR26.068; said motion was seconded. Chair Nakian reported that this is a contract with the Patio Café, the service that is presently providing food service in the cafeteria. The contract is for five years, and the amount of the contract is for \$50,000 in improvements in Year 1 plus they will pay all electrical expenses. The Committee is in favor of the contract, however, in Section paragraph 26 of the Contract, the Committee discovered that the Law Department had put in it the language that was originally proposed by Mr. Rubino, which prohibits political contributions. When the Board passed the ordinance that Mr. Rubino had requested, this was taken out of the ordinance, and the ordinance only prohibits contributions of gifts and services.

As we did last month in the contract with Haven Health Care and the lease with Domus, Chair Nakian moves to delete Paragraph 26 of the contract and substitute the language in 1031. Chair Nakian moved the following amendment to the contract:

Eliminate Paragraph 26 and replace with the following language: “During the term of this contract, including any extensions, Patio Café shall refrain from making gifts of money, goods, real or personal property or services to any appointed or elected official or employee of the City of Stamford or the Stamford Board of Education or any appointed or elected official or employee of their Boards, Commissions, Departments, Agencies or Authorities. All references to the Contractor shall include its officers, directors, employees, and owners of more than 5% equity in the contractor. Violation of this provision shall constitute a material breach of this Agreement, for which this Agreement may be summarily terminated.”

Said motion was seconded and approved by unanimous voice vote.

The main motion was approved by a machine vote of 26-6-0 (See [RCS Vote Record No. 549](#)).

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| 3. LR26.054 | PROPOSED ORDINANCE; for publication ;
amending Section 220-20 and Section 220-21
regarding tax abatements.
06/28/04 – Submitted by Chair Nakian
07/13/04 – Placed on Pending Agenda
08/23/04 – No Quorum; Report Made | REPORT
MADE |
| 4. LR26.069 | REVIEW; matter of granting tax exempt status/tax
abatement for personal property. | REPORT
MADE |

04/09/04 – Submitted by Rep. Nakian
07/13/04 – Placed on Pending Agenda
08/23/04 – No Quorum; Discussion in executive session

FISCAL COMMITTEE: **Randy Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Report\)](#) Meeting: Monday, August 30, 2004
7:00 p.m. – Democratic Caucus Room

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| 1. F26.435 | RESOLUTION; authorizing the Mayor to submit application and enter into contract with the State DEP, Office of Long Island Sound Programs for A Federal Clean Vessel Act Grant; amount of grant: \$7,764.76; city match: \$2,588.25.
08/03/04 – Submitted by Mayor Dannel P. Malloy
08/30/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 2. F26.434
\$3,199.00 | ADDITIONAL APPROPRIATION (Grants); Immunization Program; to align with state-approved budget.
07/27/04 – Submitted by Mayor Dannel P. Malloy
08/09/04 – Approved by Board of Finance
08/30/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 3. F26.429
\$17,000.00 | ADDITIONAL APPROPRIATION (Grants); Historic Document Preservation Grant; funds to be used toward the preservation of plats.
07/19/04 – Submitted by Mayor Dannel P. Malloy
08/09/04 – Approved by Board of Finance
08/30/04 – Committee approved 6-0-1 | APPROVED
ON CONSENT
AGENDA |
| 4. F26.430
\$4,200.00 | ADDITIONAL APPROPRIATION (Grants); DUI Enforcement Equipment; Small Tools; to purchase laser equipment for speed and distance measurement; 20% match required on grant.
07/20/04 – Submitted by Mayor Dannel P. Malloy
08/09/04 – Approved by Board of Finance
08/30/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |

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| 5. F26.431
\$23,400.00 | ADDITIONAL APPROPRIATION (Grants); Safe Neighborhoods; to fund Safe Neighborhood Project to reduce gun crime (overtime for detectives, forensic services, equipment purchases).
07/20/04 – Submitted by Mayor Dannel P. Malloy
08/09/04 – Approved by Board of Finance
08/30/04 – Committee approved 6-0-1 | APPROVED
ON CONSENT
AGENDA |
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Secondary Committee: Public Safety & Health

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

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| 6. F26.436 | RESOLUTION; authorizing the issuance and sale (not to exceed \$17,017,100) of City of Stamford General Obligation Bonds for the costs of constructing the Block 9 URC parking garage.
08/04/04 – Submitted by Ben Barnes
08/30/04 – Held in Committee 7-0-0 | HELD IN
COMMITTEE |
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Secondary Committee: Land Use/Urban Redevelopment

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| 7. F26.432
\$1,940,000.00 | ADDITIONAL APPROPRIATION (Operating); Board of Education; to appropriate surplus funds from 03-04 budget year.
07/26/04 – Submitted by Peter Privitera
08/09/04 – Approved by Board of Finance (see attached memo)
08/30/04 – Committee approved 4-3-3 | ITEM
HANDLED
AFTER
RESOLUTIONS |
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|---|---|------------------------------|
| 8. F26.433
\$unknown | ADDITIONAL APPROPRIATION (Operating); Board of Education; to appropriate any surplus funds over and above \$1,940,000 from 03-04 budget year.
07/26/04 – Submitted by Peter Privitera
08/09/04 – Approved by Board of Finance
08/09/04 – Approved by Board of Finance (see attached memo)
08/30/04 – Held in Committee 10-0-0 | HELD IN
COMMITTEE |
|---|---|------------------------------|

Secondary Committee (on Item Nos. 7 and 8 above): Education

9. [F26.428](#) REVIEW; of city vehicles including commutation to and from work, department, total miles traveled annually (business and commute), numbers of vehicles being taken home currently versus last year etc.
07/08/04 – Submitted by Rep. Mirkin
07/13/04 – Placed on Pending Agenda
08/30/04 – Held in Committee 10-0-0
- HELD IN COMMITTEE**

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

APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair
(Attendance) **Annie M. Summerville, Vice Chair**
(Votes) Meeting: Tuesday, August 24, 2004
7:30 p.m. – Democratic Caucus Room

Chair Esposito reported that the Appointments Committee met on Tuesday, August 24, 2004. Present were Committee Member Reps. Esposito, Summerville, Boccuzzi, Kernan, Blackwell, DePina and Coppola.

1. [A26.160](#) Commission on Aging
Roxana Greene Kelly (D)
6 Avon Lane
Stamford, CT 06907
Term Expires: 06/01/05
06/10/04 – Submitted by Mayor Dannel P. Malloy
07/06/04 – Held in Committee
07/27/04 – Held in Committee
08/02/04 – Held in Committee
08/24/04 – Committee approved 8-0-0
- APPROVED ON CONSENT AGENDA**
2. [A26.166](#) Police Commission
Dr. Robert W. Perry (D) *Repl. Hill*
2009 Long Ridge Road *(Exp. 11/30/4)*
Stamford, CT 06905
Term Expires: 11/30/04
07/19/04 – Submitted by Mayor Dannel P. Malloy
08/24/04 – Committee approved 8-0-0
- APPROVED ON CONSENT AGENDA**
3. [A26.167](#) Police Commission
Stephen G. Maloney (R) *Repl. Broom*
1766 Shippan Avenue *(Exp. 11/30/4)*
- APPROVED ON CONSENT AGENDA**

Stamford, CT 06902
Term Expires: 11/30/04
08/06/04 – Submitted by Mayor Dannel P. Malloy
08/24/04 – Committee approved 8-0-0

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

MINUTES

1. [August 2, 2004 Regular Board Meeting](#)

**APPROVES BY
UNANIMOUS
VOICE VOTE**

OLD BUSINESS

President Martin announced that Terry Adams would serve on the Transportation Committee. Temporarily, Mr. Munger will serve on those committees that Mr. Browne served on: Legislative & Rules, Personnel and Housing/Community Development/Social Services.

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:05 p.m.