

*The Regular Meeting of the 26th Board of Representatives of the City of Stamford was held on **Monday, November 8, 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: The meeting was called to order at 8:45 p.m.

INVOCATION: Given by Rep. Greenberg.

“Representatives of Stamford, we are grateful for all the blessings and opportunities that befall us as Americans, residents of the City of Stamford and individuals. Bless us as we meet together as government leaders to make decisions that affect our families and all the residents of our city. In this time of uncertainty, we ask that you watch over our soldiers, the men and women who are serving to protect freedom and democracy, fighting those who seek to oppress, spread evil and terror around the globe. As we begin our meeting here tonight, we ask that you give us open minds, clear understanding and a steady purpose to make the most of our talents. Guide us in our service, keep us well so that we can serve and allow us to continue each day with optimism, renewed energy and a commitment to service.”

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

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were 35 members present, four members excused and one vacancy. Excused were Reps. Hunter, Molgano, Morrow and O’Neill.

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

MOMENTS OF SILENCE: For the late: Chicoria E. McKeithen and Gerry O’Neill by Clerk of the Board Summerville; Doretta C. Wujcicki by Majority Leader Boccuzzi and

Rep. Zelinsky; Carol S. Cuttitta by Reps. Rauh and Zelinsky; Ann Cacciola Wasil, Rose M. Giordano, Stergios Karantonis, Frederick R. Genovese, Lucia Zezima, John W. Nizolek, Stella B. Dorish, Robert Byxbee, Barbara Orris and Richard H. Fitzmaurice by Reps. Giordano and Zelinsky; Leon F. Jaworski II, Ralph V. Russo, Micheline Aulenti, Peter Ianazzo, Mary Jo Loglisci, Patsy John Carretto, Sandra Green, Santo J. Preterotti, Jennie Hojnacki and Barry C. Sennewald by Rep. Giordano.

FILLING OF VACANCIES:

President Martin declared a vacancy in the 14th District. Rep. Loglisci resigned last month.

1. Ralph Loglisci (R) – 14th District Representative

Deputy Minority Leader Mary Fedeli moved to nominate Carl Franzetti to fill the vacancy in the 14th District. Rep. Fedeli stated that Mr. Franzetti has been a resident of Stamford for over 25 year, living in the 14th District for over 20 years. He has a master's degree from Iona College, a B.S. from the University of New Haven and has served in the U.S. Army. He currently serves on the Stamford Police Department, which he has done for over 25 years. He has a full resume, which everyone has a copy of. Said motion was seconded. Rep. Fedeli stated that she has confirmed his residency and party affiliation. The nominations were closed, and the motion was approved by voice vote (Rep. Skigen abstaining).

President David Martin administered the oath of office.

COMMUNICATIONS:

1. Deputy Minority Leader Mary Fedeli announced that the Republicans have elected Gabe DeLuca as the new minority leader. She also announced that Scott Mirkin would now serve as Deputy Minority Leader.
2. Clerk of the Board Summerville announced that there are currently 26 participants coming to the Holiday Party; she encouraged all members to attend.
3. President Martin announced that Representative Spandow has resigned as she is moving to California.

Rep. Spandow stated that “as recently as three months ago, moving away from Stamford was the very last thing on my mind, it wasn’t even on my radar screen. I have been very blessed since coming to Stamford 35 years ago and being allowed to be a part of the community through volunteering, politics, which is my first love, and public service on this Board. This has been my home, and I will miss it terribly. However,

since both of my sons and their families have moved away and are no longer in Stamford. When your heartache for your family exceeds the satisfaction of public service, you know it is time to move on. My evenings now will be filled with little league games and dance recitals.

“I want to thank everyone on the Board for their friendship; my tenure has been rewarding. I think Annie for her help and guidance and friendship. Mary Fedeli, you have been a terrific colleague, and she has become a personal friend. I’ve really enjoyed co-chairing personnel with her. David and John, it has been a pleasure, and I thank you both for your friendship and your guidance. Rich, it has been real. We’ve had a lot of laughs here. We get reprimanded once in a while. And Ralph, it is great to see you here, and thank you. You were the first person to extend the hand of friendship and welcome to me when I came on the Board.

“Most people my age are downsizing, and I am actually moving into a four-bedroom house in California. So, there is room. Please come visit. Most of all please be good to each other, and I will miss all of you. Thank you.”

4. President Martin announced that Representative Shapiro, having won his recent election, is expected to resign shortly.
5. Deputy Minority Leader Mary Fedeli announced the Robert “Gabe” DeLuca was elected by the Republican Caucus to serve as Minority Leader; Scott Mirkin was elected to fill Mr. DeLuca’s position as Deputy Minority Leader.
6. Clerk of the Board Summerville announced that the Holiday Party will be held on December 5, 2004.
7. President Martin announced that Steering will be held on Monday, November 15, 2004. The deadline for Steering is Wednesday, November 10, 2004 at 10:00 a.m.
8. President Martin announced that as a result of Frank Browne’s resignation, there is a vacancy on the Anti-Blight Committee and asked that any representative interested in serving on this committee notify him.
9. President Martin announced that Jon Gallup has resigned as constable; the Board will be filling this vacancy next month.

STEERING COMMITTEE: Meeting: Tuesday, October 12, 2004
7:00 p.m. – Democratic Caucus Room

Majority Leader Boccuzzi moved to waive the Steering Committee Report; said motion was seconded and approved by unanimous voice vote.

STANDING COMMITTEES

APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair

Annie M. Summerville, Vice Chair

No meeting; No Report.

FISCAL COMMITTEE: **Randy Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Votes\)](#) Meeting: Monday, October 25, 2004
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Monday, October 25, 2004. Present were Committee Member Reps. Skigen, Cannady, DeLuca, DePina, Fedeli, Figueroa, Giorano, Mirkin and Lyons. Also present were Reps. Molgano and Greenberg; Chief McGrath of the Fire Department; Chief DeCarlo and Deputy Chief Priolo of the Police Department; Cindy Barber of GIS; Jack Chnowski and Mike Pensiero of IT; Lou Casolo of Engineering; Ben Barnes, Director of Administration; Grants Director Sandy Dennies; Mary Willis of Youth Services; Roseanne McManus of the Board of Education; Director of Public Safety, Health and Welfare Bill Callion; Merle Rickles of WIC; Hugh Murphy and John Chardavonye of the Stamford Public Schools and Brigette Fox, the School Readiness Liaison.

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| 1. F26.444
\$3,114.00 | ADDITIONAL APPROPRIATION (Grants Budget); Youth Services Bureau; Direct Service; represents increase in CT Dept. of Education Funds; funds to be used for various items, including facilitators for Education Through Adventure course.
10/01/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 7-0-0 | APPROVED
ON
CONSENT
AGENDA |
| 2. F26.445
\$222,460.00 | ADDITIONAL APPROPRIATION (Grants Budget); School Readiness Grant; SRC/Contracted Services; represents increase in this year's allocation; funds are subcontracted to Child Learning Center.
10/01/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 7-0-0 | APPROVED
ON
CONSENT
AGENDA |

Secondary Committee: Education

Waive

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

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| 3. F26.446 | ADDITIONAL APPROPRIATION (Grants Budget); | APPROVED |
|----------------------------|---|-----------------|

\$340,000.00 WIC Program; represents annual Women, Infants and Children program funding from Federal Dept. of Agriculture. **ON
CONSENT
AGENDA**
09/30/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 7-0-0

Secondary Committee: Housing/Community Development/Social Services – Waive

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

4. [F26.439](#) APPROVAL; of contract with Fairfield County Communications for telecommunications maintenance and consulting services; term of contract: 1 year; amount of contract: \$35,000 plus scheduled charges. **APPROVED
BY
UNANIMOUS
VOICE VOTE
(as
amended)***
09/08/04 – Submitted by Mayor Dannel P. Malloy
10/04/04 – Held in Committee
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 7-0-0

Chair Skigen stated that this is a one-year contract that will cost approximately \$250,000. Chair Skigen moved Item No. F26.439; said motion was seconded.

Rep. Nakian moved to amend Item No. F26.439. Rep. Nakian stated her amendment would delete the language in Paragraph 14 from the Contract and be replaced by the following language (from Ordinance No. 1031):

“During the term of this contract, including any extensions, Fairfield County Communications 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 amendment was seconded by Rep. Lyons and approved by unanimous voice vote.

The main motion was approved by unanimous voice vote.

5. [F26.442](#) ADDITIONAL APPROPRIATION (Grants Budget); **APPROVED
ON**
\$300,000.00 Police Department; Arrest Enforcement Program;

2-year DOJ Office of Violence Against Women Grant. **CONSENT AGENDA**
10/01/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 8-0-0

Secondary Committee: Public Safety & Health

Concur 7-0-0

6. [F26.447](#) **APPROVED ON CONSENT AGENDA**
\$395,791.00 ADDITIONAL APPROPRIATION (Grants Budget); COPS Technology GIS; grant from US Dept. of Justice; to purchase GIS software for use in the City's 911 Computer Aided Dispatch System.
09/22/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 8-0-0

Secondary Committee: Public Safety & Health

Concur 7-0-0

7. [F26.443](#) **APPROVED ON CONSENT AGENDA**
\$55,000.00 ADDITIONAL APPROPRIATION (Grants Budget); Fire Training School; to pay for a safety officer and facility maintenance.
10/01/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 8-0-0

Secondary Committee: Public Safety & Health

Concur 7-0-0

8. [F26.440](#) **APPROVED ON CONSENT AGENDA**
\$29,799,106.00 ADDITIONAL APPROPRIATION (Capital Budget); Rippowam High School; Academy of Information Technology; construction of new school building for 650 students; inter-district magnet school and is entitled to 100% grant funding by State of Connecticut
09/10/04 – Submitted by Mayor Dannel P. Malloy
09/28/04 – Approved by Planning Board
10/04/04 – Held in Committee
10/13/04 – Approved by Board of Finance
10/25/04 – Committee approved 8-0-0

Secondary Committee: Education

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

9. [F26.448](#), [449](#), [450](#), [451](#), [452](#), **FIVE ITEMS APPROVED**
GRANT RESOLUTIONS; authorizing agreements for the acquisition of properties at 1 Main Street

(\$97,500); 3, 7, 11, 15, 17, 21, 25 and 27 West Park Place (\$546,000); 8 and 12 West Park Place (\$448,500); 60-70 Main Street; (\$419,250); 205 Magee Avenue (\$325,000); from CT Dept. of Environmental Protection; property purchased as part of the Mill River Corridor Project.
09/14/04 – Submitted by Mayor Dannel P. Malloy
10/25/04 – Committee approved each 8-0-0

**ON
CONSENT
AGENDA**

Secondary Committee: Land Use

Concur 5-0-0

10. [F26.453](#)
~~\$1,436,709.00~~ &
[F26.454](#)
~~\$1,478,537.00~~
\$1,457,623.00

ADDITIONAL APPROPRIATION (Operating Budget); (F26.453) Smith House Administration; Central Service Cost Allocation; to fund continued operations at Smith House & (F26.454) Salaries; funds to continue operations while new management firm is selected; funds to be appropriated to various cost centers.
10/05/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – \$1,457,623 approved by Board of Finance
10/25/04 – Committee approved \$718,354 for F26.453 and \$739,269 for F26.454 – Committee approved each 8-0-0

**BOTH ITEMS
APPROVED
ON
CONSENT
AGENDA**

Secondary Committee: Public Safety & Health

Concur 7-0-0

11. [F26.455](#)
\$1,600,000.00

ADDITIONAL APPROPRIATION (Capital Budget); Office of the Mayor; Housing Development Fund; represents funds received in lieu of set-aside affordable housing units and must be appropriated for affordable housing purposes.
10/05/04 – Submitted by Mayor Dannel P. Malloy
10/12/04 – Approved by Planning Board
10/13/04 – Defeated by Board of Finance 3-0-3
10/25/04 – Held in Committee

**HELD IN
COMMITTEE**

Secondary Committee: Housing/Community Development/Social Services

12. F26.456

REVIEW; Board of Education 1st Quarter Budget Expenditures
10/07/04 – Submitted by Rep. Lyons
10/25/04 – Report Made

**REPORT
MADE**

Secondary Committee: Education

Chair Skigen stated that a report on Item No. 12 was provided to everyone. He added that at this point in time the Board of Education expects cost overruns on both heating fuel and gasoline for buses. They are expecting deficits in each of the accounts of around \$200,000.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 through 3 and 5 through 10, was approved by voice vote (Rep. Franzetti abstaining on Item No. 5).

LEGISLATIVE & RULES COMMITTEE: Maria Nakian, Chair

[\(Attendance\)](#)

[\(Report\)](#)

Jim Shapiro, Vice Chair

Meeting: Monday, October 18, 2004

7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules committee met on Monday, October 18, 2004. Present were Committee Member Reps. Nakian, Mitchell, Nowakowski, Shapiro, Spadow, Zelinsky, Layton and Greenberg present. Also present were President Martin; Jeanette Brown from the WPCA; Tim Curtin, Director of Operations and Tom Cassone, Corporation Counsel.

1. [LR26.060](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; amending the Code of Ethics and other sections of the Code of Ordinances relating to gifts. **APPROVED ON CONSENT AGENDA**
03/03/04 – Submitted by the Democratic Caucus
04/07/04 – Held in Committee
07/06/04 – Held in Committee
08/02/04 – Held in Committee
09/07/04 – Report Made
10/04/04 – Approved for publication
10/18/04 – Committee approved 7-0-0

2. [LR26.054](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; amending Section 220-20 and Section 220-21 regarding tax abatements. **APPROVED ON CONSENT AGENDA**
06/28/04 – Submitted by Chair Nakian
07/13/04 – Placed on Pending Agenda
09/07/04 – Report Made
10/04/04 – Approved for publication
10/18/04 – Committee approved 7-0-0

3. [LR26.071](#) PROPOSED ORDINANCE; **for publication**; amending the Ethics Ordinance. **HELD IN COMMITTEE**
09/07/04 – Submitted by Amy LiVolsi, Chair of Ethics Board

10/04/04 – Report Made
10/18/04 – Held in Committee

4. LR26.050 **PROPOSED ORDINANCE; for publication;** **HELD IN**
amending Chapter 200 of the Code of Ordinance **COMMITTEE**
to merge the Sewer Commission into the WPCA,
define or modify the geographic authority, fiscal
process, sewer approval, board representation
and other procedures of the WPCA.
01/08/04 – Submitted by President Martin
01/20/04, 02/02/04, 03/01/04 – Held in
Committee
07/13/04 – Placed on Pending Agenda
09/20/04, 10/04/04 – Held in Committee
10/18/04 – Held in Committee
5. LR26.072 **PROPOSED ORDINANCE; for publication;** **HELD IN**
amending Chapter 238 of the Code of Ordinances **COMMITTEE**
designating the WPCA as the Water Commission.
10/12/04 – Submitted by Rep. Nakian
10/18/04 – 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 (Rep. Lyons abstaining on Item No. 2).

PERSONNEL COMMITTEE: **Sanchia Spadow, Co-Chair**
[\(Attendance\)](#) **Mary Lisa Fedeli, Co-Chair**
[\(Votes\)](#) Meeting: Wednesday, October 27, 2004
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Co-Chair Fedeli reported that the Personnel Committee met on Wednesday, October 27, 2004. Present were Committee Member Reps. Fedeli, Spadow, Boccuzzi, Cannady, Figueroa and Munger. Reps. Skigen and Pavia were excused. Also in attendance was Fred Manfredonia from Human Resources.

1. [P26.062](#) **PROPOSED ORDINANCE; for publication;** **HELD IN**
amending the Benefits Ordinance with regard to **COMMITTEE**
the Registrars of Voters.
8/23/04 – Submitted by Fred Manfredonia
10/04/04 – Held in Committee
10/27/04 – Held in Committee
2. [P26.063](#) **APPROVAL; of a contract renewal with** **APPROVED**
[Part 1](#) **HealthNet.** **BY VOICE**

[Part 2](#)

09/09/04 – Submitted by Fred Manfredonia
10/04/04 – Held in Committee
10/18/04 – Approved by Board of Finance (as amended – see [addendum](#))
10/27/04- Committee approved 5-0-1

VOTE
(as amended)*

Co-Chair Fedeli stated that HealthNet is the current provider of health claims administration for the City. The City has just concluded an extensive RFP process, with 14 firms participating. The City narrowed down the bids to three: HealthNet, Cigna and Anthem. During this process, the City looked at both administering a self-insurance and fully-insured program, and they decided it was best to go forward on a self-insured basis. The item before us is for the administration of the City’s plan. The amount of the contract is \$1.4 million. Co-Chair Fedeli reported that the Board of Finance approved the contract with two amendments: 1) political gifts and contributions and 2) asking HealthNet to try to get the Smith House in their network of providers. Co-Chair Fedeli moved Item No. P26.063; said motion was seconded.

Rep. Nakian moved to amend the contract. Ms. Nakian’s amendment is to delete the language in Section 1 and replace it with the following language (from Ordinance No. 1031):

“During the term of this contract, including any extensions, HealthNet 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 amendment was approved by unanimous voice vote.

The main motion was approved by a voice vote (Reps. Franzetti and Munger abstaining).

Co-Chair Fedeli noted that she will miss her co-chair, and that she has enjoyed working with Sanchia and has enjoyed their friendship. She added that Ms. Spadow will truly be missed.

LAND USE COMMITTEE:

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

Patrick White, Co-Chair

Harry Day, Co-Chair

Meeting: Monday, October 25, 2004

7:30 p.m. – Republican Caucus Room

Co-Chair Day reported that the Land Use Committee met on Monday, October 25, 2004. Present were Committee Member Reps. Day, White, Boccuzzi, Greenberg and Nakian. Also attending were residents of Mary Joy Lane.

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| 1. LU26.047 | REVIEW; of the feasibility of instituting an architectural review board or commission as part of the land use permitting process.
11/14/03 – Submitted by Reps. Browne & O'Neill
01/05/04 – Held in Committee
03/01/04 – Report Made
04/07/04; 06/07/04, 07/06/04 – Held in Committee
08/02/04 – Report Made & Held in Committee
10/25/04 – Report Made | HELD IN
COMMITTEE |
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Co-Chair Day reported that the sub-committee has had a somewhat slow start, and now has a vacancy with Rep. Spandow's resignation.

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| 2. LU26.054
Memo

Operating Agreement | REVIEW & RESOLUTION; approving an amendment to the Urban Redevelopment Plan with regard to adding a new section 601.3. changing the West Main Street Bridge to a pedestrian bridge capable of providing emergency vehicle access.
08/05/04 – Submitted by Rachel Goldberg
10/25/04 – Held in Committee 5-0-0 | HELD IN
COMMITTEE |
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| 3. LU26.053 | RESOLUTION; initiating the process of street acceptance for Mary Joy Lane.
10/06/04 – Submitted by Kathleen Ruther
10/25/04 – Approved by Committee 5-0-0 | APPROVED ON
CONSENT
AGENDA |
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Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 3, was approved by unanimous voice vote.

Co-Chair Day stated that he would miss Rep. Spandow on the Land Use Committee.

OPERATIONS COMMITTEE: (Attendance) (Votes) (Report)	John R. Zelinsky, Co-Chair Scott Mirkin, Co-Chair Meeting: Wednesday, October 20, 2004 7:00 p.m. – Republican Caucus Room
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Co-Chair Mirkin reported that the Operations Committee met on Wednesday, October 20, 2004. Present were Committee Member Reps. Zelinsky, Mirkin, Adams, Coppola,

Day, McDermott, Day and White. Reps. O'Neill and Hunter were absent. Also present were Rep. DeLuca; Tim Curtin, Director of Operations; Frank Fedeli, Citizens Service Center; Jeanette Brown of the WPCA; representatives of CH2M Hill and Corlon Contracting; Phil Norgren, Clerk of the Works of the WPCA; residents of Emery Drive; Mike Zarba of the Highway Department and Ed Gentile of Engineering.

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| 1. O26.064 | RESOLUTION; approving the extension of sanitary sewer systems to Westover Road to serve 21 and 35 Emery Drive East.
10/04/04 – Submitted by President Martin
10/20/04 – Committee approved 6-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. O26.067 | RESOLUTION; approving the extension of sanitary sewer systems to Nos. 71 & 74 Doolittle Road.
10/04/04 – Submitted by Rep. Martin
10/20/04 – Committee approved 6-0-0 | APPROVED ON
CONSENT
AGENDA (Rep.
DeLuca
abstaining) |
| 3. O26.065 | REVIEW; of Operations Department projects on Smoke Hill & Arrow Head Drives and Webbs Hill Road.
10/04/04 – Submitted by Rep. Mirkin
10/20/04 – Report Made | REPORT
MADE |

Co-Chair Mirkin reported that Smoke Hill and Arrow Head Drives had severe road flooding and ice build up in the winter. Approximately two weeks before the meeting, the gutter line had been improved and an underdrain installed to improve drainage and a headwall built up at the culvert to avoid cars going off the road into the trench. Resurfacing of the road is needed.

Co-Chair Mirkin stated that several houses on Webb's Hill were subject to flooding of property with heavy rains, improvements have been made, curbing heights increased. The water currently flows toward the west side of Den Road. Drillings into the road will be done by city engineering to determine whether a crown can be built in the road to distribute water flow to east and west sides of the road.

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| 4. O26.066 | REVIEW; maintenance and construction of new highway garage.
10/06/04 – Submitted by Reps. Mirkin & DeLuca
10/20/04 – Report Made | REPORT
MADE |
|------------|--|------------------------|

Co-Chair Mirkin stated that the key issue is cracking in the 2" topping slab of the garage floor. The lab has a life span of 5-10 years and it is partially bonded to the structural slab. Prior to the Highway Department taking possession of the new garage, cracks began to develop. Jeff Fournier of Carlan Construction stated that 50% of the floor is separated from the structural slab. Mike Zarba believes the topping slab has failed. He

stated there are several small issues that resulted in failure and cracks are severe. Ch2M Hill and Carlan Construction assert that there is no failure in the topping slab, and that ACI (American Concrete Institute Code) was adhered to with regard to pouring, mixture, etc. City Engineers were not involved with the planning or design of the garage. The WPCA was in charge of building the garage as part of the WPCA construction project. Committee members stated concerns regarding the type of materials used in the bonding process and how the concrete may have been mixed and poured. Shrinkage and cracks will always occur with concrete. The fact that it happened so quickly and on a wide scale is a concern. WPCA will hire an independent party to review the process and evaluate what can be done to correct the cracking. The approximate cost is \$10,000, and a selection committee consisting of engineering, highways and a member of the Board of Representatives Operations Committee.

The cost of redoing the slab is estimated to be \$425,000. The cost of epoxy injection, which would bond 75% of the topping slab is estimated to be \$200,000. This is not a likely option based on the fact that when the topping slab needs replacement, the structural slab would also have to be removed.

Co-Chair Mirkin stated that Mike Pavia will be the Committee's representative on the committee.

Co-Chair Mirkin moved the Consent Agenda, consisting of Item Nos. 1 and 2, and the motion was approved by unanimous voice vote.

**PUBLIC SAFETY &
HEALTH COMMITTEE:**

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

Richard Lyons II, Chair
Gail Clear, Vice Chair

Meeting: Wednesday, October 27, 2004
7:00 p.m. – Republican Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on Wednesday, October 27, 2004. Present were Committee Member Reps. Lyons, Adams, Blackwell, Coppola, DeLuca, DePina, Pia, Mirkin and Zelinsky; absent were Reps. Kernan and Clear. Also present was Police Chief Louis DeCarlo; Director of Legal Affairs Tom Cassone; Director of Public Safety, Health & Welfare Bill Callion; and Director of Health Johnnie Lee, MD.

1. PS26.051 REVIEW; regulation and use of pocket bikes in the City of Stamford.
07/06/04 – Submitted by Reps. Boccuzzi, Fedeli & Loglisci
08/02/04 – Report Made & Held in Committee
10/04/04 – Report Made
10/27/04 – Report Made

**REPORT
MADE**

Chair Lyons stated that Legal Affairs is working on a proposed ordinance.

2. PS26.054 REVIEW; of State Regulations regarding the use and sale of Fireworks. **REPORT MADE**
07/07/04 – Submitted by Reps. Lyons & Coppola
08/02/04 – Report Made & Held in Committee
10/04/04 – Report Made
10/27/04 – Report Made

3. PS26.057 REVIEW; of Health Department's restaurant inspection program. **REPORT MADE**
10/05/04 – Submitted by Rep. Lyons
10/27/04 – Report Made

Chair Lyons stated that Dr. Lee informed the Committee that he had reorganized the use of certain inspectors to deliver more routine regular inspections.

4. PS26.058 REVIEW; enforcement of no smoking law by Stamford Police and/or Health Department. **REPORT MADE**
10/05/04 – Submitted by Rep. Lyons
10/27/04 – Report Made

5. PS26.059 REVIEW; Animal Control Center. **REPORT MADE**
10/06/04 – Submitted by Rep. Lyons
10/27/04 – Report Made

Suspension of the Rules:

Chair Lyons moved to suspend the rules to take up Item No. PS26.060; said motion was seconded and approved by unanimous voice vote.

6. [PS26.060](#) APPROVAL; of a contract extension with Haven Healthcare for operation of Smith House Facility. **APPROVED BY UNANIMOUS VOICE VOTE (*as amended)**
10/15/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – Board of Finance approved a 45-day extension
10/27/04 – Committee approved 8-0-0

Chair Lyons moved Item No. P26.063; said motion was seconded. Chair Lyons stated that the term of the contract is 45 days.

Rep. Nakian moved to amend the contract. Ms. Nakian's amendment is to delete the language in Section 3 and replace it with the following language (from Ordinance No. 1031):

“During the term of this contract, including any extensions, Haven Healthcare 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 amendment was approved by unanimous voice vote.

The main motion was approved by unanimous voice vote.

Rep. Lyons stated that he will miss Rep. Spadow, and she will miss her personally, politically and as a friend to his family as well.

PARKS AND

RECREATION COMMITTEE:

Linda Cannady, Co-Chair

Steve McDermott, Co-Chair

[\(Votes\)](#)

[\(Report\)](#)

Meeting: Tuesday, October 19, 2004

7:00 p.m. – Democratic Caucus Room

Co-Chair McDermott stated that the Parks & Recreation Committee met on October 19, 2004. Present were Committee Member Reps. McDermott, Clear, Fedeli, Giordano, Lyons, Morrow, Pavia and White; Reps. Greenberg and Zelinsky were present; Rep. Cannady was excused. Reps. Pia and McCullen were absent. Jeff Zeluchio, Joe Falzone with AFB and Dean Pomeroy, Manager of Terry Conners were also present.

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|--|---|---|
| 1. PR26.067 Resolution | APPROVAL; and public hearing ; of a new fee schedule for Terry Conners Ice Rink.
08/30/04 – Submitted by Mayor Dannel P. Malloy
10/04/04 – Approved for publication
10/19/04 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA (Rep. Pavia abstaining) |
|--|---|---|

Co-Chair McDermott stated that the new fees were presented by Mr. Pomeroy; no one from the public was present. The increased request was \$10 for ice rental fees; all of the other rates remained the same.

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| 2. PR26.071 | REVIEW; of public safety and parking issues at Caporrizzo Field on Vine Road.
10/04/04 – Submitted by Reps. Greenberg, Pavia, Munger and Morrow
10/19/04 – Report Made | REPORT
MADE |
|-------------|--|------------------------|

Co-Chair McDermott stated that Caporrizzo field serves 225 families and 26 teams. Rep. Greenberg informed the Committee of the poor parking and access, and short- and long-term improvements were discussed. Joe Falzone said he would help facilitate those improvements.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 1, was approved by unanimous voice vote (Rep. Pavia abstaining).

EDUCATION COMMITTEE:

[\(Attendance\)](#)

[\(Report\)](#)

Brian O'Neill, Co-Chair

Thomas Hunter, Co-Chair

Meeting: Thursday, October 28, 2004

7:00 p.m. – Republican Caucus Room

Rep. Rauh reported that the Education Committee met on Thursday, October 28, 2004. Present were Committee Member Reps. Rauh, O'Neill, Molgano and Pia; excused were Reps. Hunter and Day. Also in attendance were John Chardavoyne, Board of Education; Lou Casolo, Antonio Iadarola from the Engineering Department; Tobin Coleman of the Advocate and Susan Nabel of the Board of Education.

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| 1. E26.018 | REVIEW; process and specific plans for Stamford High School renovations and code compliance.
10/06/04 – Submitted by Rep. Hunter | REPORT
MADE |
|----------------------------|---|------------------------|

Rep. Rauh stated that the Committee reviewed the report memoranda that all board members received regarding the summary of the process, plans and progress on the recent capital projects at Stamford High School. No votes were taken.

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

SOCIAL SERVICES COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Elaine Mitchell, Chair

Philip Giordano, Vice Chair

Meeting: Wednesday, October 20, 2004

6:30 p.m. – Democratic Caucus room

Chair Mitchell reported that the Housing/Community Development/Social Services committee met on Wednesday, October 20 2004. Present were Committee Member Reps. Mitchell, Giordano, McDermott, Molgano and Munger. Also in attendance was Rep. Adams; Director Callion; Tim Beeble; Sean O'Brien from Americares; Sheila Barney from the NRZ; a representative of the Stamford Waterside Coalition and Carmen Domonkos of the Stamford Partnership.

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|-----------------------------|---|--------------------------------------|
| 1. HCD26.25 | PROPOSED ORDINANCE; for publication;
amending the Linkage Ordinance.
08/05/04 – Submitted by Tim Beeble | RETURNED
TO
COMMITTEE |
|-----------------------------|---|--------------------------------------|

09/07/04, 10/04/04 – Held in Committee
10/20/04 – Committee approved 5-0-0

Chair Mitchell reported that the Committee approved changes in the threshold from \$3.3 million to \$2.8 million and increasing the threshold 2% annually. The Committee will hold a public hearing in December.

Rep. Skigen stated that as everyone knows, this ordinance was designed in order to provide funding for affordable housing. Unfortunately, up to this point, no funds have gone into it because the threshold is too high. Before the item is published, he would like the Committee to revisit the numbers to ensure that this ordinance will have some impact on housing in the City. Rep. Skigen moved to return the item to Committee; said motion was seconded and approved by unanimous voice vote.

2. HCD26.27 REVIEW; of qualifying neighborhood coordinators **REPORT**
 as CDBG economic development activities. **MADE**
 08/05/04 – Submitted by Tim Beeble
 09/07/04, 10/04/04 – Held in Committee
 10/20/04 – Report Made

Chair Mitchell stated that Tim Beeble feels that the community organizers might be eligible under the community based development organization category instead of economic development activities. Each year we have had an increase in the request for community organizers, making it impossible to fund each organizer. This activity has a better chance of being funded if it is changed from the public service category to the community-based development organization category.

3. HCD26.28 REVIEW; of Housing Commitment Report Form. **REPORT**
 08/05/04 – Submitted by Tim Beeble **MADE**
 09/07/04, 10/04/04 – Held in Committee
 10/20/04 – Committee approved 5-0-0

Chair Mitchell reported that the Committee approved the form to be used when reporting activities from the HOME and Lead programs. The Committee will receive quarterly reports and they will be on file in the Board's office.

4. HCD26.29 REVIEW; of Americares Home Front Development **REPORT**
 Program **MADE**
 10/07/04 – Submitted by Rep. McDermott
 10/20/04 – Report Made

Chair Mitchell reported that Mr. O'Brien is performing outreach to as many organizations as he can to inform the community about the program. Last year, Americares was able to service 8 homes. The deadline is December 31, 2004 to be eligible for 2005. The income level is \$35,000 or less. They are focused on quality of life improvements, such

as roof repairs and handicapped ramps. The Committee gave Mr. O'Brien additional ways to get the information out regarding the program. Additional information is available in the Board's office.

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

No meeting; No Report.

TRANSPORTATION COMMITTEE: **Robert "Gabe" DeLuca, Chair**
[\(Attendance\)](#)
[\(Votes\)](#)
[\(Report\)](#)
Meeting: Thursday, October 21, 2004
7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on Thursday, October 21, 2004. Present were Committee Member Reps. DeLuca, Giordano, Adams, Mirkin, Kernan, Blackwell and Zelinsky; also present were Frank Fedeli and Tom Bruccoleri of the Operations Department; James Grunberger; residents and merchants of the East Side Partnership as well as residents of the Buckingham complex located at Hoyt & Strawberry Hill.

1. T26.057 REVIEW; of courthouse parking garage and exiting/entering on Hoyt Street. **REPORT MADE**
10/05/04 – Submitted by Reps. Zelinsky & Rauh
10/21/04 – Report Made

Chair DeLuca stated that Tom Bruccoleri and Mani Poola met with Peter McCann, the project manager for the garage. As a result of that meeting, an agreement to pull back the exitway 40' to get the traffic away from the Buckingham complex. There were a lot of concerns from residents about traffic. The City will keep in close contact with the State, and they will review the project as it continues. The Committee recommended that the Traffic Advisory Committee review this matter to look at additional improvements.

The Committee also agreed to have the President write a letter to Governor Rell advising her that the plans they are working on date back to 1992 and are outdated. They need to be revised/modified to meet today's needs.

Rep. Rauh stated that at a meeting earlier in the month in a meeting with people from the State and the court system, it was announced that 100 slots would be used by the police department, with exiting and entering on North Street.

2. T26.058 REVIEW; road closures associated with Canal Street I-95 construction work. **REPORT MADE**
10/06/04 – Submitted by Rep. Lyons
10/21/04 – Report Made

Chair DeLuca stated that the construction work has been completed. Rep. Lyons met with State officials to enhance the signage. As a result of the Mayor's and our resolution asking the Governor to intercede, the Governor provided \$500,000 in incentives, and this worked out well.

3. T26.054 APPROVAL of installation of meters on East Main Street in accordance with the recommendations of the Traffic Advisory Committee. **APPROVED BY
MACHINE VOTE
(23-12-1)**
07/26/04 – Submitted by Rep. DeLuca
09/07/04 – Held in Committee
09/14/04 – Placed on Pending Agenda
10/21/04 – Committee approved 4-1-1

Chair DeLuca stated that in accordance with the recommendations of the Traffic Advisory Committee, and in conjunction with the East Side Partnership, the Committee agreed to approve the installation 32 meters from Glenbrook Road to the RR bridge/Myrtle Avenue. After a traffic study, they will be extended it approved by the Board.

Chair DeLuca stated that this was at the request of the merchants and the residents of the East Side area. There is a petition with 285 signatures in support of this. Right now parking is permitted, but there are no meters. The meters will operate from 9:00 a.m. to 3:00 p.m. and enforcement Monday through Saturday during off peak hours. Chair DeLuca moved Item No. 3; said motion was seconded.

Rep. Kernan stated that he opposed this as it will increase congestion on East Main Street and create traffic jams.

Rep. Pavia stated that he objects to legitimizing the parking situation on a corridor that is heavily congested. He believes we need an engineered traffic study, linked with a three-month pilot program that temporarily establishes meters.

Rep. Day stated that he is convinced that this will create a traffic nightmare. The process of cars stopping to back into a metered parking space is a problem. The road is at least 10' too narrow to accommodate this. People can say that parking is permitted there now, but people don't park there now and if they do, they park on the sidewalk.

Rep. Lyons stated that Route 1 is a state road, so for us to do traffic studies or envision grand revisions, that needs to come from Hartford. Also, the East Side was in poor shape and neglected. There has been a reemergence of commerce there, with restaurants, delis, and other businesses. Clearly the merchants have galvanized, they have money in the capital budget to paint the bridge, they want new streetscape there. All they have asked for is a little trial phase to try and regulate parking in an area that ten years ago had no commerce and fought just as hard back then twenty years ago for parking. It is almost nearly impossible to park there on a busy day, so there is nothing

wrong with helping the merchants go along with their business plan to help a section of town that was ignored for many years.

Rep. Spadow stated that there is a great deal of support from residents who live there. Many people in her complex are in support of this.

Rep. Boccuzzi stated that he agrees with Ms. Spadow, and the East Side Coalition voted in favor of this item, and it is made up 75% residents and 25% businesses. So, the residents in that area are looking forward to this change.

Rep. Coppola stated that he concurs with Mr. Day. In response to Mr. Lyons' remarks, those businesses have parking lots, and adding meters on that street will just suggest to people that they can park there. In a recent visit to that street, the traffic backup was horrendous. When you come over Clark's Hill and start down, it is almost impossible to get through with two lanes of traffic.

Rep. Greenberg stated that Bedford Street had parallel parking on Bedford Street and the change to diagonal parking helped. Rep. Greenberg stated that we should at least try this plan.

Rep. Lyons stated that our zoning regulations require 3.1 parking spaces per 1,000 sq. ft. Most of these businesses are either grandfathered in and could not meet these requirements.

The item was approved by a machine vote of 23-12-1 (See [RCS Vote Record No. 559](#)) (Reps. Blackwell, Boccuzzi, Cannady, Clear, DeLuca, DePina, Esposito, Giordano, Greenberg, Lyons, martin, McCullen, Mirkin, Mitchell, Munger, Nakian, Nowakowski, Pia, Rauh, Skigen, Spadow, Summerville and White in favor; Reps. Adams, Benyus, Coppola, Day, Fedeli, Figueroa, Franzetti, Kernan, Layton, McDermott, Pavia and Shapiro opposed); Rep. Zelinsky abstaining.

SPECIAL COMMITTEE

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

No meeting; no report.

RESOLUTIONS

MINUTES

1. [October 4, 2004 Regular Board Meeting](#)

**APPROVED BY
UNANIMOUS**

VOICE VOTE

OLD BUSINESS

NEW BUSINESS

1. Rep. Zelinsky thanked Dr. Lee for assisting with an ill individual at the Senior Fair last month.
2. Rep. Zelinsky thanked Anne Pellicci for providing food for poll workers during the election.

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 10:38 p.m.