The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Tuesday, November 14, 2005 in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.

MINUTES

The meeting was called to order at 9:26 p.m.


“Let us Pray. Almighty, ever-living God, we thank You for Your many blessings. We ask for the Board of Representatives tonight that they may use the talents and abilities You have given them well for the betterment of our fair city. We ask this of You, our Lord, for ever and ever.”

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

ROLL CALL: Conducted by Clerk of the Board Annie Summerville. There were thirty-five (35) members present and five (5) members absent/excused: Reps. Blackwell, Esposito, Kernan, Morrow and Nowakowski.

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

COMMUNICATIONS:

1. President Martin thanked those representatives who marched in the Veteran’s Day Parade. He noted that the Thanksgiving Day Parade is coming up this weekend.
2. Rep. DeLuca noted that the Holiday Party is scheduled for December 4, 2005 and asked those who are attending to advise him.

Majority Leader Boccuzzi moved to take an item on the agenda out of order; said motion was seconded and approved by unanimous voice vote.

RESOLUTION

1. **SENSE OF THE BOARD RESOLUTION**
   congratulating Richard J. Zelinsky for being nominated to attend the Lead America 2005 Congressional Student Leadership Conference.
   08/31/05 – Submitted by 26th Board
   09/06/05, 10/11/05 – Held

   A motion to approve the resolution was made, seconded and approved by unanimous voice vote.

STEERING COMMITTEE: Monday, October 17, 2005
   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: Annie M. Summerville, Chair
   Paul A. Esposito, Vice Chair

Chair Summerville reported that the Appointments Committee did not meet this month.

President Martin thanked Ms. Summerville and her committee for their hard work over the past term.
Chair Skigen reported that the Fiscal Committee met on November 1, 2005. Present were Committee Members Chair Skigen, Vice Chair Cannady, Reps. Day, Mirkin, Figueroa and Hunter; excused were Reps. Giordano, Fedeli, DePina, DeLuca and Lyons.

1. **F26.615** ADDITIONAL APPROPRIATION (Capital Budget); Engineering; Railroad Bridge Painting; for painting Metro North Railroad Bridge over East Main Street as part of a neighborhood beautification program initiated by the East Side Partnership.
   
   09/22/05 – Submitted by Mayor Dannel P. Malloy  
   09/26/05 – Committee approved 7-0-1  
   10/06/05 – “Withdrawn” by Board of Finance (Planning Board has not acted)  
   10/11/05 – No Action Taken by full Board  
   10/11/05 – Approved by Planning Board  
   11/01/05 – No Action Taken (see 9/26/05 vote)

   APPROVED ON CONSENT AGENDA

Secondary Committee: Operations  Waived

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

2. **F26.617** APPROVAL; of a contract with Document Technologies, Inc. for the printing and mailing of real estate, personal property and motor vehicle tax and sewer use bills; amount of contract: per schedule; term of contract: one year.
   
   10/13/05 – Submitted by Mayor Dannel P. Malloy  
   11/10/05 – Approved by Board of Finance (as amended to include Sec 3-9 Ethics Language)  
   11/01/05 – Committee approved 6-0-0

   A motion to approve Item No. F26.617 was made and seconded. A motion to amend the contract by deleting the language that the Board of Finance (Board of Finance Fiscal Policy Manual, Section 3-9, Gifts and Political Contributions) inserted and restore the language of Paragraph 10, as in the original contract was made and seconded. The language of Paragraph 10 shall now read:

   “During the term of this contract, including any extensions, Document Technologies, Inc. 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, employee, 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.

3. **F26.618** RESOLUTION; approving the appropriation of $2,776,156 to the City’s Rainy Day Fund per Section C8-30-3 of the Stamford City Charter.  
   10/14/05 – Submitted by Mayor Dannel P. Malloy  
   11/10/05 – Approved by Board of Finance  
   11/01/05 – Committee approved 6-0-0

**Suspension of the Rules:**
The Committee voted 6-0-0 to suspend its rules to take up the following item. Chair Skigen stated that this item would not be taken up in that he heard this evening that the item was withdrawn by the administration.

4. **F26.619** APPROVAL; of an amendment to an agreement for consulting and actuarial services with buck Consultants, Inc.  
   10/18/05 – Submitted by Mayor Dannel P. Malloy  
   11/10/05 – Withdrawn by Ben Barnes  
   11/01/05 – Committee approved 6-0-0

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

Chair Skigen thanked the members of his Committee for their four years of hard work. Chair Skigen also said that there are a number of people who won’t be back who he will miss, but that he wanted to make special mention of Maria Nakian. Chair Skigen stated he has had the pleasure of sitting next to Maria Nakian for the last ten years, and he has had the privilege of serving with her on Legislative & Rules during his first six years on the Board, which helped him to learn what the qualities are to run a committee well and with a certain grace and humility. Chair Skigen added that Maria’s leadership will be sorely missed, not only by this Board but by the entire City, and he is sorry that she will not be back.

**LEGISLATIVE & RULES COMMITTEE:** Maria Nakian, Chair  
(Attendance)  
Meeting: Monday, October 24, 2005
Chair Nakian reported that the Legislative & Rules Committee met on October 24, 2005. Present were Committee Chair Nakian and Committee Member Reps. Mallozzi, Mitchell, Esposito, Franzetti and Zelinsky; excused were Reps. Diamond, Nowakowski, Benyus and Greenberg. Also present were Reps. Rauh and President David Martin.

1. LR26.101 PROPOSED ORDINANCE; for public hearing & final adoption; amending Ordinance No. 1041 Creating the Stamford Downtown Special Services District to include condominiums.

Chair Nakian reported that a lot of work was done on this ordinance, and in spite of its length, it is a rather simple ordinance that includes condominiums within the DSSD and making them taxable. The ordinance was published, a public hearing was held and many people spoke in favor of the ordinance; possibly there was one person against it. The Committee approved the ordinance 6-0-1, however, in preparing the ordinance, the DSSD went back to the original ordinance that had been prepared back in the 1990s when the DSSD was first created. They kept track of the amendments that were made to the ordinance as proposed by the DSSD over the years, but evidently this Board passed a few ordinances that somehow did not seem to become part of the ordinance. Chair Nakian stated that she apologizes for missing this, but after publication when she reviewed it, she discovered that there were two paragraphs – banners over the streets and a minor amendment to the not-for-profit housing component along with a number of technical, small changes that were made by General Code during codification (things like spelling out the percentage) – so a revised copy has been given to everyone with these little changes. Chair Nakian stated she would like to make these one amendment as there is nothing being changed that is affecting the amendments that were proposed by the DSSD. What we approve this evening will conform to what is contained in the Code of Ordinances.

Chair Nakian moved to amend the ordinance by incorporating the changes attributed to Scrivener’s errors; said motion was seconded and approved by unanimous voice vote.

Chair Nakian moved the main ordinance; said motion was seconded.
Rep. Zelinsky stated he was concerned about the affordable housing unit owners that will remain in the district. He stated that we usually don’t proceed with an ordinance until it is finished, and he understands that the ordinance will be amended in 2006 to address this problem. Rep. Zelinsky stated he supported the original ordinance as he thought it would be beneficial for the City and believes in the benefits the DSSD offers. He also commended Sandy Goldstein and her staff for the wonderful work they have done to revitalize the downtown. Rep. Zelinsky stated that residential property values have increased, and he sympathizes with the DSSD’s loss of $14,000 in revenue, but he does not believe the solution is to levy a tax on downtown homeowners, which discriminates against condo owners downtown. Rep. Zelinsky stated that the original ordinance said that the exempt properties will be all residential condos and all single and multi-family residential buildings and developments consisting of ten or fewer apartments. The original ordinance also stated that the purpose and intent of the District is to provide coordinated promotion and enhancement of the downtown retail and general business environment.

Rep. Zelinsky stated that a few years ago the tax levy was increased from 5% to 6% at the recommendation of the DSSD. Rep. Zelinsky stated that a lot of people attended the public hearing, praising the DSSD, but tonight we are not here to decide whether to keep the DSSD or not – the question is solely whether we should tax condo owners in the DSSD. At the public hearing, the DSSD stated that the vision for Stamford downtown had changed, and it is now a 24-hour, 7-day city center for living and working, shopping, etc.

Rep. Zelinsky stated that taxation in 2003 was $840,218; in 2004, it went to 959,263, an increase of $119,000. Also, the DSSD has sponsorships and events that earned in 2003 $604,000; in 2004 it was $788,000. They also receive grants and in-kind contribution for rent. Rep. Zelinsky suggests that rather than tax condo owners, they consider getting increased grant revenues or hold additional events. Also, they are now only taxing 4.9%, instead of the 6% rate they are authorized.

Rep. Zelinsky stated that in response to the argument that the condo owners benefit from the DSSD, all the residents of Stamford share in the benefits of the downtown, and we should not discriminate against condo owners. In response to the argument that it is only a small amount, property taxes in Stamford increase every year, and eventually they will increase along with increasing property taxes.

Rep. Zelinsky urged his colleagues to not approve the amendment to tax condominium owners in the DSSD.

Rep. Lyons stated that the two representatives of this district support this ordinance, but based on the assurances he has seen from the DSSD regarding
affordable housing, he doesn't have a problem moving forward with this ordinance.

Rep. O'Neill stated that it has been his pleasure to serve the 10th District along with the Honorable Phil Giordano. Their district extends into the downtown area, and he initially was concerned about the impact to his constituents, but since he has not heard from any of his constituents, he feels this is an endorsement of the work that the DSSD has done downtown and the improvements in the quality of life in the downtown. Any objections he had are now put to rest.

The main motion was approved by a machine vote of 30-5-0 (Reps. Adams, Benyus, Boccuzzi, Cannady, Clear, Day, DeLuca, DePina, Diamond, Fedeli, Figueroa, Franzetti, Giordano, Hunter, Layton, Lyons, Mallozzi, Martin, McCullen, Mirkin, Mitchell, Munger, Nakian, O'Neill, Pavia, Pia, Rauh, Skigen, Summerville and White in favor; Reps. Coppola, Greenberg, McDermott, Molgano and Zelinsky opposed) (See RCS Vote Record No. 645).

2. LR26.071 PROPOSED ORDINANCE; for public hearing & final adoption; amending the Ethics Ordinance. 09/07/04 – Submitted by Amy LiVolsi, Chair of Ethics Board 10/04/04 – Report Made 11/08/04, 11/20/04, 12/06/04 – Held in Committee 12/13/04 – Placed on Pending Agenda 06/20/05, 07/05/05 – Held in Committee 07/25/05 – No Quorum; Held 08/24/05, 09/06/05 – Held in Committee 09/19/05 – Committee Approved 7-1-1 10/11/05 – Approved for publication 10/24/05 – Committee approved 7-1-0

Chair Nakian stated that the Ethics Ordinance has taken almost a year of work to get it to this point. It has been reviewed by the Law Department, there was a committee of board members and others that have worked on it. The Committee approved it by a vote of 6-0-1, and no one appeared at the public hearing.

Rep. Lyons stated he supports the revisions, but feels there are some changes that are needed. Rep. Lyons moved to amend Section C, Opinions and Advice, Paragraph 2, by striking the words “10 members” to “any member.” Rep. Lyons stated he does not see the logic of how the Corporation Counsel, who is a paid city employee is more important than a singular member of the Board of Representatives to ask for a written request concerning any officer or employee. He is aware that you can always get a written request on yourself, but he feels that the process of getting ten members of the Board of Representatives to get a written request is logical. The motion was seconded.
Chair Nakian stated she is against the amendment because ten is a rather arbitrary number, and it is hard to know what that number should be. The purpose was to not make it entirely easy for someone to complain against a fellow member of board or commission or employee but still to have the option that an advisory opinion could be requested. If there is an obvious violation of the Code of Ethics, any person can make a complaint to the Board of Ethics and have the charge investigated. On the question of advisory opinions, it is hard to know where to draw the line – 3 people, 8 people, 15 people. Chair Nakian suggests we leave it at ten and see how it works out. Rather than substitute one arbitrary number with another at this late date, and this change would require sending it back for republication, which means it dies with this Board and has to begin all over again, Chair Nakian asks the maker of the amendment to consider leaving it for study and adjusting it if need be after we have some experience with how it works.

Rep. Diamond stated that he agrees with Rep. Nakian that we should leave the provision as it is. Overall, this is the most significant change that this Board has made in ethics law in twelve years, and most significantly, it puts significant enforcement power and teeth into the Code of Ethics. As everyone knows, it is the enforcement power in ethics language that is important. Many public bodies publish ethics language and leave out the teeth. When you enable a government body to enact advisory opinions on a municipal official’s ethics, you are setting in place a powerful tool, and that tool should not be made lightly. This language allows for this to be done by a majority of the Board of Finance, for a majority of the Board of Education; it does not require a majority of the Board of Representatives. Rep. Diamond thinks ten is a good number. This legislation is going to put teeth in our Code of Ethics and will be the strongest Code of Ethics in this municipality. We have done a lot of good things in this ordinance; and the advisory opinion is just one improvement. We have added significant penalties for ethical violations. We have included a gift ban, which bans the quid pro quo campaign contribution, which he believes is as far as we can go without actually banning campaign contributions under a constitutional legal framework. Rep. Diamond stated we should leave the ordinance as it stands and not amend it; he asks his fellow representatives to support this ordinance as it stands.

President Martin stated that if the ordinance is amended tonight, it will have to be republished, and essentially it will die and it will have to be taken up at the new Board.

Rep. Lyons stated that he sees no reason by a Corporation Counsel, who is a paid employee appointed by the Mayor, has more power than an elected member of the Board. All of Section 2 refers to elected members of government; only the Corporation Counsel singularly is allowed to seek the same rights that he wishes to seek as a member of the Board. The Corporation Counsel doesn’t have to check with anyone else. Rep. Lyons stated that the Chairperson of the Board of Ethics, who supported or submitted this, didn’t have the know-how or
the courtesy to show up for the public hearing to show the strength of her support.

Further, Rep. Lyons stated that he does not see this as a substantive change, just a numerical change and does not feel it would require republication.

Chair Nakian stated that the Board of Ethics is on record as saying she did not believe it was proper for the Board that will be dealing with this ordinance to interfere with our legislating the ordinance, and that was a conscious decision on her part that Chair Nakian agrees with. It was not that the Chair of the Board of Ethics was disinterested, but she felt the legislative process should determine what was best, and as Chair of the Board, she will act on the legislation.

The amendment was approved by a machine vote of 22-12-0 (Reps. Benyus, Boccuzzi, Cannady, Clear, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Giordano, Greenberg, Layton, Lyons, McCullen, McDermott, Mitchell, Molgano, Nakian, Rauh and Summerville in favor; Reps. Adams, Diamond, Hunter, Mallozzi, Martin, Mirkin, O’Neill, Pavia, Pia, Skigen, White and Zelinsky opposed) (See \textit{RCS Vote Record No. 646}).

Majority Leader Boccuzzi called for a five-minute recess at 9:50 p.m. The meeting was reconvened at 10:18 p.m.

Majority Leader Boccuzzi, as a member of the prevailing side, moved to reconsider the previous vote. Said motion was seconded and approved by a machine vote of 20-15-0 (Reps. Adams, Boccuzzi, Cannady, Clear, DePina, Diamond, Figueroa, Giordano, Hunter, Mallozzi, Martin, McCullen, Mitchell, Nakian, O’Neill, Rauh, Skigen, Summerville, White and Zelinsky in favor; Reps. Benyus, Coppola, Day, DeLuca, Fedeli, Franzetti, Greenberg, Layton, Lyons, McDermott, Mirkin, Molgano, Munger, Pavia and Pia opposed) (See \textit{RCS Vote Record No. 647}).

A motion to approve the previous amendment – striking the words “10 members” to “any member” in Section C, Paragraph 2 – was made and seconded. Said amendment failed by a machine vote of 14-20-0 (Reps. Benyus, Coppola, Day, DeLuca, Fedeli, Franzetti, Greenberg, Layton, McDermott, Mirkin, Molgano, Munger, Pavia and Pia in favor; Reps. Adams, Boccuzzi, Cannady, Clear, DePina, Diamond, Figueroa, Giordano, Hunter, Mallozzi, Martin, McCullen, Mitchell, Nakian, O’Neill, Rauh, Skigen, Summerville, White and Zelinsky opposed) (See \textit{RCS Vote Record No. 648}).

The main motion was approved by a machine vote of 34-1-0 (Reps. Adams, Benyus, Boccuzzi, Cannady, Clear, Coppola, Day, DeLuca, DePina, Diamond, Fedeli, Figueroa, Giordano, Greenberg, Hunter, Layton, Lyons, Mallozzi, Martin, McCullen, McDermott, Mirkin, Mitchell, Molgano, Munger, Nakian, O’Neill, Pavia,
Chair Nakian thanked the Legislative & Rules Committee; it has been a great committee for many years. The Committee dealt with 105 items; most were approved and some were battles. Chair Nakian stated that in spite of the battles, we all feel that each of us is voting the way we do because we have the good of the City in mind.

Chair Nakian thanked everyone here now and those who have come and gone. Chair Nakian stated that she looked at the 18th Board picture and was reminded that time goes by fast when you are having fun.

Chair Nakian thanked Annie for her help over the years. Chair Nakian thanked John Boccuzzi for their special bond and friendship. Chair Nakian stated that David Martin and she came on the Board together, co-chaired Legislative & Rules together, wrote long ordinances together and fought together over who could run for offices. She added she won the skirmishes and David won the wars. Chair Nakian thanked Valerie and Jennifer for the work in the background.

Chair Nakian stated it has been a great twenty-two years; she has loved being here and she wishes everyone the best of luck in the future.

President Martin asked Rep. Maria Nakian to chair the meeting at this point in the meeting.

Majority Leader Boccuzzi stated that he and Rep. Nakian go way back, and he, as the majority leader, appreciates all of the work she has done for the Board of Representatives and she knows everyone in this room appreciates all the hard work she has done. The Board will never forget all the hard work, and it will be difficult to get along without her. Majority Leader thanked Maria Nakian and wished her the best.

Rep. Day stated that if any one of us can leave the Board at the end of our respective careers and claim a fraction of the accomplishments that Ms. Nakian can be proud of during her tenure, then we can also be proud of ourselves. Rep. Day stated he will personally miss Rep. Nakian very much on the Land Use Committee; she has been an invaluable member and a terrific friend over the years. Rep. Day stated he knows that their friendship will not end.

Rep. Zelinsky stated that he served on L&R as long as she has been Chair, and it has been a pleasure. She is very hard-working, knowledgeable and thorough, and it has been a pleasure to serve under her and she will be sorely missed. Rep. Zelinsky wished her and her family the best of luck.

Rep. Greenberg also thanked Maria for all of her years of service.
Rep. Giordano thanked Ms. Nakian for all her years of service and her advice and her expertise on this Board. He knows she worked very hard and has done a lot of good things for the City. He also thanked his colleague Brian O’Neill for his service, and he will miss him, also.

Rep. Lyons stated he echoes the sentiments and comments.

**PERSONNEL COMMITTEE:**

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<th>Mary Lisa Fedeli, Chair</th>
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Chair Fedeli reported that the Personnel Committee met on October 26, 2005. Present at that meeting were Chair Fedeli and Reps. Mallozzi, Morrow and Rauh; excused were Reps. Boccuzzi, Cannady, McCullen, Figueroa, Skigen and Pavia.

Chair Fedeli reported that the Personnel Committee also met on November 10, 2005. Present at that meeting were Chair Fedeli and Reps. Boccuzzi, Cannady, Mallozzi, McCullen, Figueroa, Layton, Rauh and Skigen; absent were Reps. Pavia and Morrow. Also present was Rep. Summerville, Martin Levine and John Chardavoyne.

1. **P26.083**

   REJECTION; of a tentative contract with Stamford Firefighters Union.
   09/15/05 – Submitted by Dennis Murphy
   10/05/05 – Held in Committee 7-0-0
   10/06/05 – Board of Finance issued Advisory Opinion
   10/11/05 – No action taken
   11/10/05 – No Action Taken

   **NO ACTION TAKEN**

2. **P26.085**

   REJECTION; of a tentative agreement with the Stamford Administrative Unit.
   10/03/05 – Submitted by Board of Education
   10/07/05 – Positive [Advisory Opinion](#) issued by Board of Finance
   11/10/05 – Committee failed to reject 0-9-0

   **FAILED TO REJECT BY VOICE VOTE**
   (Reps. White, Clear and Martin abstaining)
Chair Fedeli moved to reject Item No. P26.085; said motion was seconded and failed by a voice vote (Reps. White, Clear and Martin abstaining) (Note: the contract was NOT REJECTED).

3. **P26.087** REJECTION; of a tentative agreement with Local #465 of Council #4, AFSCME, AFL-CIO, City of Stamford Registered Nurses.  
   10/14/05 – Submitted by Mayor Dannel P. Malloy  
   11/10/05 – Positive **Advisory Opinion** by Board of Finance  
   11/10/05 – Committee failed to reject 0-9-0

Chair Fedeli moved to reject the contract; said motion was seconded and approved by a unanimous voice vote (Note: the contract was NOT REJECTED).

Chair Fedeli reported that Item No. 4 was handled at the Board’s November 10, 2005 Special Meeting.

**Suspension of the Rules**

4. **P26.088** REJECTION; of an arbitration award between the Board of Education and the Educational Assistants.  
   10/19/05 – Submitted by Susan Nabel  
   11/03/05 – Committee failed to reject 0-9-0  
   11/10/05 – Board failed to reject 11-10-2005  
   (Rep. Franzetti abstaining)

Chair Fedeli asked the members of the Personnel Committee for all of their hard work over the past four years; she appreciates all the time and effort that the Committee put in. Chair Fedeli added that she will miss Rep. Nakian as she was the first Committee Chair of Ms. Fedeli’s first meeting – the Mead School vote for the hospice in North Stamford. Chair Fedeli stated that Ms. Nakian really helped her during the first meeting, and she will never forget it and she will miss her.

President Martin resumed chairing the meeting.

**LAND USE/URBAN REDEVELOPMENT COMMITTEE:**  
Patrick White, Co-Chair  
Harry Day, Co-Chair

Co-Chair Day reported that the Land Use/Urban Redevelopment Committee did not meet this month.

Co-Chair Day thanked his committee members; the Committee had a number of large and complex and controversial matters that were taken up. The Committee
is being decimated by those leaving, and he thanked Maria Nakian, Mike Greenberg, Zolton Benyus and Gail Clear. All contributed greatly and will be missed.

Co-Chair White echoed Co-Chair Day’s comments and added that he enjoyed working with Mr. Day as co-chair.

OPERATIONS COMMITTEE: John R. Zelinsky, Co-Chair
(Attendance) Scott Mirkin, Co-Chair
(Votes) Meeting: Wednesday, November 2, 2005
(Report) 7:00 p.m. – Democratic Caucus Room

Chair Zelinsky reported that the Operations Committee met on November 2, 2005. Present were Committee Co-Chairs Mirkin and Zelinsky and Committee Member Reps. Adams, Coppola, Pavia and Hunter; excused were Reps. White, O’Neill and McDermott; also present were John P. Byrne, Michael Burbage, Charles Morano and Daniel Orasio of SSC,Inc.; Joe Barbarotta, Joe Falzone, Taylor Bova, Herb Kohn and Dan Aranowski of Public Works; Brent Lunaban and Rich Priolo of the Stamford Police Department.

1. **O26.084** APPROVAL; of an agreement with SSC, Inc. for security services at Stamford Government Center; amount of contract: from $438,817.60 to $479,507.84 per year for five years.
   - 09/01/05 – Withdrawn
   - 09/21/05 – Committee approved 2-0-4
   - 09/01/05 – Board of Finance Approved 6-0-0 (as amended)
   - 10/11/05 – Held in Committee
   - 11/02/05 – Committee approved 6-0-0

Co-Chair Zelinsky moved to approve Item No. O26.084; said motion was seconded. A motion to amend the contract by deleting the language that the Board of Finance (Board of Finance Fiscal Policy Manual, Section 3-9, Gifts and Political Contributions) inserted and restore the language of Paragraph 15, as in the original contract was made and seconded. The language of Paragraph 15 shall now read:

“During the term of this contract, including any extensions, Security Services of CT, Inc. 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, employee, 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.

2 O26.087 REVIEW; matter of security at Government Center. REPORT MADE
10/12/05 – Submitted by Rep. Zelinsky
11/02/05 – Report Made

Co-Chair Zelinsky stated that the report discusses the suggestions of the invitees. Director Curtin will be forming a committee with members of the administration and the security company and a couple of members of this Board to go over further recommendations to improve security at the Government Center.


PUBLIC SAFETY & HEALTH COMMITTEE: Richard Lyons II, Chair
Gail Clear, Vice Chair

Chair Lyons reported that the Public Safety & Health Committee did not meet this month.

Chair Lyons also thanked the members of his Committee and other members who took the time to attend committee meetings. He particularly thanked Vice Chair Clear, Reps. Adams, Blackwell, Coppola, DeLuca, DePina, Kernan, Mirkin, Pia and Zelinsky. The committee dealt with several different issues, and he thanks the Committee for their attentiveness, courteousness and their productivity.

PARKS AND RECREATION COMMITTEE: Linda Cannady, Co-Chair
Steve McDermott, Co-Chair
Co-Chair Cannady reported that the Parks & Recreation Committee did not meet this month.

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

Chair O’Neill reported that the Education Committee did not meet this month.

Chair O’Neill thanked the members of the Education Committee and all the members of the Board for their commitment to education and their dedication to improving schools for all of our children. Chair O’Neill gave special mention to his distinguished co-chair, Rep. Thomas Hunter, for his extraordinary diligence and dedication even in the most trying of circumstances. He thanked everyone for this wonderful opportunity to serve the public and wishes everyone well.

President Martin stated that everyone is disappointed that Mr. O’Neill was unable to run again in his district and that his service is appreciated.

**HOUSING/COMMUNITY DEVELOPMENT/ SOCIAL SERVICES COMMITTEE:**  
Elaine Mitchell, Chair  
Philip Giordano, Vice Chair

Meeting:  Tuesday, October 25, 2005  
6:30 p.m. – Democratic Caucus Room  
- and -  
Meeting:  Tuesday, November 1, 2005  
6:30 p.m. – Democratic Caucus Room

Chair Mitchell reported that the Committee met on October 25, 2005, but there was not a quorum.

Chair Mitchell reported that the HCD-SS Committee met on November 1, 2005. Present at that meeting were Chair Mitchell and Reps. Blackwell, McCullen, McDermott, Mitchell, Molgano, Munger, Figueroa and Rauh. Also present were Tim Beeble, Richard Fox, Bob Violette and Ellen Bromley.

1. HCD26.46  
APPROVAL; of supplemental funding to the Stamford Housing Authority for security improvements to Stamford Manor Elderly Housing through reallocation of unused funds.  
10/17/05 – Submitted by Reps. Summerville & Rauh  
11/01/05 – Committee approved 5-0-0  

APPROVED ON CONSENT AGENDA (Rep. Adams abstaining)
Chair Mitchell stated that the Stamford Housing Authority has requested an additional $95,000 for security improvements at Stamford Manor. $50,000 is for fencing and $45,000 for landscaping. They were advised to try and find funding for the landscaping on their own. They agreed. Tim Beeble said that the City can fund $50,000, but they need authorization from this Committee. The Committee was presented with two options: 1) change the funding from a loan to a grant from the revolving loan fund; or 2) wait until next year when the CDBG grant opens up again. A motion was made and seconded to approve the use of $50,000 from the revolving loan fund as a grant. This will require full Board approval on this matter.

2. HCD26.47 APPROVAL; of $8,000 to the contingency from allocation to Family ReEntry which decided to end their CDBG Program.
   10/17/05 – Submitted by Tim Beeble
   11/01/05 – Committee approved 8-0-0

Chair Mitchell stated that Item No. HCD26.47 was on consent.

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 2 above was made and seconded and approved by voice vote (Rep. Adams abstaining on Item No. 1).

Chair Mitchell added that Ellen Bromley attended the meeting to discuss possible ideas for the $8,000 being returned (HCD26.47). Because fuel costs have gone up and because CTE has an energy assistance program, they are in the process of developing budget criteria for people entering the program, and Ellen will present it to the Committee when the plan is completed.

Chair Mitchell thanked this full Board for supporting her during this difficult four years. She appreciates it and thanks each and everyone for this support. Chair Mitchell thanked her committee members for the wonderful work they have done over four years, working on the CDBG funding, giving up Saturdays and she really appreciates it. She added that she will truly miss Maria Nakian. L&R is one of the Committees she first served on, and she is still serving on it. She added that she has learned a lot under Maria’s leadership. Chair Mitchell thanked Rep. McDermott for his work on HCD/SS; she stated that she enjoyed working with Brian O’Neill on the Education Committee and will miss him.

STATE & COMMERCE COMMITTEE: Paul Esposito, Chair
(Attendance)
John Morrow, Vice Chair
(Votes)
Meeting: Monday, October 17, 2005
Rep. Skigen, a member of State and Commerce reported that the State & Commerce Committee met on October 17, 2005. Present were Committee Chair Esposito and Vice Chair Morrow and Committee Member Reps. Day, Esposito, Fedeli, Nakian, Rauh, Skigen, Summerville and Day. Absent/excused were Reps. DeLuca, Diamond and Greenberg. Also present were Reps. Layton, O'Neill, Zelinsky, Figueroa, Mitchell, Molgano, McCullen, Boccuzzi, Adams, Lyons and President Martin.

1. **SC26.013** RESOLUTION; opposing the liquefied natural gas facility proposed by Broadwater Energy.
   - 07/05/05 – Submitted by Sound Alliance; Reps. Lyons, White & McDermott
   - 08/08/05 – No Action
   - 10/06/05 – Report Made
   - 10/17/05 – Committee approved 7-0-1

Rep. Skigen moved to approve this resolution; said motion was seconded.

Rep. O'Neill stated he is in opposition to this resolution. This project is controlled by the Federal Energy Regulatory Commission. The project is being proposed to be placed in New York State waters – not Connecticut waters, although we do have a common body of water, this will be a substantial benefit to Connecticut if this project went forward. Rep. O'Neill endorses this project; it is under extensive review and since it is not going to be in Connecticut or Stamford waters, he believes this is an unwarranted resolution.

Rep. Day stated that he abstained. He is not in any way in favor of this facility in Long Island Sound, but he does not believe we have all the facts, it is premature and he doesn’t believe it is any of our business. We have a hard enough time getting through our own agenda on matters we clearly have jurisdiction over, and he does not believe that this Board should be involved in items like this.

Rep. Diamond stated he disagrees and we should join with the cities of New Haven and Hartford and 23 other municipalities in Connecticut to pass this resolution. We have made extraordinary progress in de-industrializing the Long Island Sound, and to reverse that progress by putting a 180-foot wide, 10-story tall ship in the Sound is a bad idea.

09/08/05 – Submitted by President Martin
10/06/05 – Report Made
10/17/05 – Report Made

Report Made

Rep. Skigen stated there were extensive comments by the Mayor and a review of things he will be asking the Board to do. RBS is holding off until it gets a final approval of tax incentives from the State, which is scheduled for this week, and he assumes that we will be hearing from them shortly. The next Board will be taking this matter up.

TRANSPORTATION COMMITTEE: Robert “Gabe” DeLuca, Chair
Terry Adams, Vice Chair

Meeting: Thursday, November 10, 2005
7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on November 10, 2005. Present were Committee Chair DeLuca and Vice Chair Adams and Committee Member Reps. Mirkin, Franzetti, Giordano and Zelinsky. Also present was Clerk of the Board Summerville.

1. T26.072  APPROVAL; of agreement with Law Enforcement Systems, Inc. for parking ticket management services; term of contract: 7/1/5 – 6/30/9; amount of contract: 30% of delinquent revenues and 23% of non-delinquent accounts.
06/22/05 – Submitted by Mayor Dannel P. Malloy
07/14/05 – Approved by Board of Finance
07/27/05 – Report Made
09/06/05 – Held in Committee (as amended)
10/11/05 – No action taken
11/11/05 – Committee approved as amended: commencement date change (5-1-0); contract approved (4-1-1)

Chair DeLuca stated that a slight amendment to the contract was made. The commencement date was moved July 1, 2005 to December 1, 2005. This amendment was approved by the Committee.

Chair DeLuca moved to approve Item No. 1; said motion was seconded.

Rep. O'Neill stated that while there are times that privatization makes sense, this does not appear to be one of those times. Giving an outside agency the ability to go back ten years and levy substantial fines against the person who owned the
car, is fairly indefensible. The idea that someone would hold a record that they paid a ticket ten years ago is absurd. Rep. O'Neill recommended that we reject this agreement.

Rep. Adams [not audible on tape].

Rep. Mirkin stated that he has reached the point of tremendous frustration. The word “resident” is invoked time and time again. This is not about residents or non-residents; this is not about people who are winning good citizenship awards. This is about people who have consistently violated ordinances that many of us voted for regarding fines that some people may argue are excessive; we voted for them. There is a procedure in place regarding notifications for non-payment. This is not about punishing people about not holding records; it is not about an assumption that people will not be able to substantiate whether they paid or not. The incidence of people coming in, according to Dan Colleluori, who have said they paid a fine and have not had documentation is miniscule, and we can deal with that. This is about a revenue in excess of $2 million that is rightfully owed to this City. Are we going to next say that people who don’t pay property taxes over a certain period of time should not have to pay. Rep. Mirkin added that if we don’t approve this and allow a company that won’t cost us anything to go after money that is due to this City is an abdication of our fiscal responsibility; he will be appalled if we don’t pass this contract. Rep. Mirkin urged fellow members to approve this. We have amended the contract once due to objections from some members, and he believes that it is now reasonable.

Rep. Layton stated that over the last twenty years he has seen 6-12 municipalities on the collection of old debts at least offer some sort of clemency period or reduction of penalties for payment, but the idea of simply saying that one’s ticket is too old and we are not going to try and collect it is ridiculous to him.

Rep. DeLuca stated that this is about collection revenues due to the city. He stated that the president of LES advised that it is not uncommon to collect ten-year old tickets. This is a nationwide firm; they have no problem going back ten years, and this is not fair to people who have tickets who paid them on time. He added that Dan Colleluori received payment from a scofflaw the other day who paid $5,600 in parking tickets. Now we are saying it is okay for the city to forgive these funds. This will help make the surplus higher by going after this additional revenue. Rep. DeLuca stated that it is negligent to reject this contract; we are not looking out for our taxpayers.

Rep. Lyons stated that he doesn’t believe that anyone doesn’t think that there should be some threshold for collection of these accounts. People are discouraged in support of this contract because first, the ten-year limitation is there when the State of Connecticut only allows you to collect a debt back seven years. Rep. Lyons added that this issue was brought up several months ago,
and it went back to committee. Some had thought that the ten-year period was modified to five years, and this was not done. Rep. Lyons also wanted to know why the firm was getting a four-year contract, when we don’t even know what their track record is. We should consider a two-year contract. If they are failures, we don’t want to have them hanging on for four years. Finally, in the Mayor’s budget, he doesn’t see any line item for anticipated income from delinquent parking tickets of $2 million. Of the $2 million, how much is it from year 9-10, year 8-9, year 7-8, etc. Anyone knows, the longer the debt goes, the least likely you will recover it. While the intention is good, LES needs to come back and clarify some issues on the topics that were raised.

Rep. Cannady stated she objects to this item because she can’t see Stamford turning over records to an outside agency when we have a department within the City that is supposed to be collecting the fines and sending out delinquent notices. She also doesn’t agree with going back ten years.

Rep. Day stated the point of outsourcing this is it is not costing us anything. If we do it ourselves, it costs us something. He stated he is beyond the ability to grasp what the opposition to this is. He stated it would be unconscionable for this Board to fail to enact this. As Rep. Mirkin stated, the number of people who could be adversely or unfairly affected by this is miniscule, and this could be addressed on a case-by-case basis. This is a no-lose proposition for the City; we are not talking about responsible people here and about an ordinance that reflects fairness to the people who follow the rules. He believes this would be a horrendous way for this Board to end this session by failing to enact this.

Rep. DeLuca said there are no statute of limitations on collecting tickets. In the past we have used outside agencies for tax collection. We should not throw away taxpayer’s money. According to Dan Collel uori, this equals about $400-$500,000 per year.

A motion to move the question was made and seconded. Said motion was approved by a machine vote of 30-1-0 (Reps. Adams, Benyus, Boccuzzi, Cannady, Clear, Coppola, Day, DeLuca, DePina, Diamond, Fedeli, Figueroa, Franzetti, Giordano, Greenberg, Layton, Lyons, Mallozzi, Martin, McCullen, McDermott, Mirkin, Mitchell, Molgano, Nakian, Rauh, Skigen, Summerville, White and Zelinsky in favor; Rep. Hunter opposed) (See RCS Vote Record No. 651).

The main motion was defeated by a machine vote of 14-17-0 (Reps. Benyus, Coppola, Day, DeLuca, Fedeli, Franzetti, Giordano, Greenberg, Layton, McDermott, Mirkin, Molgano, Nakian and Skigen in favor; Reps. Adams, Boccuzzi, Cannady, Clear, DePina, Diamond, Hunter, Lyons, Mallozzi, Martin, McCullen, Mitchell, O’Neill, Rauh, Summerville, White and Zelinsky opposed) (See RCS Vote Record No. 652).

2. T26.074 RESOLUTION; approving a lease agreement between the City and St. John’s Roman Catholic APPROVED BY
Church for a parcel of land located between Bell Street and Tresser Boulevard; term of lease: 1/1/06 through 12/31/06; rent: $3,500 per month.
08/24/05 – Submitted by Mayor Dannel P. Malloy
09/06/05 – Approved by Planning Board
09/08/05 – Approved by Board of Finance
10/11/05 – No action taken
11/11/05 – Committee approved 6-0-0

Chair DeLuca moved to approve Item No. T26.074; said motion was seconded. A motion to amend the contract by deleting Section 25 was made and seconded and approved by unanimous voice vote. The main motion was approved by unanimous voice vote.

3. T26.076 RESOLUTION; approving an amendment to the Lease Agreement between the City of Stamford and Saturn of Stamford for the Bell Street Garage; extends lease by one year and reduces rent from $6,000 per month to $2,968 per month.
09/29/05 – Submitted by Mayor Malloy
10/18/05 – Approved by Planning Board
11/10/05 – Approved by Board of Finance (as amended to include Section 3-9 Ethics Language)
11/11/05 – Held in Committee 6-0-0

Rep. DeLuca stated the main reason the Committee held the item was because the administration, unknown to the Board of Representatives, amended the contract on May 13, 2004, reducing the amount of the contract. As a result, they have been paying the reduced rate as a result of less cars being parked. Because this was done without the Board’s approval, the Committee has asked that they return and explain how this happened.

4. T26.077 APPROVAL; of a contract with Urban Engineers, Inc. for a traffic calming master plan; amount of contract: $1,115,610.
08/05/05 – Submitted by Mayor Dannel P. Malloy
09/12/05 – Withdrawn by Administration
10/06/05 – Resubmitted
10/06/05 – Approved by Board of Finance
11/11/05 – Committee approved 5-0-1

Chair DeLuca moved to approve Item No. T26.077; said motion was seconded. A motion to amend the contract by deleting in Paragraph 1 the words “collection of delinquent parking tickets” and replacing it with the words “establishment of a Traffic Calming Master Plan.” Said motion was approved by unanimous voice vote.
Rep. Zelinsky stated that this contract is for a tidy sum, and this is just a study to come up with recommendations. Then, if the City and the Boards of Representatives and Finance decide to implement them, it will cost even more. He is concerned about a difference in the RFP and the actual agreement. For example, the agreement states that “issues and concerns raised by public agencies, such as the schools, city and police and fire department will be summarized” from testimony at public forums; also a “block-by-block traffic calming plan for each of the City’s neighborhoods showing the measures considered appropriate should be developed … at specific street locations relative to constraints imposed by street right-of-way with existing buildings and utilities.” Rep. Zelinsky stated it has always been his impression that this is the job of representatives. For example, if there is a problem with traffic that needs calming, or the need for speed bumps or a traffic light or stop sign, we request that, and 95% of the time we get it.

Rep. Zelinsky added that the RFP says “this is pertaining to a public information meeting to be held for each of the traffic calming areas … this shall be held soon after the completion of the final plans to inform the public and solicit their input and suggestions.” This seems like a contradiction. First, they are going to go out and see the people, ask for their comments, and then they are going to have a public hearing and say what they are going to do anyway.

Rep. Zelinsky stated he is going to vote for it, but he really thinks the $1 million could be spent another way such as speed bumps, sidewalk and road repair, for example.

The main motion was approved by unanimous voice vote.

Chair DeLuca thanked the Committee for their hard work. He also sends his sincere appreciation to Mike Greenberg, Steve McDermott and Zolton Benyus for their contributions over the past four years. Chair DeLuca added they did a tremendous job and they are an asset to the City. Chair DeLuca stated that he will really miss Rep. Nakian’s expertise and thanked her for her assistance in amending the agreements above. He added that he counts on her for her expertise. He also added he will miss Brian O’Neill and the other members not returning.

HONORARY RESOLUTIONS

2. SENSE OF THE BOARD RESOLUTIONS
   thanking Mark DeVito and Tom and Sal DeMott for their work on Stamford’s “Hoyt Carriage.”
   10/17/05 – Submitted by Brian O’Neill

APPROVED BY UNANIMOUS VOICE VOTE
MINUTES

1. October 11, 2005 Regular Board Meeting

OLD BUSINESS

NEW BUSINESS

President Martin stated it has been a pleasure and an honor to be the president of the Board. There are late nights where we are tired, but during this campaign season, but he started listing the number of accomplishments. They weren’t all things that the Mayor requested, there were things that were pushed back on the administration and things we agreed on.

President Martin continued: “Essentially, the things accomplished were quite astounding and a reflection on the work everyone put in. I say to Ms. Clear, Ms. Nakian, Mr. O’Neill, Mr. Greenberg, Mr. Benyus and Mr. McDermott, for almost sixty years this Board has been part of what makes this City great and as you retire from this Board, I want you to remember that you were also part of what makes this City great. I thank you for your service as I thank everyone else’s on the Board.”

Clerk of the Board Summerville concurred with everything President Martin stated, and added: “One more special thing to each one of the members who are not going to continue on the next Board, I especially have feelings for you personally, and when I say I am going to miss you, it is truly the truth. Whoever is going to sit in your seat is going to have large shoes to fill. No one knows the sacrifice that we all give. It is such a great sacrifice. Sometimes there are unpopular decisions that we make, but we do it from our hearts. I do want to say that I will remember each one of you uniquely because of who you are. Mr. McDermott, I am so glad to see you tonight, and I did say to Valerie earlier that I hope you come tonight. I will remember you, especially, because when you came here, you were willing to learn, and boy did you learn. You became one of the best co-chairs that we have, in my opinion. I hope this will not be the end of your political career; I hope you will continue because you have such great things to offer. You were here truly to address the needs of your constituents and to make the city better. My prayers are with you all. I can’t say I know how you feel tonight, but I know how I feel. There is something about this 26th Board of Representatives that is embedded within my heart. We are a true family, and I hope that the next Board will be the same. I am going to miss you dearly; please keep in touch. If there is anything personally I can do to help you with anything in the City, please remember I am as close as a telephone call away. I applaud you, and I know the City of Stamford does also. You have served a great service
to the City of Stamford. I hope you have happiness, good health and much success in your future. Thank you, Mr. President.

Rep. Zelinsky stated he speaks for all the board members as he thanks the President for his leadership over the past four years. He added that President Martin has been a strong, fair, efficient president, and he thanks President Martin very much.

Rep. Lyons requested that in the grand tradition the Clerk allow the departing members to take their nameplates with them.

**ADJOURNMENT**
Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:42 p.m.