

The Regular Meeting of the 27th Board of Representatives of the City of Stamford will be held on Monday, December 12, 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 8:05 p.m. by President David R. Martin.

INVOCATION: By Representative Ruby Blackwell

“Let us bow our heads in prayer. Our Father, as we bow our heads we give thanks for the beginning of another opportunity of four years of service in this community. Thank you, our Father, for the Board president, as he begins four years of another service. Grant him the strength to lead us in the right direction. We thank you also, our Father, for our Clerk. Bless her as she travels on her way to keep the records so that we may have a truthful and a powerful meeting from one month to another. We also thank you for our new leaders and our new representatives that have joined us this year. Give them strength; let them realize that being a representative is more than just a title. Help them to go among their districts, meet their constituents, find out their needs and help them to do the best that they can for their community. We also thank you, our Father, for everyone that is leading us in our community. Bless our majority leader and our minority leader. Help them, our Father, so that they may be understanding and open for us a way that we may follow them in the right direction.

“Bless our mayor of the City of Stamford. Help him as he leads for another four years. He has a great vision for this great city. Let us lead and trust in him as a strong representative of our constituents.

“Bless every home that is represented here this evening. Make them homes of peace and love. This is my prayer. Amen.”

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

ROLL CALL: Conducted by Clerk of the Board Annie Summerville. There were forty members present.

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

MOMENTS OF SILENCE: For the late: Stanley “Yosh” Czarnecki, Leonard Sansone, Mary Helen Mueller Walsh, Walter J. Krasniewitz, Pompeo Derubeis, Gilda W. Rosa, Mary Jerabek and Marcella Jean Vagnone by Rep. Giordano; Michael Dennis Bujdud, by Reps. Mirkin and Giordano; Dominick T. Pasqua, Brandon R. Rizzi, Anthony Tedesco, Amelia Buzzeo and Ignazio A. Mammanna by Reps. Giordano and Zelinsky; Anna C. Corbo, Mary A. Venzia, Margaret Wilson McGuinness, Ann B. O’Neill, Rose Ann Santagata and Benedetto Pellicione by Rep. Zelinsky.

COMMUNICATIONS:

1. President Martin apologized for the confusion regarding the rescheduling of the Land Use Committee.
2. President Martin announced that the Steering Committee meeting for the January 9, 2006 Regular Board Meeting will be held immediately following this regular board meeting.
3. President Martin wished Ruby Blackwell, Paul Esposito, Tom Hunter and Elaine Mitchell a Happy December birthday.
4. President Martin announced that Queen McCullen and Pavia are no longer on the Personnel Committee; Rep. Lodato is now on the Committee. Also, Reps. Franzetti and White are no longer on Legislative & Rules; Reps. Day and Lombardo are now on Legislative & Rules. Mike Molgano is now a member of Steering with a full vote.
5. Clerk of the Board Summerville read two pieces of correspondence from Representative Ruby Blackwell thanking the Board.

STEERING COMMITTEE: Monday, December 5, 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
John J. Boccuzzi, Vice Chair

No meeting.

FISCAL COMMITTEE: **Randall M. Skigen, Chair**
 ([Attendance](#)) **Linda Cannady, Vice Chair**
 ([Votes](#)) Tuesday, December 6, 2005
 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Tuesday, December 6, 2005. Present were Chair Skigen, Vice Chair Cannady and Committee Member Reps. Lyons, Figueroa, DeLuca, Giordano and Hunter; excused were Committee Member Reps. Day, Mirkin and DePina. Also present were Reps. Boccuzzi, Layton and Rauh; Johnnie Lee, MD of the Health Department; Brent Larrabee of the Police Department, Ben Barnes of Administration and Sandy Dennies of the Grants Department.

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| 1. F27.005
\$98,048.00 | ADDITIONAL APPROPRIATION (Grants); Targeted Lead Reduction; 2-year grant from US EPA to reduce childhood lead poisoning; will fund permanent part-time outreach worker with benefits, travel, training, computer and supplies.
10/27/05 – Submitted by Mayor Dannel P. Malloy
11/10/05 – Approved by Board of Finance
12/06/05 – Committee approved 8-0-0 | APPROVED
ON CONSENT
AGENDA |
| 2. F27.006
\$54,831.00 | ADDITIONAL APPROPRIATION (Grants); Justice Assistance Grant; to fund trainer (\$10,000), the use of on-call clinicians (\$21,437) and overtime funds (\$23,394) to train sergeants, lieutenants and some captains in mental health identification.
10/27/05 – Submitted by Mayor Dannel P. Malloy
11/10/05 – Approved by Board of Finance
12/06/05 – Committee approved 8-0-0 | APPROVED
ON CONSENT
AGENDA (<i>Rep. Franzetti abstaining</i>) |
| 3. F27.010
\$10,000.00 | ADDITIONAL APPROPRIATION (Operating); Director of Law; Dues & Fees; funds for Stamford's membership in the CT Coalition for Justice in Education (Board of Ed to pay additional \$10,000).
11/22/05 – Submitted by Mayor Dannel P. Malloy
11/10/05 – Approved by Board of Finance
12/06/05 – Committee approved 6-1-0 | FAILED BY
MACHINE VOTE
(23-17-0) |

Chair Skigen stated this is the City's portion of a \$20,000 invoice for the CT Coalition for Justice in Education. Rep. Skigen explained that Mr. Barnes advised the Committee that the Coalition is moving forward with potential litigation against the State in order to try to reconfigure the Educational Cost Sharing Formula, which will hopefully provide a much greater and fairer return for the City of Stamford. Mr. Barnes indicated that the reason this was not originally included in the budget was because Stamford's membership is renewed each year, and he felt it was not appropriate for it to be caught

up in the budget and would rather it be discussed fully by this Board so we have an opportunity to make a decision as to whether we want to continue in the Coalition. Chair Skigen moved to approve Item No. F27.010; said motion was seconded.

Rep. DeLuca stated he is in favor of the Coalition, they have good ideas and this is a step in the right direction, but Ben Barnes and the administration knew this was a two-year agreement and he questioned why it was not put in the budget. Rep. DeLuca stated that \$10,000 is an insignificant amount, and in Committee asked whether funds could be found elsewhere. Mr. Barnes advised him in Committee that he could definitely find the funds elsewhere. Rep. DeLuca asked Mr. Barnes whether these funds will be in next year's budget, and Mr. Barnes replied that if it is the desire of the Board, he will include it in the budget.

Rep. DeLuca continued to say that the administration is lacking by not putting this in the budget and that they knew about it ahead of time. Rep. DeLuca stated he will vote against this appropriation as it is not needed and because of the way it was handled by the administration. Rep. DeLuca also added that the contingency budget is supposed to be used for unexpected items, such as overruns in snow removal funds. This was clearly known about ahead of time. Rep. DeLuca stated the Board should let Ben Barnes keep his word and find the funds in another account.

Rep. Lyons stated that he relates to Rep. DeLuca's concerns about the process for this request for allocation. At the same time, the end game of this entire process has been several years in the making. There have been bi-partisan trips to Hartford among the Boards of Finance, Education and Representatives to try and move the State along, and he does not know that taking this out of some place in the budget is the correct action. Rep. Lyons stated that it is important that we send an affirmative vote to all of the other communities that are committed to this lawsuit. This lawsuit is being funded by the Yale Center for Quality Education. There will be more expenditures in future years, and Rep. Lyons feels that this is a way for us as a community to say that we definitely do support this item. We are also saying to the State legislators that they couldn't fix this problem, and that we will fix it through the courts. Rep. Lyons stated he will vote in favor of this allocation.

Rep. Day stated he wanted to make it crystal clear that there is absolutely no disagreement about the end game. We are talking only about the integrity of the budgeting and appropriation process. Rep. Day stated that he believes most of us would support multiples of this amount if it was necessary to end up successfully where we want to be on this issue.

Chair Skigen stated that Mr. Barnes did indicate to us that even though this invoice covers through June of 2006, the invoice was not received until late October/early November and the amount can change. If we get to a point where we are involved in active litigation, it will become more expensive, and this is part of his reason for holding this back during the budget process because he was not sure what the exact amount would be for this year.

Rep. Boccuzzi stated that by the Board of Representatives taking a separate vote on this particular item it shows that we, as the legislative body, are strictly behind the process that is going to be taken up so that the City can prevail. Rep. Boccuzzi stated he agrees with Rep. Lyons, and we should demonstrate that we are willing to take a separate vote that requires 2/3 to show our support for this appropriation.

Chair Skigen moved the item; said motion was seconded and failed by a machine vote of 23-17-0 (Reps. Adams, Berns, Blackwell, Blum, Boccuzzi, Cannady, DePina, Diamond, Esposito, Figueroa, Giordano, Heaphy, Hunter, Lyons, Cynthia Martin, David Martin, McCullen, Mitchell, Rauh, Skigen, Summerville, White and Zelinsky in favor; Reps. Aposporos, Coppola, Day, DeLuca, D'Orso, Fedeli, Franzetti, Layton, Lodato, Lombardo, Mallozzi, Mirkin, Molgano, Munger, Nowakowski, Pavia and Pia opposed) (See [RCS Vote Record No. 657](#)).

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| 4. F27.014 | BONDING RESOLUTION; authorizing bonds to meet additional capital appropriations to the 2005-06 budget; includes 1 Dock Street & 114 Manhattan Street cleanup; Mill River Stormwater Management; Cloonan Sprinkler Project; Northeast School Sewerage Project and East Main St. railroad bridge painting.
11/28/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 7-0-0
12/08/05 – Approved by Board of Finance | APPROVED ON
CONSENT
AGENDA |
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Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1, 2 and 4, was approved by unanimous voice vote (Rep. Franzetti abstaining on Item No. 2).

LEGISLATIVE & RULES

COMMITTEE:

James D. Diamond, Chair
Arthur Layton, Vice Chair

PERSONNEL COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

[\(Attendance\)](#)

[\(Votes\)](#)

Mary Lisa Fedeli, Chair

Pauline S. Rauh, Vice Chair

Meeting: Tuesday, December 6, 2005
7:30 p.m. – Republican Caucus Room
- and -

Meeting: Monday, December 12, 2005
6:30 p.m. – Conference Room #1

Chair Fedeli reported that the Personnel Committee met on Tuesday, December 6, 2005. Present were Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Layton, Lodato, Boccuzzi, Cannady, D’Orso, Figueroa and Skigen. Also present were Antonio Iadarola, City Engineer; Brent Larrabee of the Stamford Police Department; and Dennis Murphy and Nancy Markey of Human Resources.

Chair Fedeli reported that the Committee also met this evening, and present were Chair Fedeli, Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, D’Orso, Figueroa, Layton and Lodato. Nancy Markey from Human Resources was also present.

1. P27.001	APPROVAL; of an employment contract with Terrence M. Kelley as a Clerk of the Works II; contract on file in Board Office. 10/26/05 – Submitted by Mayor Dannel P. Malloy 12/06/05 – Committee approved 6-0-0	APPROVED BY VOICE VOTE AS AMENDED (Reps. <i>Mirkin and Pia abstaining</i>)
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Chair Fedeli stated that this contract is based on a 40-hour work week, with a salary of \$56,430. Chair Fedeli moved to approve Item No P27.001; said motion was seconded.

Rep. Skigen moved to amend Item No. P27.001; said motion was seconded. Rep. Skigen stated that the amendment was to Paragraph 2.2 regarding overtime: the insertion of the word “written” as follows – “with the prior *written* consent of the Director of Operations.” The amendment was approved by a machine vote of 34-6-0 (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D’Orso, Esposito, Fedeli, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pavia, Pia, Skigen, White and Zelinsky in favor; Reps. Figueroa, Franzetti, Lyons, D. Martin, Rauh and Summerville opposed) (See [RCS Vote Record No. 658](#)).

The main motion was approved, as amended, by voice vote (Reps. Mirkin and Pia abstaining).

A motion to amend Item Nos. P27.002, P27.003, P27.004, P27.005, P27.006 and P27.007 by inserting the word “written” as described above into Section 2.2 of each of the contracts was made, seconded and approved by a machine vote of 37-2-0 (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D’Orso, Esposito, Fedeli, Figueroa, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pavia, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. Franzetti and Summerville opposed) (See [RCS Vote Record No. 659](#)).

A motion to approve Item Nos. P27.002, P27.003, P27.004, P27.005, P27.006 and P27.007, as amended above, was made, seconded and approved by a machine vote of 36-1-2 (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D’Orso, Esposito, Fedeli, Figueroa, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, D. Martin, McCullen, Mitchell, Molgano, Munger, Nowakowski, Pavia, Rauh, Skigen, White

and Zelinsky in favor; Rep. Summerville opposed; Reps. Mirkin and Pia abstaining)
(See [RCS Vote Record No. 660](#)).

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| 2. P27.002 | APPROVAL; of an employment contract with Edward J. Fiore as a Clerk of the Works I; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-0 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 3. P27.003 | APPROVAL; of an employment contract with Nicola Nunnari as a Clerk of the Works I; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-0 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 4. P27.004 | APPROVAL; of an employment contract with Augustine C. Burriesci as a Clerk of the Works II; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-0 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 5. P27.005 | APPROVAL; of an employment contract with Alfred Kevin Petersen as a Clerk of the Works II; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-0 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 6. P27.006 | APPROVAL; of an employment contract with Philip W. Brown as a Clerk of the Works II; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-0 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 7. P27.007 | APPROVAL; of an employment contract with Robert C. Gerbert, Jr. as a Clerk of the Works I; contract on file in Board Office.
10/26/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 – Committee approved 6-0-2 | APPROVED BY
MACHINE VOTE
(36-1-2) AS
AMENDED |
| 8. P27.010
Summary
Agreement
Costs | REJECTION; of a tentative agreement with New England Healthcare Employees' Union, District 1199 (July 1, 2005 to June 30, 2009).
12/01/05 – Submitted by Mayor Dannel P. Malloy | FAILED TO
REJECT 0-39-0 |

12/08/05 – [Advisory Opinion](#) issued by Board of Finance
12/06/05 – Held in Committee 9-0-0
12/12/05 – Committee failed to reject 0-8-0

Chair Fedeli reported that the Committee voted not to reject by a vote of 0-8-0 and moved to REJECT Item No. P27.010; said motion was seconded and FAILED by a machine vote of 0-39-0 (thereby accepting the contract) (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D’Orso, Esposito, Fedeli, Figueroa, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pavia, Pia, Rauh, Skigen, Summerville, White and Zelinsky in favor) (See [RCS Vote Record No. 661](#)).

9. P27.011 APPROVAL; of a contract with Assistant Police Chief Robert T. Nivakoff; contract on file in Board Office.
12/01/05 – Submitted by Mayor Dannel P. Malloy
12/06/05 –Committee approved 9-0-0

APPROVED BY VOICE VOTE AS AMENDED (Rep. Franzetti abstaining)

Chair Fedeli moved for approval of Item No. P27.011; said motion was seconded.

Rep. Rauh moved to amend Section 2A, Term, as follows; said motion was seconded: commence *“immediately effective upon signatures of all parties to the contract.”* Also, insert the following text: *“The contract term expires on the fifth anniversary of its effective date.”* The motion was approved by unanimous voice vote.

Rep. Skigen moved to amend Section 9D, Tuition Reimbursement; said motion was seconded: change “promotion-related” to “work-related.” Said motion was approved by a machine vote of 36-2-1 (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D’Orso, Esposito, Fedeli, Figueroa, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, McCullen, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pavia, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. D. Martin and Summerville opposed; Rep. Franzetti abstaining) (See [RCS Vote Record No. 662](#)).

The main motion, as amended, was approved by a voice vote (Rep. Franzetti abstaining).

LAND USE COMMITTEE: Harry Day, Chair
Patrick J. White, Vice Chair

No report.

**OPERATIONS COMMITTEE: John R. Zelinsky, Jr., Chair
Scott Mirkin, Vice Chair**

No report.

**PUBLIC SAFETY &
HEALTH COMMITTEE: Richard Lyons, II, Chair**

No report.

PARKS & RECREATION

**COMMITTEE: Linda Cannady, Co-Chair
Joseph Coppola, Co-Chair**
(Attendance) Thursday, December 8, 2005
(Votes) 7:00 p.m. – Democratic Caucus Room
(Report)

Co-Chair Cannady reported that the Parks & Recreation Committee met on Thursday, December 8, 2005. Present were Co-Chair Cannady and Committee Member Reps. Lyons, Mallozzi, McCullen, D’Orso, Heaphy, Pavia and Fedeli; excused were Co-Chair Coppola and Rep. Pia.

1. [PR27.002](#) **RESOLUTION & public hearing;** establishing fees for new Springdale Playground Program and new Stillmeadow School Playground Program at \$175 (reduced rate) \$275 (regular rate); and to increase fees at Barrett Park and Cove Island Park from \$75 (reduced rate) to \$100 and from \$125 (regular rate) to \$150 to reflect increased costs of program.
11/21/05 – Submitted by Mayor Dannel P. Malloy
12/08/05 – Committee approved 8-0-0
**APPROVED ON
CONSENT
AGENDA**
2. [PR27.003](#) APPROVAL; of an agreement with Vollmer Associates, LLP for additional architectural and engineering services for renovations at Scalzi Park; to design electrical master plan, oval path and basketball court; amount of additional work: \$56,900.00.
11/29/05 – Submitted by Mayor Dannel P. Malloy
12/08/05 - Approved by Board of Finance
12/08/05 – Committee approved 8-0-0
**HELD IN
COMMITTEE BY
UNANIMOUS
VOICE VOTE**

Co-Chair Cannady reported that this item was not ready for a vote in that the Board of Finance had not yet acted on the item. A motion to hold Item No. PR27.003 was made and seconded; said motion was approved by unanimous voice vote.

A motion to approve the Consent Agenda, consisting of Item No. 1, was made, seconded and approved by unanimous voice vote

EDUCATION COMMITTEE: **Thomas C. Hunter, Chair**
 Michael L. Molgano, Vice Chair

No report.

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

No report.

**TRANSPORTATION
COMMITTEE:** **Robert “Gabe” DeLuca, Chair**
[\(Attendance\)](#) **Terry Adams, Vice Chair**
[\(Votes\)](#) Thursday, December 8, 2005
[\(Report\)](#) 7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on December 8, 2005. Present were Chair DeLuca and Vice Chair Adams and Committee Member Reps. Blackwell, Mirkin, Lombardo, Franzetti, Giordano and Zelinsky; excused was Rep. Blum. Also present was President Martin, Michael Cacace and Michael Thomas of Cacace, Tusch & Santagata (counsel for the Advocate); and Tom Cassone of the Department of Legal Affairs.

1. [T27.002
Amendment](#) RESOLUTION & **public hearing**; approving a lease agreement between the City of Stamford and the Stamford Advocate for the lease of up to 170 parking spaces at parking garages and lots owned by the City of Stamford; term of lease: 18 months; amount of rent: zero.
11/18/05 – Submitted by Mayor Dannel P. Malloy
11/29/05 – Approved by Planning Board
12/08/05 – Approved by Board of Finance (4-1-0)
12/08/05 – Committee Approved 8-0-0

**APPROVED BY
MACHINE VOTE
39-0-0 AS
AMENDED**

Chair DeLuca moved to approve Item No. T27.002; said motion was seconded. Chair DeLuca noted that an amendment was made in Committee on Page 2 of the original agreement, which precludes first floor Government Center Parking from 7:00 a.m. to 9:00 p.m. Chair DeLuca noted that the Advocate has agreed to this change.

Rep. Lodato moved to amend the contract by changing Section 18 (second sentence) to read: The Lessor ~~shall may, its option, elect to treat the Lessee as the one who has not moved at the end of its term, and thereupon be entitled to all the remedies against Lessee as provided by law and/or in equity in that situation, or the Lessor may elect to construct such holding over as a tenancy from month to month, subject to all the terms and conditions of this Agreement, except as to duration.~~

Mr. Lodato stated that his position is that the original language allows for the continuance of this lease if nothing is done in the holdover period. By tacitly allowing a holdover, this would allow the contract to go on into eternity.

Rep. Adams stated that due to the fact the City has put the Advocate in this predicament, and if they need to stay a month or two, the current contract allows for the Lessor to go month-to-month. Thus, we should leave the contract as it is. Rep. Adams stated he is certain that as soon as the Advocate can occupy its garage, it will be more than happy to do so. Rep. Adams stated that the least we can do is allow them to act as a month-to-month tenant and since there is no rent, the amendment really doesn't accomplish anything.

Rep. Day stated that he does not disagree with Rep. Adams, but from a legal standpoint, this clause is entirely for the benefit of the Lessor, not the Lessee, and it only addresses Lessor rights. The proposed amendment is designed for the benefit of both parties, to ensure that any extension is done pursuant to proper city approvals.

Rep. Mirkin stated that he understands Rep. Adams' position, but he does support the amendment. It is an agreement entered into voluntarily by both parties, and he believes that should the situation arise where we need to extend the lease, it will come back to the appropriate boards for approvals.

Rep. Boccuzzi asked whether this contract has to go back to the Advocate or other Boards if it is amended. President Martin clarified that the Advocate can choose whether to accept this amendment or not, but it will not have to go back to other Boards. President Martin added that the Advocate could change its mind on the original contract, also. Rep. Boccuzzi stated he didn't want the Board to do anything that would postpone or hold up the Bank of Scotland.

President Martin asked Rep. Lodato if he spoke to any representatives of the Advocate regarding this amendment. Rep. Lodato stated that he did speak with counsel to the Advocate, who is in the gallery this evening.

Clerk of the Board Summerville asked for the name of the Advocate's representative who agreed to this amendment. Michael Thomas identified himself as the representative.

The motion was approved by a machine vote of 29-9-1 (Reps. Aposporos, Blum, Boccuzzi, Coppola, Day, DeLuca, DePina, Diamond, D'Orso, Esposito, Fedeli, Franzetti, Giordano, Hunter, Layton, Lodato, Lombardo, Mallozzi, McCullen, Mirkin, Mitchell, Molgano, Munger, Pavia, Pia, Rauh, Skigen, Summerville and White in favor; Reps. Adams, Blackwell, Cannady, Figueroa, Heaphy, C. Martin, D. Martin, Nowakowski and Zelinsky opposed; Rep. Berns abstaining) (See [RCS Vote Record No. 663](#)).

The main motion, as amended, was approved by a machine vote of 39-0-0 (Reps. Adams, Aposporos, Berns, Blackwell, Blum, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, D'Orso, Esposito, Fedeli, Figueroa, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Mallozzi, C. Martin, McCullen, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pavia, Pia, Rauh, Skigen, Summerville, White and Zelinsky in favor) (See [RCS Vote Record No. 664](#))

STATE & COMMERCE COMMITTEE: Paul A. Esposito, Chair

No report.

HONORARY RESOLUTIONS

- | | | |
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| 1. | SENSE OF THE BOARD RESOLUTION
congratulating Antonia Mallozzi on her 100 th
Birthday.
11/29/05 – Submitted by Rep. Zelinsky | HELD IN
COMMITTEE |
| 2. | SENSE OF THE BOARD RESOLUTION
commending Henry Hofman and Stan
Rosenzweig for their volunteer work with the Red
Cross in Louisiana as a result of Hurricane
Katrina.
11/29/05 – Submitted by Rep. Zelinsky | HELD IN
COMMITTEE |

MINUTES

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| 1. | December 5, 2005 Organizational Meeting | APPROVED BY
UNANIMOUS
VOICE VOTE |
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2. [November 14, 2005 Regular Board Meeting](#)

**APPROVED BY
UNANIMOUS
VOICE VOTE**

3. [November 10, 2005 Special Board Meeting](#)

**APPROVED BY
UNANIMOUS
VOICE VOTE**

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 9:08 p.m.