

The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on Monday, February 6, 2006 in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.

MINUTES

President David Martin called the meeting to order at 8:30 p.m.

INVOCATION: Given by Rep. Molgano.

“Heavenly Father, we ask Your blessings upon this elected body as we come together to serve our community. We ask for Your wisdom to help all of us who are called to serve – those in public office, those who proudly wear the honored uniform of our nation’s military, and every resident and citizen of this great country. Help us all to not be complacent in our own comfort and security but to strive to always answer to the needs of everyone and labor tirelessly in cooperation with Your saving plan. May we continue to take up anew our central task of ensuring a just society where each person receives what is his or her due. 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 33 members present and 7 absent/excused (Reps. Blum, Coppola, D’Orso, Esposito, Figueroa, McCullen and Pavia). Rep. Esposito arrived shortly after roll call.

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

MOMENTS OF SILENCE: For the late: Coretta Scott King and Lou Rawls by the 27th Board of Representatives; Evan O’Connor by Rep. Rauh; Beatrice Baron, Maurice H. Bisailon, Dr. William Rosenfield, James P. Smith III, Gerard Sava, MD, Father Stephen J. Lasko, Mildred E. Hull, Daniel S. Rosa, Anthony J. Salvatore and Lena Dagliere by Rep. Giordano; Michael Macari, Sr. by Reps. Giordano and Zelinsky; Maureen G. Gentile, Robert S. Burns, Helen M. Poole, Flanegaine Joseph, Theresa A. Valenzano, Helen Heinman, Marie Franze Lopriato, Angelina C. Rosso, Stella Foster, Margaret E. Ratelli, William McGakran, Jr. and Theodore A. Winski, Sr. by Rep. Zelinsky.

COMMUNICATIONS:

1. President Martin stated that the Board would re-enter caucus after taking up the sense of the board resolution.
2. President Martin thanked Clerk of the Board Summerville for her work in putting together the Legislative Seminar.

A motion to take up the following item out of order was made, seconded and approved by unanimous voice vote.

1. SENSE OF THE BOARD RESOLUTION;
honoring members of the Stamford Police & Fire
Departments involved in the Mill River accident
rescue.
12/28/05 – Submitted by the 27th Board of Reps. **APPROVED BY
UNANIMOUS
VOCIE VOTE**

A motion to approve the resolutions was made, seconded and approved by unanimous voice vote. President Martin presented the resolutions to the Stamford Police Department and the Stamford Fire & Rescue Department.

At 8:40 p.m., a motion to recess was made, seconded and approved by unanimous voice vote.

The meeting was called back to order at 9:05 p.m.

STANDING COMMITTEES

STEERING COMMITTEE: Tuesday, January 17, 2006
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.

Chair Fedeli moved to take up an item out of order; said motion was seconded and approved by unanimous voice vote.

Personnel Committee:

2. P27.014 REJECTION; of a collective bargaining agreement between the City of Stamford and the Stamford Professional Firefighters Association, Local #786 (July 1, 2005 – June 30, 2009)
01/10/06 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Advisory issued by Board of Finance
02/01/06 - Committee failed to reject 0-8-0 **FAILED TO
REJECT BY
MACHINE VOTE
0-32-0 (Reps.
Esposito and
Munger abstaining)**

Clerk of the Board Summerville reported that Reps. Esposito and Munger left the floor of the Board for the discussion on this item.

Chair Fedeli reported that Chair Fedeli moved to REJECT Item No. P27.01; said motion was seconded and failed by a machine vote of 0-32-0 (therefore the contract is NOT rejected) (Reps. Adams, Aposporos, Berns, Blackwell, Boccuzzi, Cannady, Day, DeLuca, DePina, Diamond, Fedeli, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, Mirkin, Mitchell, Molgano, Nowakowski, Pia, Rauh, Skigen, Summerville, White and Zelinsky in favor) (See [RCS Vote Record No. 673](#)).

**APPOINTMENTS COMMITTEE: Annie M. Summerville, Chair
John J. Boccuzzi, Vice Chair**

Chair Summerville reported that there were no items on the agenda this month.

**FISCAL COMMITTEE: Randall M. Skigen, Chair
(Attendance) Linda Cannady, Vice Chair
(Votes) Meeting: Monday, January 30, 2006
(Report)**

7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Monday, January 30, 2006 at 7:00 p.m. Present were all members of the Committee: Chair Skigen, Co-Chair Cannady and Members Day, DeLuca, DePina, Fedeli, Figueroa, Giordano, Hunter, Lyons and Mirkin. Also present was Clerk of the Board Summerville; Morton Klein, Douglas Ault, Michael Zarba of Operations; Peter Privitera, Sandy Dennies and Ben Barnes of Administration; Paul Newman of the Fire Department; Bill Callion, Director of Public Safety, Health & Welfare; and Tim Curtin, Director of Operations.

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|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 1a. F27.025
\$17,000.00 | ADDITIONAL APPROPRIATION (Grants);
Historic Document Preservation Grant; funds to
be subcontracted for the preservation of plats as
part of continuing program for preservation of
deteriorating records; funds also to be used for
cabinets and shelving.
12/16/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA |
| 1b. F27.020 | GRANTS RESOLUTION; regarding the 2006
Historic Documents Preservation Grant Program;
amount of grant: \$17,000.
01/04/06 – Submitted by Mayor Dannel P. Malloy | APPROVED ON
CONSENT
AGENDA |

01/30/06 – Committee approved 8-0-0

2. [F27.021](#)
\$4,582.00
- ADDITIONAL APPROPRIATION (Grants); Commission on Aging Outreach Grant; Salaries; to bring salaries up to current UAW contract settlement amount; amount includes grant amount of \$1,365 and City amount of \$3,217.
12/15/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 8-0-0
- APPROVED ON
CONSENT
AGENDA**
- 3a. [F27.026](#)
\$9,556.00
- ADDITIONAL APPROPRIATION (Grants); Youth Services Bureau; to adjust Special Revenues Budget to reflect union increases.
12/23/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0
- APPROVED ON
CONSENT
AGENDA**
- 3b. [F27.027](#)
\$14,130.00
- ADDITIONAL APPROPRIATION (Grants); Youth Services Bureau; Direct Service Grant; due to cancellation of Safe Rides Program, funds to be used for *Stamford Together Against Negative Decisions* to fund alcohol- and drug-free activities and parent and community education of effects of underage drinking.
12/23/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0
- APPROVED ON
CONSENT
AGENDA**
4. [F27.022](#)
\$17,272.00
- ADDITIONAL APPROPRIATION (Grants); 911 Telecommunications; Salaries; to fund union re-negotiation of four public safety dispatchers in 911 Center; city portion \$16,718; grant fund portion \$554.
12/15/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0
- APPROVED ON
CONSENT
AGENDA (Rep.
Franzetti abstaining)**
- 5a. [F27.023](#)
\$247,678.00
- ADDITIONAL APPROPRIATION (Grants); Homeland Security Grant; (Homeland Security Funding portion); to provide equipment, training, planning and exercise needs of local emergency first responders for response to terrorism/WMD event.
12/15/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0
- APPROVED ON
CONSENT
AGENDA (Rep.
Franzetti abstaining)**

5b. F27.024 \$165,779.00	<p>ADDITIONAL APPROPRIATION (Grants); Homeland Security Grant (Law Enforcement Terrorism Prevention Portion); to provide equipment, training, planning and exercise needs of local emergency first responders for response to terrorism/WMD event. 12/15/05 – Submitted by Mayor Dannel P. Malloy 01/10/06 – Approved by Board of Finance 01/30/06 – Committee approved 11-0-0</p>	<p>APPROVED ON CONSENT AGENDA (<i>Rep. Franzetti abstaining</i>)</p>
6. F27.029 \$5,000.00	<p>ADDITIONAL APPROPRIATION (Operating); Revenue Services; Advertising/Official Notices; to fund advertisements and promotion of Senior Tax Abatement Program. 01/06/05 – Submitted by Mayor Dannel P. Malloy 01/10/06 – Approved by Board of Finance 01/30/06 – Committee approved 11-0-0</p>	<p>APPROVED ON CONSENT AGENDA</p>
7a. F27.018 \$200,000.00	<p>ADDITIONAL APPROPRIATION (Capital); Land Use Administration; Palace Theatre Restoration; to assist with cost of capital improvements for restoration of Palace Theater and facade. 12/16/05 – Submitted by Mayor Dannel P. Malloy 01/03/06 – Approved by Planning Board 01/10/06 – Approved by Board of Finance 4-0-2 01/30/06 – Withdrawn by Administration</p>	<p>NO ACTION TAKEN</p>
7b. F27.019	<p>RESOLUTION; amending the Capital budget for Fiscal Year 2005-06 by adding a new appropriation for Project No. CP2231 Land Use Administration; and authorizing the issuance of general obligation bonds – Palace Theater Restoration (See F27.018). 12/16/05 – Submitted by Mayor Dannel P. Malloy 01/30/06 – Withdrawn by Administration</p>	<p>NO ACTION TAKEN</p>
8a. F27.028 \$32,250.00	<p>ADDITIONAL APPROPRIATION (Operating); Snow Removal; Overtime; to fund overtime costs incurred during August 12-14 wind storm. 01/06/05 – Submitted by Mayor Dannel P. Malloy 01/10/06 – Approved by Board of Finance 01/30/06 – Committee approved 11-0-0</p>	<p>APPROVED ON CONSENT AGENDA</p>
8b. F27.031 \$93,300.00	<p>ADDITIONAL APPROPRIATION (Operating Budget); Maintenance; tree removal; to pay vendors for labor and equipment used to clear</p>	<p>APPROVED ON CONSENT AGENDA</p>

debris after August rain/wind storm.
12/06/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0

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| 9. F27.030
\$267,400.00 | ADDITIONAL APPROPRIATION (Operating Budget); Haulaway; Miscellaneous; to fund equipment and testing activities required to take advantage of lowest disposal option as a result of new May 2005 bulky waste contract.
12/06/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/30/06 – Committee approved 11-0-0 | APPROVED ON
CONSENT
AGENDA |
| 10a. F27.032
\$620,938.00 | ADDITIONAL APPROPRIATION (Capital Budget); Operations; Land Use Bureau; Ferry Facility; to develop terminal building, plaza area, docking area and parking area; funds to be used to prepare site analysis study and design facility.
01/06/06 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/10/06 – Approved by Planning Board
01/30/06 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA |
| 10b. F27.035 | RESOLUTION; amending the Capital budget for Fiscal Year 2005-06 by adding a new appropriation of \$620,398 for Operations - Land Use Bureau-Stamford Ferry Facility; and authorizing the issuance of \$124,188 general obligation bonds of the City to meet a portion of said appropriation (See F27.032).
01/12/06 – Submitted by Mayor Dannel P. Malloy
01/30/06 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA |
| 11a. F27.033
\$350,000.00 | ADDITIONAL APPROPRIATION (Capital Budget); Water Pollution Control Authority; Sweet Briar Road Sewers; to fund new sanitary sewers in Sweet Briar Road area (including Sweet Briar Road, Lane and Court; Twin Brook Drive and Theresa Court).
01/10/06 – Submitted by Mayor Dannel P. Malloy
02/09/06 – To be considered by Bd. of Finance
01/31/06 – Approved by Planning Board
01/30/06 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA |

- 11b. [F27.034](#) RESOLUTION; amending the Capital budget for Fiscal Year 2005-06 by adding a new appropriation for Project No. CP0271 Water Pollution Control Authority; and authorizing the issuance of revenue bonds or Clean Water Fund Obligations – Sweet Briar Road Sewers (See F27.033).
12/16/05 – Submitted by Mayor Dannel P. Malloy
01/30/06 – Committee approved 8-0-0
- APPROVED ON
CONSENT
AGENDA**

Suspension of Rules:

Chair Skigen reported that he was not going to ask the Board to suspend the rules. This grant requires a thirty-day notification that the Board has had an opportunity to review the grant, and his purpose for placing it on the agenda is to make an official record of such receipt. The documentation was received on the 27th of January, which is at least 30 days in advance.

The grant will require a public hearing that is scheduled for the next Fiscal Committee meeting.

12. [F27.036](#) PUBLIC HEARING (Grants); to notify Board of Representatives and allow public input on the Justice Assistant Grant Local Application; to fund case management for alternative juvenile court process.
01/27/06 – Submitted by Sandra Dennies
01/30/06 – Committee accepted grant 9-0-1
- NO ACTION
TAKEN**

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1a and 1b, 2, 3a and 3b, 4, 5a and 5b, 6, 8a and 8b, 9, 10a and 10b and 11a and 11b, was made, seconded and approved by unanimous voice vote.

LEGISLATIVE & RULES

COMMITTEE: James D. Diamond, Chair
[\(Attendance\)](#) Arthur Layton, Vice Chair
[\(Votes\)](#)

Meeting: Monday, January 23, 2006

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

Chair Diamond reported that the Legislative & Rules Committee met on Monday, January 23, 2006. Present were Chair Diamond, Vice Chair Layton, committee member

Reps. Berns, Day, Esposito, Heaphy, Lodato, Lombardo, C. Martin, Mitchell and Zelinsky. Also present were Bill Forker, Director of Tax Assessment and Sybil Richards, Deputy Corporation Counsel.

1. [LR27.002](#) PROPOSED ORDINANCE; **for final adoption & public hearing**; raising the income limits for city tax relief programs from \$50,000 to \$65,000 for singles and from \$60,000 to \$80,000 for married couples ([Tax Assessor's Analysis](#)); and to provide tax relief for the disabled under Section 220-9, Article IV of the Code.
10/03/05 – Submitted by [Mayor Dannel P. Malloy](#)
10/07/05 – Favorable [Advisory Opinion](#) issued by Board of Finance
12/08/05 – Second [Advisory Opinion](#) issued by Board of Finance
12/19/05 – Committee approved 9-0-0 (*as amended*)
01/09/06 – Approved for publication
01/10/06 – [Advisory Opinion](#) on tax relief for disabled issued by Board of Finance
01/23/06 – Committee approved 9-0-0
- APPROVED ON
CONSENT
AGENDA**

Chair Diamond reported that this ordinance includes tax relief for the disabled. The Committee has received two favorable advisory opinions from the Board of Finance, a public hearing was held, and the Committee approved it unanimously.

2. LR27.005 PROPOSED ORDINANCE; **for publication**; amending the DSSD Ordinance to provide for a tax exemption for property owners of affordable housing units.
11/29/05 – Submitted by President Martin, Clerk Summerville & Rep. Rauh
12/19/05 – Held in Committee 8-0-1
01/23/06 – Held in Committee 8-0-1
- HELD IN
COMMITTEE**
3. LR27.006 REVIEW and possible amendments to the Ethics Ordinance.
12/06/05 – Submitted by President Martin, Rep. Lyons and Jim Rubino
12/19/05 – Held in Committee 10-0-0
01/23/06 – Held in Committee 11-0-0
- HELD IN
COMMITTEE**
4. [LR27.009](#) PROPOSED ORDINANCE; **for publication**; increasing the limits for veterans tax exemption (Article V, Section 220-13A) from \$50,000 to
- HELD IN
COMMITTEE**

\$65,000 for singles and from \$60,000 to \$80,000 for married couples.
01/02/06 – Submitted by Rep. DeLuca
01/23/06 – Held in Committee 11-0-0

5. [LR27.010 Exhibit A](#) APPROVAL; of a letter of agreement between the City of Stamford and Agudath Shalom to continue to license a portion of 159 Colonial Road to be used as an Alternative High School. **HELD IN COMMITTEE**
01/10/06 – Submitted by Mayor Dannel P. Malloy
01/23/06 – Held in Committee 11-0-0
01/31/06 – Approved by Planning Board
02/09/06 – To be considered by Board of Finance

Secondary Committee: Education

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

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Chair

[\(Attendance\)](#)

Pauline S. Rauh, Vice Chair

[\(Votes\)](#)

Meeting: Wednesday, February 1, 2006

[\(Report\)](#)

7:00 p.m. – Republican Caucus Room

Chair Fedeli reported that the Personnel Committee met on February 1, 2006. Present were Chair Fedeli, Vice Chair Rauh, Committee Member Reps. Boccuzzi, Cannady, Figueroa, Layton, Lodato and Skigen; Excused/Absent was Rep. D’Orso. Also present were Rep. Lyons; Dennis Murphy, Director of Human Resources; Robert McGrath, Stamford Fire Chief; William Callion, Director of Public Safety, Health and Welfare; Matthew Palmer, President on IAFF Local #786 as well as several other members of IAFF Local #786.

1. [P27.012](#) APPROVAL; of an agreement with EAP, Inc. for services related to the Employee Assistance Program; term of contract: three years from date of contract execution; amount of contract: \$1.75 per month for non-public safety personnel and \$2.50 per month for public safety personnel. **APPROVED ON CONSENT AGENDA** (Reps. Munger and Franzetti abstaining)
12/16/05 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
02/01/06 - Committee approved 7-0-0 (as amended)

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| 3. P27.013 | REJECTION; of a collection bargaining agreement between the City of Stamford and the United Auto Workers.
01/05/06 – Submitted by Human Resources
01/10/06 – Advisory issued by Board of Finance
02/01/06 - Committee failed to reject 0-8-0 | FAILED TO REJECT BY UNANIMOUS VOICE VOTE |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|

Chair Fedeli moved to REJECT Item No. P27.013; said motion was seconded and failed by unanimous voice vote (therefore, the contract was approved).

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| 4. P27.018 | APPROVAL; of a contract for employment with Assistant Police Chief Richard Priolo.
01/11/06 – Submitted by Human Resources
02/01/06 - Committee approved 7-0-0 | APPROVED ON CONSENT AGENDA (Rep. Franzetti abstaining) |
| 5. P27.019 | APPROVAL; of a contract for employment with Assistant Police Chief John Geter.
01/11/06 – Submitted by Human Resources
02/01/06 - Committee approved 7-0-0 | APPROVED ON CONSENT AGENDA (Rep. Franzetti abstaining) |
| 6. P27.020 | PROPOSED ORDINANCE; for publication ; prohibiting the granting of city pensions to pay plan employees and providing limited defined contribution pension benefits to pay plan employees.
01/12/06 – Submitted by President Martin & Chair Fedeli
02/01/06 - Held in Committee | HELD IN COMMITTEE |

A motion to approve the Consent Agenda, consisting of Item Nos. 1, 4 and 5, was made, seconded and approved by voice vote (Reps. Munger and Franzetti abstaining on item No. 1; Rep. Franzetti abstaining on Item Nos. 4 and 5).

LAND USE COMMITTEE: Harry Day, Chair

[\(Attendance\)](#)

Patrick J. White, Vice Chair

[\(Votes\)](#)

Meeting: Wednesday, January 18, 2006

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

- and -

[\(Attendance\)](#)

Meeting: Wednesday, January 25, 2006

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

- and -

[\(Attendance\)](#)

Meeting: Monday, February 6, 2006

[\(Votes\)](#)

6:00 p.m. – Conference Room #1

Chair Day reported that the Land Use/UR Committee met on January 18, 2006. Present were Chair Day, Vice Chair White and committee member Reps. Boccuzzi, Diamond, Lombardo, Mitchell and Clerk Summerville; Excused/Absent were Reps. D’Orso and Franzetti. Also present were Rep. Layton; Rachel Goldberg, general counsel for the URC; Steve Osman, URC; Herb Newman, HSNP Architects; Steve Heikin, Icon Architecture as well as several members of the public.

Chair Day reported that the Land Use/UR Committee met on January 25, 2006. Present were Chair Day, Vice Chair White and committee member Reps. Boccuzzi, Diamond, D’Orso, Franzetti, Lombardo, Mitchell and Clerk Summerville. Also present were Reps. Adams, Cannady, Fedeli and Lyons; Tom Cassone, Director of Legal Affairs; Bill Hennessey, Sandak Hennessey & Greco, LLP and Rick Redniss, Redniss & Mead.

Chair Day reported that the Land Use/UR Committee met on February 6, 2006. Present were Chair Day and Committee Member Reps. Boccuzzi, Diamond, Franzetti, Lombardo, Mitchell, Rauh and Summerville; Ben Barnes and Attorney Hennessey.

NOTE: Rep. Adams left the floor and did not participate in the discussion or voting for Item Nos. 1 and 3 through 6.

Clerk of the Board Summerville reported that Reps. DeLuca and Aposporos left the floor and did not participate in Item Nos. 1, 2, 3, 4, 5 or 6 of the Land Use Agenda this evening.

1. [LU27.003](#) PROPOSED ORDINANCE; **for final adoption & public hearing**; establishing landlord identification to require non-resident owners of rental property to maintain current residential addresses on file, per PA 05-223. **APPROVED ON CONSENT AGENDA (Rep. Adams abstaining)**
11/27/05 – Re-submitted by Rep. DeLuca
12/21/05 – Committee approved 6-0-0 (as amended); public hearing scheduled for 1/25/6)
01/25/06 – Committee approved 9-0-0

Chair Day reported that a public hearing was held, and no members of the public attended.

2. [LU27.004](#) [RESOLUTION](#); for **final adoption & public hearing**; approving a contract with Park Square West, LLC for Sale of Land for Private Development Reuse Parcels 19 and 19B representing all terms and conditions for the redevelopment of Reuse Parcels 19 and 19B on Block 9 (lower Summer Street); contract supersedes and replaces previous Corcoran-Jennison Contract.
11/29/05 – Submitted by Mayor Dannel P. Malloy
12/13/05 – Approved by Planning Board
01/10/06 – Approved by Board of Finance (4-1-1)
12/21/05 – Committee approved 6-0-0 (public hearing scheduled for 1/18/6)
01/09/06 – Approved for publication
01/18/06 – Committee approved 5-1-0

**APPROVED BY
MACHINE VOTE
27-2-1**

Chair Day reported that a public hearing was held, the item was presented in depth, and Vice Chair White opposed the item when the Committee voted. All of the members of the Board of Representatives have been furnished with the actual contract and an executive summary. Members have also been furnished with a comparison of this design to the project versus the previous Corcoran-Jennison contract of 1998. In general, this proposal differs from the original one in that it is segmented into three separate buildings that will be phased in their construction. The first one will close in November. Ultimately, the developer has until the year 2014 to complete the final phase, but we are hoping that market conditions will allow the project to be completed earlier than that.

Chair Day stated that most of the Committee feels the new proposal is an exciting one, in many ways more appealing than the original proposal. There are a few more units, the affordable housing component has been preserved, the redevelopers never asked to be relieved of any of those mandates or for a buyout, so the original intent is being achieved.

Chair Day stated that if there are any differences at all, they would be in two areas: the parking is not quite as efficient with the revised plan, but nevertheless does work quite well. There will be more parking spaces in the developer portion, with only 17 to be used out of the City's URC garage that is being constructed. The other slight disadvantage will be that the retail space, which promises to be quite exciting because it is high space, fairly dramatic and on grade level – of necessity, because it is three buildings, it has to be segmented into three discrete square footages of approximately

10,000 sq. ft., which may make it more difficult to achieve the objective of having some sort of a green grocer concept in that complex. We have not, however, given up on that yet.

Chair Day stated that some people raised some questions about the height of the building at the corner of Washington Boulevard, immediately west of the diner property, but he believes that it is a very exciting proposal. Chair Day added that we were very fortunate in this proposal to have Herb Newman as the architect, who is a nationally-recognized and extremely capable architect to lend his talents to this project.

Rep. Lyons stated that in general he supports the proposal although he is disappointed in the delay, but in 8 years, what benefit did the City get? Corcoran-Jennison got more units, the City lost what he considers is one of the most essential components of any urban redevelopment for any downtown anywhere – and that is a grocery/food store. The original master plan had between 35-50,000 square feet of retail space, and that space shrunk and shrunk because they knew that the smaller they made it, the more prohibitive it would be for anyone who wants to make a foodstuffs business work. Rep. Lyons stated this is a tremendous drawback to the development, and he believes that the Urban Redevelopment Commission, although their intents are noble, may be misguided. The developers are the ones drawing, and deciding what works – as opposed to us pushing it back. He wishes that this Board would push back and say, it doesn't matter if it works – this is what we want and what our downtown needs. Yes, the affordable housing, the height, the extra parking is all great, but urban development needs essential services or you just drive people into their cars. If you want people to live downtown, you need to give them the services to support themselves downtown. He is aware that Target sells some foodstuffs, but that is not what was envisioned 8 years ago, and he is somewhat disheartened by the fact that here 8 years later, we got a little bit more money, the value of the property is quite a bit more than what they are paying, and they do a re-design, but the real benefits are still being left on the table.

Rep. White stated that his objection is that the project is far too massive and intensive for that location. He believes it should be scaled down quite a bit in terms of size. There is no real open space for the public there, and that is necessary for any downtown development.

Rep. Diamond stated that he believes the desire for a large, green grocer was an appropriate desire, nonetheless, the requirements for the industry is such that it needed contiguous space that the URC could not provide (and they originally thought that they could provide it). There is still hope that there will be some food service in the space. Rep. Diamond stated that in terms of open space, the project is very close to Columbus and the Mill River Park and that should satisfy the open space need. He originally had some reservations about the size in terms of its height, nonetheless, after listening to the rationale of the architect who came before the Committee, he was satisfied that it would fit into the flow of downtown, the flow of Washington boulevard and the way it interfaces with Mill River Park. Rep. Diamond concluded that he will vote for this proposal.

Chair Day moved to approve Item No. LU27.004; said motion was seconded and approved by a machine vote of 27-2-1 (Reps. Adams, Blackwell, Boccuzzi, Cannady, Day, DePina, Diamond, Esposiot, Fedeli, Franzetti, Giordano, Heaphy, Hunter, Layton, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, Mitchell, Molgano, Munger, Nowakowski, Rauh, Skigen, Summerville and Zelinsky in favor; Reps. Berns and White opposed; Rep. Lodato abstaining) (See [RCS Vote Record No. 674](#)).

3. [LU27.005](#) RESOLUTION; noticing intent to discontinue Rockland Court and Rockland Place.
12/16/05 – Submitted by William Hennessey
01/25/06 – Committee approved 8-0-0 (as amended)
- APPROVED ON
CONSENT
AGENDA**

Chair Day reported that Item No. 3 has to do with the new proposed project south of the Metro Center, at the corner of Atlantic & Henry Streets. The resolution, as slightly amended, was adopted by unanimous vote of 8-0-0.

4. LU27.007 APPROVAL; of a Tri-Party Amendment, Assignment and Consent Agreement among the City of Stamford, RBS Greenwich Capital Property Corp. and the Stamford Housing Authority.
[Tri-Party Agr.](#)
[Option Agr.](#)
[Exhibit a](#)
[Exhibits b-d](#)
01/12/06 – Submitted by Mayor Dannel P. Malloy
01/31/06 – Approved by Planning Board
01/31/06 – Approved by Board of Finance
01/25/06 – Committee approved 7-0-1
- APPROVED ON
CONSENT
AGENDA**

5. [LU27.008](#) RESOLUTION; approving an amendment to the Mill River Corridor Project Plan in connection with RBS Greenwich Capital's acquisition of the Parcels known as 17, 21 and 23 Richmond Hill Avenue.
01/12/06 – Submitted by Mayor Dannel P. Malloy
01/31/06 – Approved by Planning Board
01/31/06 – Approved by Board of Finance
01/25/06 – Committee approved 7-0-1 (as amended)
- APPROVED ON
CONSENT
AGENDA**

6. [LU27.009](#) RESOLUTION; approving Report of the [Director of Administration](#) to relocate and discontinue a portion of Richmond Hill Avenue.
[Completion Agreement](#)
01/05/06 – Submitted by Mayor Dannel P. Malloy
01/09/06 – Committee approved 7-0-0 (as amended)
01/09/06 – [Resolution/Notice of Intent](#) approved
- APPROVED ON
CONSENT
AGENDA**

01/31/06 – Approved by Planning Board
02/06/06 – Committee approved 7-0-0

Chair Day reported that this resolution is the final step directing that the discontinuance and relocation be carried out. The resolution was adopted by a vote of 7-0-0

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 and 3 through 6, was made, seconded and approved by unanimous voice vote.

Rep. Day thanked his Committee members for what was an exhausting month. Rep. Day also thanked the Board Office staff for their assistance.

OPERATIONS COMMITTEE: **John R. Zelinsky, Jr., Chair**
(Attendance) **Scott Mirkin, Vice Chair**
(Votes) Meeting: Wednesday, January 25, 2006
(Report)
7:00 p.m. – Republican Caucus Room

Chair Zelinsky reported that the Operations Committee met on January 25, 2006. Present were Committee Member Reps. Chair Zelinsky, Vice Chair Mirkin, Adams, Berns, Coppola, Lodato and White; also present were Reps. Hunter, Mallozzi, Munger, Pavia, Day, DeLuca, Franzetti and Lyons; Director Tim Curtin; Mani Poola; Antonio Iadarola; Mike Zarba; Al Barbarotta; and Chris Swan and Frank Noto from CL&P.

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| 1. O27.004 | APPROVAL; of a contract between the City of Stamford and Beta Group, Inc. for preliminary engineering design, final design, construction plans and specifications for Stillwater Road Improvements between Stillwater and Westwood Roads.
01/10/06 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance
01/25/06 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. O27.005 | REVIEW; City and CL&P response to January 14, 2006 storm.
01/17/06 – Submitted by Board of Representatives
01/25/06 – Report Made | REPORT
MADE |

Chair Zelinsky reported that a report was provided to all representatives. The storm that occurred was much worse than forecasted; Mr. Barbarotta has requested two more workers in the next budget, and Mr. Swann said that communications and responsiveness will be improved.

Rep. White stated that one of the downsides of deregulation of the utility companies is the fact that CL&P has fewer workers in the field that can respond to any emergency.

He put this question to the representative of CL&P, and he made it quite clear that this is the case. On average about 17 people responded to the latest storms, where in the past it was 27, 29 and in the 30s. This is true of other utility companies. So, you have fewer crew members to respond to an emergency, and other utility companies have fewer crews and less personnel to contribute to emergencies. This Committee should draft a letter in response to this situation. This is one of the downsides of deregulation of the power companies.

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| 3. O27.001 | REVIEW; problems at the new public works highway garage.
10/11/05 – Resubmitted by Rep. Mirkin
12/12/05 – Placed on Pending Agenda
01/25/06 – Held in Committee | HELD IN
COMMITTEE |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 1, was made, seconded and approved by unanimous voice

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

[\(Attendance\)](#)

Meeting: Thursday, February 2, 2006

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

Chair Lyons reported that the Public Safety & Health Committee met on Thursday, February 2, 2006. Present were Chair Lyons and Committee Member Reps. Adams, Berns, C. Martin, DeLuca, Mirkin, Pia and Zelinsky; absent were Committee Member Reps. Aposporos, DePina and Coppola; also present were Brent Larrabee, Chief of Police, Robert Nivakoff, Deputy Chief of Police and Bill Callion, Director of Public Safety, Health & Welfare.

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| 1. <u>PS27.001</u> | RESOLUTION; correcting a Scrivener's Error in Section 146-35 of the Code of Ordinances to correct Section 35(3)B to reflect the apartment unit license fee exemption of \$60 (rather than \$50 as the ordinance now states).
11/01/05 – Resubmitted by Johnnie Lee, MD, MPH
02/02/06 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA (Rep.
Adams abstaining) |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|

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| 2. PS27.002 | MEETING; and introduction to newly-appointed Assistant Police Chief Robert Nivakoff.
01/12/06 – Submitted by Chair Lyons
02/02/06 – Report Made | REPORT
MADE |
|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|

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

PARKS & RECREATION

COMMITTEE: Linda Cannady, Co-Chair

Joseph Coppola, Co-Chair

Chair Cannady reported that there were no items on the agenda.

Note: Clerk Summerville stated that Rep. Giordano has left the floor.

EDUCATION COMMITTEE: Thomas C. Hunter, Chair

(Attendance)

Michael L. Molgano, Vice Chair

(Votes)

Meeting: Thursday, February 2, 2006

(Report)

7:00 p.m. – Republican Caucus Room

Chair Hunter reported that the Education Committee met on February 2, 2006. Present were Committee Members: Hunter, Molgano, Rauh, Franzetti, Lodato and Pia. Excused were Committee Members: Elaine Mitchell and Cynthia Martin. Also present: Dr. Joshua Starr, Supr. of Schools; Susan Nabel, President of B.O.E.; Elvis Cvecic, Engineering; Antonio Iadarola, Engineering; John Chardavoyné, B.O.E.

1. E27.001
Summary

APPROVAL; of an agreement with Tai Soo Kim Partners for architectural and engineering design services for the Environmental Studies Interdistrict Magnet School Program; amount of contract: 6.7% of estimated \$35 million project cost; term of contract: term of project.
01/03/06 – Submitted by Mayor Dannel P. Malloy
01/10/06 – Approved by Board of Finance 4-0-2
02/02/06 – Committee approved 6-0-0

**APPROVED ON
CONSENT
AGENDA**

2. E27.002

REVIEW; academic goals/objectives for current year by school type (middle, high); programs, policies and procedures to meet these goals; yardsticks used to judge success in meeting these goals; percent of annual budget allocated for yardsticks; compare educational achievement of specific groups of children as they progress

**REPORT
MADE**

through system.
01/11/06 – Submitted by Chair Hunter
02/02/06 – Report Made

Chair Hunter reported that as we all know, the Board of Education will soon be asking us to approve about \$200 million for education for our children in the coming year. In this year, as in past years, we are hearing that salaries are up, health care costs are up, utilities are up, and that is why the Board of Education needs more money. But that seemingly timeless litany of rising costs begs the question that the citizens ask of the City every day as they spend their hard-earned dollars – and that is, what are we getting for the money? We know where it goes, but what are we getting in return. Our children's test scores are not rising nearly as fast as our expenses, as Superintendent Starr admits, so where is the value for the additional money.

Chair Hunter continued: We now have a new superintendent who has inherited this situation and must bring about changes in our school system and the way it sets its goals and objectives so that, we the members of the Board of Representatives and our constituents, understand very clearly what we are getting for our money. Dr. Starr and members of the Board of Education appeared before our Committee last week to discuss their goals and objectives and how they would be measured. The goals were admirable, and everyone has been provided with a copy of them. But they lack any specifics. For example, the first goal, which is: "Stamford Public Schools will increase academic achievement for all students." The school fails to define academic achievement, how it will be achieved and how it will be measured. If academic achievement is not clearly defined, how do we know what we are getting for the \$200 million.

Chair Hunter continued: We pay teachers to teach our children, but our Committee has not yet been told what they will teach or how we can measure their success in teaching whatever it is that may be. Nor can we determine which teachers are doing the best job so that other teachers can learn from their success. This lack of accountability is at the root of our educational problems. Without accountability, how can the Education Committee recommend to the full Board that the Board of Education be given \$200 million to spend as they choose, under State law.

Chair Hunter continued: Put that huge amount into perspective. \$200 million is enough to buy each member of this Board a \$5 million home. We have a unique opportunity with a new Board of Education and a new superintendent to change their focus from rising costs to rising achievement. We urge the Board of Education to submit to our Committee a clearly-stated set of education goals, how they will be achieved and how we can measure that achievement. This will bring accountability to our school system by allocating costs to each of these goals, as the business world does every day. If the Board of Education does that, passing their budget will be much easier as our constituents will understand what they are getting for this huge amount of money.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 1, was made, seconded and approved by voice vote.

**HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE: Elaine Mitchell, Chair**
[\(Attendance\)](#)

Philip J. Giordano, Vice Chair

Meeting: Tuesday, January 24, 2006

5:30 p.m. – Legislative Chambers

- and -

[\(Attendance\)](#)

Meeting: Tuesday, January 31, 2006

[\(Votes\)](#)

6:30 p.m. – Democratic Caucus Room

- and -

[\(Attendance\)](#)

Meeting: Saturday, February 4, 2006

[\(Votes\)](#)

9:30 a.m. – Democratic Caucus Room

Chair Mitchell reported that the HCD/SS Committee met on January 24, 2006. Present were Committee Member Reps. Aposporos, Figueroa, Giordano, Molgano, Munger, Nowakowski, McCullen and Chair Mitchell.

Chair Mitchell reported that the HCD/SS Committee met on January 31, 2006. Present were Committee Member Reps. Aposporos, Figueroa, Giordano, Molgano, Munger, Nowakowski, McCullen, Rauh and Chair Mitchell.

Chair Mitchell reported that the HCD/SS Committee met on February 4, 2006. Present were Committee Member Reps. Aposporos, Figueroa, Giordano, Molgano, Munger, Nowakowski, McCullen, Clerk of the Board Summerville, Tim Beeble, Sandy Dennies and Chair Mitchell.

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| 1. HCD27.02 | PUBLIC HEARING; for Year 32 CDBG and HOME Program.
12/12/05 – Submitted by Tim Beeble
01/24/06 – Report Made
01/31/06 – Report Made
02/04/06 – Report Made | NO ACTION
TAKEN |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|

Chair Mitchell reported that there were 41 proposals with 2 agencies not present. The subcommittees then met on January 31, 2006, which is a pre-budget workshop meeting that was held on Saturday, February 4, 2006. Everyone received the Committee's

Rep. Berns asked how a towing company would know if a citation was issued. Chair DeLuca responded that the Police Department sends a report to Dan Colleluori every month. Rep. Berns asked if this is an additional task for the Police Department to handle. Chair DeLuca stated he doesn't know the answer, but he presumes that this would be an extra step.

Rep. Skigen stated that he is not sure what the language should be, but that this is not correct. If it is an accident in which no citation is given, the fee is waived, then an accident with six cars, in which one citation was given – do all six people have to pay the fee? Rep. Skigen stated that this language needs work, and this is not accomplishing what the Board intends on accomplishing.

Rep. Lodato offered a change to the language: “The towing fee shall be waived for those persons who do not receive a citation in an accident.”

Rep. Berns stated that in order for the City to control whether we are getting the fees appropriately, it seems that we should either collect from everybody or from nobody; otherwise, we are creating a lot of red tape and bureaucracy.

Rep. Zelinsky stated that at the time of the incident, when a tow operator is called, he follows the laws on the books, and if this does pass, Mr. Colleluori and Captain Tomlin, would notify the tow operators that this new legislation is passed. So, if no citation is issued by the officer at the scene, then the tow operator would not charge the \$35 fee, and there will be no additional paperwork for the police.

A motion to move the question was made, seconded and approved by unanimous voice vote.

The second amendment was approved by a machine vote of 30-4-0 (Reps. Adams, Aposporos, Blackwell, Boccuzzi, Cannady, DeLuca, DePina, Diamond, Esposito, Fedeli, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, Mitchell, Molgano, Munger, Nowakowski, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. Berns, Day, Mirkin and Summerville opposed) ([See RCS Vote Record No. 676](#)).

Mr. Berns stated that when Mr. Colleluori has informed all of the tow operators in the City of the new requirement and some are over zealous in collecting fees they are not supposed to, and others are not collecting fees when they are supposed to, who is going to be in charge of straightening out of this mess.

Rep. Esposito stated that the tow operators will show up at a public hearing to discuss this, and if they have concerns, they will let us know.

Rep. DeLuca stated he shares Rep. Esposito's comments.

Rep. Lyons stated that when this ordinance was originally proposed, it was about a constituent issue – not about a tow operator issue. We should remember that we are writing the ordinance for constituents.

Rep. Diamond stated that last month when this came up, it raised many questions. It raised much confusion, and it was held and sent back to the Committee. He finds that this month more questions are raised, more confusion is raised, less answers are reached. This is still confusing, and it is not ready for prime time.

The main motion, as amended, was approved by a machine vote of 28-6-0 (Reps. Adams, Aposporos, Blackwell, Boccuzzi, Cannady, DeLuca, DePina, Esposito, Fedeli, Franzetti, Giordano, Heaphy, Hunter, Layton, Lodato, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, Mirkin, Mitchell, Molgano, Munger, Nowakowski, Pia, White and Zelinsky in favor; Reps. Berns, Day, Diamond, Rauh, Skigen and Summerville opposed) (See [RCS Vote Record No. 677](#)).

2. T27.005 APPROVAL; of a contract with Pro Park, Inc. for **HELD IN**
the management of the City's parking garages. **COMMITTEE**
01/12/06 – Submitted by Ernie Orgera
01/26/06 – Held in Committee

STATE & COMMERCE COMMITTEE: Paul A. Esposito, Chair
([Attendance](#)) Meeting: Wednesday, January 11, 2006
([Report](#))

7:00 p.m. – Democratic Caucus Room

Chair Esposito reported that the State & Commerce Committee met on January 11, 2006. Present were Chair Esposito, committee member Reps. Day, DeLuca, Diamond, Fedeli, Lombardo, Rauh, Skigen and Clerk Summerville; absent/excused were Reps. Heaphy and Mallozzi. Also present were President Martin, House Representatives Gerald Fox, III, Carlo Leone, Jim Shapiro, Donald Sherer and Senator Andrew McDonald.

1. SC27.001 MEETING; with State delegation members. **REPORT**
12/16/05 – Submitted by President Martin & **MADE**
Chair Esposito
01/11/06 – Report Made

Chair Esposito stated that a full report has been available to Board Members for the last couple of weeks.

MINUTES

1. [January 9, 2006 Regular 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 10:10 p.m.