

*The Regular Meeting of the 27<sup>th</sup> Board of Representatives of the City of Stamford was held on Wednesday, July 5, 2006 in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4<sup>th</sup> Floor, Stamford, Connecticut.*

## **MINUTES**

President David Martin called the meeting to order at 9:05 p.m.

**INVOCATION:** By Clerk of the Board Summerville

“Gracious Lord, we are truly thankful for our wonderful evening. We thank You for our wonderful 4<sup>th</sup> of July, and You brought the legislative body within Stamford back together to do the best that we can with Your help. We ask all of these blessings in Your name. Amen.”

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

**ROLL CALL:** Conducted by Clerk of the Board Annie M. Summerville. There were 34 members present and 6 absent/excused (Reps. Aposporos, Coppola, Hunter, Lyons, Munger and Young). Note: Rep. Lyons arrived after roll call.

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

**MOMENTS OF SILENCE:** For the late: Frances L. Pellicci by Clerk of the Board Summerville and Reps. Giordano and Day; George Knecht by Rep. Day; Marion M. Grand, Emily Lupinacci, Rita M. Violette, Ann M. Yenco, Michael J. Obzud, Ralph A. Battinelli, Lucien Romaniello, Robert Francis Donahue, Michael Alterieri and Vivian-Jane Rossi by Rep. Giordano; Joseph Cottone by Reps. Figueroa and Giordano; Carmella Mary Colandro by Reps. Giordano and Zelinsky; and Mary A. Bella, Matthew J. LoRusso, Jr., Earl Russell Rose, Kasimier Podlaski, Anthony Francis Sokol, John B. Howell, Bertha Burczy, Josephine Caruso Borchetta, Richard Joseph Arcarrio, Linda DeNardo, Ann Meyerson Scheffan and John Andrew Painter, Jr., by Rep. Zelinsky.

**COMMUNICATIONS:**

1. President Martin wished Reps. Cannady, C. Martin and Zelinsky a happy birthday.

2. President Martin announced that the Rivertown Special Taxing District referendum passed with a vote of 36-6. On July 6, 2006 at 7:00 p.m., they will hold their organizational meeting in the legislative chambers.

## HONORARY RESOLUTIONS:

**MAYOR'S STATE OF THE CITY ADDRESS:** Mayor Dannel P. Malloy presented his Annual State of the City Address. See [transcript](#) attached hereto and made a part hereof.

## STANDING COMMITTEES

**STEERING COMMITTEE:** Meeting: Monday, June 12, 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.

**APPOINTMENTS COMMITTEE:** **Annie M. Summerville, Chair**  
[\(Attendance\)](#) **John J. Boccuzzi, Vice Chair**  
[\(Votes\)](#) Meeting: Tuesday, June 27, 2006  
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Chair Summerville reported that the Appointments Committee met on June 27, 2006. Present were Chair Summerville, Vice Chair Boccuzzi and Committee Member Reps. Aposoporos, Blackwell, Molgano, Munger, Nowakowski; absent/excused were Reps. Layton and DePina.

- |                            |   |                                     |   |
|----------------------------|---|-------------------------------------|---|
| 1. A27.034                 | <b>Board of Ethics – Alternate</b><br>Allan D. Lang (R)<br>26 Fieldstone Terrace<br>Stamford, CT 06902<br>Term Expires: 01/01/2009<br>05/31/06 – Submitted by Mayor Dannel P. Malloy<br>06/27/06 – Committee approved 7-0-0 | Repl. Valdes<br>(Term Exp. 1/1/4)   | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 2. <a href="#">A27.025</a> | <b>Smith House Board of Directors</b><br>Richard A. Meyer (D)<br>26 Quarry Road   | Reappointment<br>(Term Exp. 12/1/5) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |

Stamford, CT 06903  
Term Expires 12/1/2008  
04/13/06 – Submitted by Mayor Dannel P. Malloy  
05/30/06 – Held in Committee  
06/27/06 – Committee approved 7-0-0

3. [A27.026](#)      **Golf Authority**      **APPROVED  
BY MACHINE  
VOTE 24-7-2**  
Arnold Y. Kapiloff (D)      Reappointment  
20 Quarry Road      (Term Exp. 1/1/6)  
Stamford, CT 06903  
Term Expires 1/1/2009  
04/13/06 – Submitted by Mayor Dannel P. Malloy  
05/30/06 – Held in Committee  
06/05/06 – Held in Committee  
06/27/06 – Committee approved 7-0-0

Chair Summerville moved Item No. A27.026; said motion was seconded. Chair Summerville stated that the Committee was very impressed with Mr. Kapiloff's answers to their questions. It appears he is more than qualified to serve in this capacity, and therefore the Committee voted 7-0-0 for approval.

Rep. DeLuca stated he understands that Mr. Kapiloff was very impressive in front of the Appointments Committee, but he was not very impressive when he came before the Parks & Recreation Committee. Many members of the Parks & Recreation Committee who were at the meeting were not impressed with his comments, and with some of the background that he gave regarding the item on the Parks & Recreation Committee's agenda. Therefore, Rep. DeLuca stated he finds it very difficult to vote for this appointment.

The motion was approved by a machine vote of 24-7-2 (Reps. Adams, Berns, Blackwell, Boccuzzi, Cannady, DePina, Diamond, Esposito, Figueroa, Giordano, Heaphy, Larobina, Mallozzi, C. Martin, D. Martin, McCullen, Mitchell, Molgano, Nowakowski, Rauh, Skigen, Summerville, White and Zelinsky in favor; Reps. DeLuca, Fedeli, Franzetti, Greenberg, Layton, Lombardo and Mirkin opposed; Reps. Day and Lodato abstaining) (See [RCS Vote Record No. 721](#)).

Chair Summerville turned the floor over to Vice Chair Boccuzzi for the report on Item Nos. 4 through 10 below.

4. A27.035      **Old Town Hall Redevelopment Authority**      **APPROVED  
ON CONSENT  
AGENDA**  
Annie M. Summerville (D)  
Board of Representatives  
Term Expires: 01/31/10  
06/07/06 – Submitted by Mayor Dannel P. Malloy  
06/27/06 – Committee approved 6-0-1  
*(Clerk  
Summerville  
abstaining)*

- |                            |   |   |
|----------------------------|---|---|
| 5. <a href="#">A27.036</a> | <p><b>Old Town Hall Redevelopment Authority</b><br/> Harry Day (R)<br/> Board of Representatives<br/> Term Expires: 01/31/10<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p>                   | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b> (<i>Rep.<br/> Day<br/> abstaining</i>)</p> |
| 6. <a href="#">A27.037</a> | <p><b>Old Town Hall Redevelopment Authority</b><br/> Robert Kolenberg (R)<br/> Board of Finance<br/> Term Expires: 12/31/07<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p>                    | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b></p>  |
| 7. <a href="#">A27.038</a> | <p><b>Old Town Hall Redevelopment Authority</b><br/> James Nixon (R)<br/> Urban Redevelopment Commission<br/> Term Expires: 12/31/08<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p>           | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b></p>  |
| 8. <a href="#">A27.039</a> | <p><b>Old Town Hall Redevelopment Authority</b><br/> Sandy Goldstein (D)<br/> Downtown Special Services District<br/> Term Expires: 12/31/11<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p>   | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b></p>  |
| 9. <a href="#">A27.040</a> | <p><b>Old Town Hall Redevelopment Authority</b><br/> Moir Lyons (D)<br/> Community-at-Large<br/> Stamford, CT 0690<br/> Term Expires: 12/31/09<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p> | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b></p>  |
| 10. A27.041                | <p><b>Old Town Hall Redevelopment Authority</b><br/> Tim Curtin (D)<br/> Mayoral Designee<br/> Stamford, CT 0690<br/> Term Expires: 12/31/09<br/> 06/07/06 – Submitted by Mayor Dannel P. Malloy<br/> 06/27/06 – Committee approved 6-0-1</p>   | <p><b>APPROVED<br/> ON CONSENT<br/> AGENDA</b></p>  |

Vice Chair Boccuzzi stated Item Nos. 4-10 were on the Consent Agenda. The entire group is well-known and are great workers.

Chair Summerville reported that the Committee voted 7-0-0 to suspend its rules to take up the following two items. Clerk Summerville moved to suspend the Board's rules; said motion was seconded and approved by unanimous voice vote.

11. [A27.042](#)      **Health Commission**  
Patricia D. Parry, R.N. (R)      Reappointment  
66 Emery Drive      (*Term Exp. 12/01/05*)  
Stamford, CT 06902  
Term Expires: 01/01/09  
06/27/06 – Committee approved 7-0-0
- APPROVED  
BY  
UNANIMOUS  
VOICE VOTE**

Chair Summerville stated the Committee had a very long discussion with Ms. Parry, and Ms. Parry had wonderful ideas that she wants to continue to work on with the Health Commission. Chair Summerville moved the appointment of Ms. Parry; said motion was seconded and approved by unanimous voice vote.

12. [A27.043](#)      **Patriotic & Special Events Commission**  
Penny J. Mazzucco (D)      Repl. Henderson  
14 Ledge Terrace      (*Term Exp. 12/1/03*)  
Stamford, CT 06905  
Term Expires 01/01/09  
06/27/06 – Committee approved 7-0-0
- APPROVED  
BY  
UNANIMOUS  
VOICE VOTE**

Chair Summerville stated that Ms. Mazzucco appears to be a wonderful candidate and believes she will bring new ideas to the Commission. Ms. Mazzucco spoke at length about what service on this Commission means to her. Some of her ideas include expanding the scope of the Commission's work by becoming more active in special events held in the City. Chair Summerville stated the Committee is well aware of the wonderful work the Commission already does, but Ms. Mazzucco brings a wealth of new ideas regarding special events. Chair Summerville moved the appointment of Ms. Mazzucco to the Patriotic & Special Events Commission; said motion was seconded and approved by unanimous voice vote.

Chair Summerville moved the Consent Agenda, consisting of Item Nos. 1-2 and 4-10. Said motion was seconded and approved by unanimous voice vote (Chair Summerville abstaining on Item No. 4; Rep. Day abstaining on Item No. 5).

**FISCAL COMMITTEE:**      **Randall M. Skigen, Chair**  
[\(Attendance\)](#)      **Linda Cannady, Vice Chair**  
[\(Votes\)](#)      Meeting: Monday, June 26, 2006  
[\(Report\)](#)      7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on June 26, 2006. Present were Chair Day and Vice Chair Cannady and Committee Member Reps. Lyons, Day, DeLuca, Fedeli, Figueroa and Giordano; absent/excused were Reps. Mirkin, Hunter and Mitchell. Also present were Bill Callion, Director of Public Safety, Health & Welfare; Peter Privitera of OPM; Brent Larrabee, Police Chief; Sandra Dennis of the Grants Office; Sandra Testano of CLC; Robert McGrath, Fire Chief; Michael Toma of the Law Department; Joseph Tarzia of the Building Department and Antonio Iadarola of the Engineering Department.

- |  |   |   |
|--|---|---|
| 1. <a href="#">F27.143</a>                 | RESOLUTION; authorizing the Mayor to enter into agreement with the State of Connecticut Office of Policy and Management for assistance provided through the Police and Youth Program Grant; amount of grant: \$9,786.<br>06/09/06 – Submitted by Mayor Dannel P. Malloy<br>06/26/06 – Committee Approved 8-0-0                            | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>       |
| 2. <a href="#">F27.137</a>                 | GRANT RESOLUTION; authorizing the Mayor to enter into agreement with the State of Connecticut for replacement of the Farms Road Bridge.; amount of grant: \$1,798,000 with 20% municipal share of \$359,600.<br>06/07/06 – Submitted by Mayor Dannel P. Malloy<br>06/26/06 – Committee Approved 8-0-0                                     | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>       |
| 3. <a href="#">F27.138</a><br>\$33,072.00  | ADDITIONAL APPROPRIATION (Grants Budget); Justice Assistance Grant; Professional Consultants; to pay for case management, mental health, substance abuse, anger management and after school programs.<br>05/25/06 – Submitted by Mayor Dannel P. Malloy<br>06/12/06 – Approved by Board of Finance<br>06/26/06 – Committee Approved 6-0-2 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>       |
| 4. <a href="#">F27.141</a><br>\$1,000.00   | ADDITIONAL APPROPRIATION (Grants Budget); COPS Training; Conferences & Training; funds from US Dept. of Justice to allow two participants to attend COPS Technology Grant training.<br>06/01/06 – Submitted by Mayor Dannel P. Malloy<br>06/12/06 – Approved by Board of Finance<br>06/26/06 – Committee Approved 8-0-0                   | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>       |
| 5. <a href="#">F27.135</a><br>\$380,438.00 | ADDITIONAL APPROPRIATION (Operating Budget); Public Safety, Health & Welfare; Overtime & Social Security; to cover cost of projected overtime   | <b>APPROVED<br/>ON CONSENT<br/>AGENDA (Rep.</b> |

expenditures of Police (\$285,000), Fire & Rescue (\$90,000) and Social Security (\$5,438).  
05/24/06 – Submitted by Mayor Dannel P. Malloy  
06/12/06 – Approved by Board of Finance  
06/26/06 – Committee Approved 8-0-0

*Franzetti  
abstaining)*

6. [F27.136](#)  
\$975,409.00

ADDITIONAL APPROPRIATION (Operating Budget); Smith House SNF Administration; to fund projected increases in Smith House Revenues; to balance operating expenditures with revenues; funds to be moved via administrative transfers to appropriate accounts.  
05/24/06 – Submitted by Mayor Dannel P. Malloy  
06/12/06 – Approved by Board of Finance  
06/26/06 – Committee Approved 8-0-0

**APPROVED  
ON CONSENT  
AGENDA**

7. [F27.129](#)  
\$15,000.00

ADDITIONAL APPROPRIATION (Operating Budget); Building Inspection; Contracted Services; to pay for the services of a consultant engineer.  
05/01/06 – Submitted by Mayor Dannel P. Malloy  
05/11/06 – Approved by Board of Finance  
05/22/06 – Committee Held 7-0-0  
06/26/06 – Committee Approved 5-2-1

**APPROVED  
BY MACHINE  
VOTE 26-5-2**

Chair Skigen moved Item No. F27.129. Said motion was seconded. Chair Skigen reported that it was the Committee's recommendation that the Law Department be contacted to see if there is a potential cause of action against the homeowner who arguably caused all of these costs to arise. The item was approved by a machine vote of 26-5-2 (Reps. Berns, Blackwell, Boccuzzi, Day, DeLuca, DePina, Diamond, Esposito, Fedeli, Giordano, Heaphy, Larobina, Layton, Lodato, Lombardo, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Nowakowski, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. Adams, Cannady, Figueroa, Lyons II and C. Martin opposed; Reps. Mallozzi and Summerville abstaining) (See [RCS Vote Record No. 722](#)).

8. [F27.139](#)  
\$1,000,000.00

ADDITIONAL APPROPRIATION (Capital Budget); **for public hearing**; Engineering; School Readiness Expansion; to fund Phase I, II and III reports on environmental conditions of the property known as the Edward Hunt Recreation Complex on Courtland Avenue.  
05/26/06 – Submitted by Mayor Dannel P. Malloy  
06/06/06 – Approved by Planning Board  
06/12/06 – Approved by Board of Finance  
06/26/06 – Held in Committee 8-0-0 & public hearing approved

**HELD IN  
COMMITTEE**

Chair Skigen reported that it is the Committee's intention to put this on for a public hearing for July 24, 2006 at 6:30 p.m., but this must be approved by the Steering Committee.

9. [F27.140](#)      ADDITIONAL APPROPRIATION (Operating Budget);      **APPROVED**  
\$1,500,000.00      Medical & Life Insurance; Reimbursements from      **ON CONSENT**  
   departments; appropriation from Medical Reserve      **AGENDA**  
   Fund to balance the Medical Revenue Fund.  
   05/26/06 – Submitted by Mayor Dannel P. Malloy  
   06/12/06 – Approved by Board of Finance  
   06/26/06 – Committee Approved 8-0-0

Chair Skigen moved the Consent Agenda, consisting of Item Nos. 1, 2-6 and 9; said motion was seconded and approved by unanimous voice vote.

## LEGISLATIVE & RULES

### COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

**James D. Diamond, Chair**

**Arthur Layton, Vice Chair**

Meeting: Monday, June 19, 2006

7:00 p.m. – Democratic Caucus Room

Chair Diamond reported that the Legislative & Rules Committee met on June 19, 2006. Present were Committee Chair Diamond and Vice Chair Layton and Committee Member Reps. Berns, Day, Esposito, Heaphy, Lodato, Lombardo, C. Martin, Mitchell and Zelinsky.

1. [LR27.017](#)      [RESOLUTION](#) & public hearing; approving a lease      **APPROVED**  
   agreement for city-owned property between the City      **ON CONSENT**  
   and Collins Plaza West, LLC for portions of property      **AGENDA**  
   located at Lots 108 and 109, Alvord Lane; term of  
   lease: 15 years with a 10-year renewal option.  
   03/14/06 – Submitted by Mayor Dannel P. Malloy  
   03/28/06 – Approved by Planning Board  
   04/11/06 – Approved by Board of Finance  
   04/24/06 – Committee approved 5-1-1  
   05/01/06 – Returned to Committee  
   06/05/06 – No action  
   06/19/06 – Committee approved 10-0-0

Chair Diamond stated that the lease is now for 15 years, and the rent will be changed to conform to the CPI.

2. [LR27.006](#)      PROPOSED ORDINANCE; for publication;      **APPROVED**  
   amending the Ethics Ordinance.      **BY MACHINE**  
   12/06/05 – Submitted by President Martin, Rep.      **VOTE 26-6-3**  
   Lyons and Jim Rubino      **(as amended)**



12/19/05 – Held in Committee 10-0-0  
01/23/06 – Held in Committee 11-0-0  
02/27/06 – Amended by Committee & Held  
03/06/06 – Held in Committee  
03/20/06 – Committee approved amendment 6-1-1;  
Held in Committee 8-0-0  
04/03/06 – Held in Committee  
04/24/06 – Committee approved for publication 4-2-0  
(as amended – see report)  
05/01/06 – Returned to Committee  
06/05/06 – No action  
06/19/06 – Committee approved 8-2-1 for publication

Chair Diamond moved Item No. LR27.006; said motion was seconded. Chair Diamond stated that the Committee worked for many months on this item; many other members of the Board have attended committee meetings and contributed. Chair Diamond stated our current Code is unacceptable in that it allows unlimited gifts, unless you can demonstrate a direct correlation between gifts and official city action. The ordinance is not perfect, but it is a significant and major improvement. The ordinance takes a category of donors and limits them to a \$50 gift from the very people that they regulate. We have listened to suggestions from representatives who wanted a change in the section of the Code that deals with the number of representatives required to ask the Board of Ethics for an advisory opinion. The Committee has given the Board of Ethics and city agencies more discretion when it comes to the consequences of a violation, so that they can contemplate the matter and exercise their discretion. The Committee has given the City a major new enforcement tool in the Code by providing that certain City actions such as purchases and contracts may actually be voided when a finding of a violation of our Code of Ethics has been found.

Chair Diamond moved to amend the ordinance by deleting subparagraph (a) from Section 19.9(B)(2) and renumbering subparagraphs (b) and (c). Said motion was seconded and approved by unanimous voice vote. Chair Diamond moved the ordinance for publication; said motion was seconded.

Rep. Lodato stated that he believes that we owe it to the people of our City to ensure that our laws mandate proper, ethical conduct on the part of our City employees and officials. But strength does not simply mean toughness or strictness. Above all, for a law to be strong, it needs to be fair. The amendments before the Board do not meet this criteria, and the language is deeply flawed in that when addressing gifts, it completely ignores whether there was any intent to influence or to be influenced. One would think that intent would be a primary factor that an Ethics Board would consider. What we have is a blanket prohibition against an employee or an official receiving gifts from someone who does business with him or her (with exceptions for weddings, births, bar mitzvahs and the like). Thus, a City employee or official can automatically be deemed in violation without considering the intent or the circumstances. Some examples are: what if your significant other, who happens to do business with you but is not your spouse, gives you a bottle of fine champagne ... you have just broken the

law. What if that gift is received from a long-standing best friend? What if the recipient is an administrative assistant, who does not possess the authority to influence policy? What if the nature of the business that this person does with you is solely related to the private sector? Our Boards are filled with volunteers, many of whom have jobs in which they do business other than official city business. And, also, a city employee or official is now held responsible for gifts received by third parties, such as their parents or grown children, regardless of whether the City employee or official was a participant in any way. Just imagine, one would have to command obedience out of a parent or an adult child in order to fully comply with the Code.

Rep. Lodato continued: Of course, there are certain gifts that merit a good dose of suspicion and investigation. Let this be a launching point for an investigation... one that would weigh the circumstances and intent of the parties before it is determined whether the law is broken. Instead, with this language as is, the door is open for hard-working city employees and officials to get caught in a technicality. Fellow representatives, I ask you to consider the stakes. We are talking about people's livelihoods and their reputations, neither of which we should risk destroying for a mere technicality. This legislation needs more work, and I urge you to send it back to Committee so that we can give the people of this City an Ethics Code whose strength lies in its fairness.

Rep. Day stated that he has tried to be helpful in crafting this legislation so that it accomplishes its objections while at the same time he continues to oppose the legislation based on philosophical grounds. Quite simply, it is very difficult to make legislation like this work where in trying to address intent, which is the crux of the issue, we eliminate it. It is a paradox that is not possible to overcome. What we are really doing is substituting one set of subjective debates and inserting a whole other set of subjective debates that are much, much less relevant. Did someone intend to influence an outcome; admittedly, that is difficult to decide. Was it worth \$50? These are no less easy questions to answer. Rep. Day stated a much better way to get at this is through an objective standard, and that is disclosure. If we were to really focus our efforts on full and discrete disclosure, then let the Stamford Advocate do the investigating, we would have a much more practical system. The test would then be: did you disclose or did you not disclose? Nothing could be more objective than that. Full disclosure of all of these transactions in and of itself would act very much as a deterrent to misbehavior. The act of disclosing gifts shouldn't be very difficult if nothing is wrong.

Rep. Day stated the best way of attacking this is to let sunshine be the best disinfectant (as Brandeis said).

Chair Diamond stated he has listened over the last 7 months to Reps. Day and Lodato and their eloquent comments, and he disagrees. The requirement of proving intent is problematic, and that is what the current Code of Ethics requires. If you are going to make a bribe, you intend to impact the actions of an official (such as a vote or a contract). You give something of value, and that is currently restricted. The problem is that it doesn't happen like that; it is much more gray and under the surface. You can't prove intent. Under the current Code, a developer who regularly appears before a land

use agency can repeatedly give gifts, plane tickets, expensive gifts to an official of a land use board, and you can't show that it is intended to influence a certain project or a certain item. Therefore, the status quo is unacceptable. We have to take action to change the status quo. No, it is not a perfect solution, but it is a major, major improvement. Chair Diamond stated that the proposed ordinance is tough and fair. We have inserted the word "knowingly," upon the suggestion of committee members. You need to show that the person had an awareness of what was going on. We have inserted the cumulative amount of donations over a calendar year. We have changed definitions so that an official can attend functions that he or she would normally be attending in his or her official positions.

Mr. Diamond stated that he disagrees with Mr. Lodato when he says that a person who is caught in a technicality is going to be punished. We had changed the violations so that the Board of Ethics or any city agency is not mandated to find a violation. So where there is a "technicality," they don't have to take action. So that is an example where we have been fair, where we recognize that a mistake may be made and that mistake may be innocent. Nonetheless, we have to start somewhere.

Mr. Diamond stated that in respect to the argument you are punishing someone for something that a parent or child had done, that is addressing a major significant loophole that exists. Hypothetically speaking, if a developer wants to influence the Zoning Board, it shouldn't be so easy as to give plane tickets to the spouse or a case of champagne to a Member's child. Mr. Diamond stated that this is why this was included; it is not perfect, but it is a major improvement in solving a problem. Mr. Diamond asked that the representatives support this ordinance for publication.

Rep. Boccuzzi stated that this ordinance has been in Committee for many months. We are not going to satisfy everyone, but he believes that the Committee has tried to create an ordinance that everyone can live with and that can be enforced. There are no guaranteed results by sending it back to Committee, but because this has been in Committee for so long, the Committee has worked very long and hard, and he urged his colleagues to vote for publication of this ordinance.

Rep. Berns stated that he knows the Committee has worked hard and that the Chair has come up with great ideas. He supports the tightening of the net and the creation of something of an escape hatch – rather than a violation automatically leading to impeachment, for example. However, he disagrees with Rep. Diamond's statement that there is some flexibility in finding a violation. The flexibility that was introduced in the proposed legislation is to the punishment when a violation has been found. In fact, if someone in this room's parent, child – including emancipated or estranged children – accepts a gift of \$51, the legislation as written will lead to an automatic technical finding of a violation and possible impeachment. Mr. Berns feels that with additional work these concerns can be addressed.

Rep. Heaphy stated she supports the proposed ordinance as written. As a retired Federal employee for 32 years, she was subject to this kind of ethics regulation, and

feels it is absolutely essential that we take this step. She believes that disclosure is a valid point, as Rep. Day makes, but you still have to have concrete guidelines to let officials know what the limits are. Setting a limit of \$50, \$150 throughout the course of the year, is very reasonable. You have the public trust as a civil servant, and you simply should not accept so many gifts. And, she believes that it is important to get the ethics guideline done. There can always be adjustments if a problem comes along, but without significant guidelines, including dollar figures and specific family relationships that are included, we are back in a morass of not knowing where we should go.

Rep. Lyons stated that he had concerns about this ordinance during the 26<sup>th</sup> Board. The Committee has worked on it for quite a while, and while he does not agree with everything, he believes it is right to let the ordinance move forward for publication, and if adopted, the fair thing would be to look at it again in 18 months. Mr. Lyons added that he can't remember the last time the Ethics Board met, yet alone issue a substantive decision. Finally, the power to remove any elected officials rests with this Board, so even if there is an ethics violation, it is ultimately up to this Board as to whether the person leaves office or not. Rep. Lyons stated that Committee has been very deliberate in its work on the ordinance.

The main motion was approved by a machine vote of 26-6-3 (Reps. Adams, Berns, Blackwell, Boccuzzi, DeLuca, DePina, Diamond, Esposito, Fedeli, Giordano, Heaphy, Layton, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Nowakowski, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. Day, Franzetti, Greenberg, Larobina, Lodato and Molgano opposed; Reps. Cannady, Figueroa and Summerville abstaining) (See [RCS Vote Record No. 723](#)).

3. <a href="#">LR27.018</a>	PROPOSED ORDINANCE; for publication; amending Section 156-17, Litter and Handbills to include suspension or revocation of dumping license as provided for in Section 137-14. 04/27/06 – Submitted by Rep. Skigen & President Martin 06/05/06 – No action 06/19/06 – Committee approved 10-0-1 for publication	<b>APPROVED ON CONSENT AGENDA</b>
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4. LR27.022	REVIEW; of mill rate districts and potential formation of the Riverturn Condominium District. 06/06/06 – Submitted by Chair Diamond 06/19/06 – Report Made	<b>NO ACTION</b>
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Chair Diamond stated that no action was taken as the Committee is waiting for additional legal research.

5. [LR27.019](#) PROPOSED ORDINANCE; for publication; **APPROVED  
ON CONSENT  
AGENDA**  
 amending Sections 6-55 and 6-66 of the Code of Ordinances to provide for changes in the composition of the Smith House Board of Directors.  
 05/25/06 – Submitted by Rep. DeLuca  
 06/19/06 – Committee approved 10-0-0 for publication

Chair Diamond moved the Consent Agenda, consisting of Item Nos. 1, 3 and 5; said motion was seconded and approved by unanimous voice vote.

**PERSONNEL COMMITTEE:** **Mary Lisa Fedeli, Chair**  
[\(Attendance\)](#) **Pauline S. Rauh, Vice Chair**  
[\(Votes\)](#) Meeting: Wednesday, June 28, 2006  
[\(Report\)](#) 7:00 p.m. – Republican Caucus Room  
 - and -  
[\(Attendance\)](#) Meeting: Wednesday, July 5, 2006  
[\(Votes\)](#) 6:30 p.m. – Conference Room #1

Chair Fedeli reported that the Personnel Committee met on June 28, 2006. Present were Committee Chair Fedeli, Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Figueroa, Layton, Lodato and Skigen; also present were Reps. Adams, White and Zelinsky; Antonio Iadarola and Lou Casolo of the Engineering Division; Fred Manfredonia of Human Resources; Tony Abbazia of Buck Consultants and Jeanette Brown of the WPCA.

The Committee also met on July 5, 2006. Present were Committee Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Figueroa, Layton, Lodato and Skigen and Antonio Iadarola of the Engineering Bureau. Rep. Greenberg was absent/excused.

1. [P27.020](#) PROPOSED ORDINANCE; for publication; **HELD IN  
COMMITTEE**  
 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  
 02/15/06 – Placed on Pending Agenda  
 03/22/06 – Held in Committee 5-0-0  
 04/03/06 – Held in Committee  
 04/26/06 – Held in Committee 5-0-0  
 05/01/06 – Held in Committee  
 05/24/06 – Held in Committee 7-1-0  
 06/05/06 – Held by full Board  
 06/28/06 – Held in Committee 8-0-0 (as amended)

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| 2. P27.024<br>(contract on<br>file in board<br>office) | APPROVAL; of a contract with ReliaStar Life Insurance Company for life insurance/accidental death benefits.<br>05/01/06 – Submitted by Mayor Dannel P. Malloy<br>05/11/06 – Approved by Board of Finance<br>05/24/06 – Held in Committee 8-0-0<br>06/05/06 – Held by full Board<br>06/28/06 – Held in Committee 8-0-0 | <b>HELD IN<br/>COMMITTEE</b>  |
| 3. P27.025   | APPROVAL; of a contract of employment as Clerk of the Works with Philip E. Norgren.<br>05/04/06 – Submitted by Mayor Dannel P. Malloy<br>06/28/06 – Committee Approved 8-0-0  | <b>APPROVED ON<br/>CONSENT<br/>AGENDA (Rep.<br/>Pia abstaining)</b> |
| 4. P27.027   | APPROVAL; of a contract of employment for Project Manager of the Stamford Urban Transitway Project with Ann Brown.<br>06/07/06 – Submitted by Mayor Dannel P. Malloy<br>06/28/06 – Held in Committee 8-0-0<br>07/05/06 – Committee approved 7-0-0   | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b>                           |

Chair Fedeli reported that the Committee voted 8-0-0 to suspend its rules to take up the following two items. Chair Fedeli moved for suspension of the Board's rules to take up the two items below; said motion was seconded and approved by unanimous voice vote.

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| 5. P27.028 | APPROVAL; of a contract of employment as Clerk of the Works with Richard Zurkowski.<br>06/23/06 – Submitted by Human Resources<br>06/28/06 – Held in Committee 8-0-0<br>07/05/06 – Committee approved 6-0-1 | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE<br/>(Reps. Rauh and<br/>Pia abstaining)</b> |
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Chair Fedeli reported the Committee met tonight on both items and voted 6-0-1; Chair Fedeli moved Item No. P27.028; said motion was seconded and approved by voice vote (Reps. Pia and Rauh abstaining).

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| 6. P27.029 | APPROVAL; of a contract of employment as Clerk of the Works with Roy DiBartolomeo.<br>06/23/06 – Submitted by Human Resources<br>06/28/06 – Held in Committee 8-0-0<br>07/05/06 – Committee approved 7-0-0 | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE<br/>(Rep. Pia<br/>abstaining)</b> |
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Chair Fedeli reported the Committee voted 7-0-0 this evening and moved Item No. P27.029; said motion was seconded and approved by voice vote (Rep. Pia abstaining).

Chair Fedeli moved the Consent Agenda, consisting of Item Nos. 3 and 4; said motion was seconded and approved by unanimous voice vote.

## LAND USE/URBAN

### REDEVELOPMENT COMMITTEE:

**Harry Day, Chair**

**Patrick J. White, Vice Chair**

[\(Attendance\)](#)

[\(Report\)](#)

Meeting: Thursday, June 29, 2006

7:30 p.m. – Democratic Caucus Room

- and -

[\(Attendance\)](#)

Meeting: Wednesday, July 5, 2006

[\(Votes\)](#)

6:30 p.m. – Conference Room #1

Chair Day reported that the Land Use-Urban Redevelopment Committee met on June 29, 2006 without a quorum. Present were Chair Day, Vice Chair White and Committee Member Reps. Diamond and Mitchell; Reps. Boccuzzi, Franzetti, Lombardo and Clerk of the Board Summerville were excused. Also present were Keith Krolak and J. Bunton of Studio ABK Architects; John Lindell of F.D. Rich Company; Gerrie Post and Rachel Goldberg of the URC; Donald Gustafson of Shipman & Goodwin (attorney for the developer); and Lou Casolo of the City Engineering Bureau.

Chair Day also reported that the Committee met on July 5, 2006 at 6:30 p.m. Present were Chair Day and Vice Chair White and Committee Member Reps. Boccuzzi, Day, Diamond, Lombardo, Greenberg and Summerville.

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|-------------|--|------------------------|
| 1. LU27.010 | REVIEW; of Stamford Urban Transitway Project:<br>Phase I update and Phase II Presentation.<br>04/01/06 – Submitted by Chair Day<br>04/10/06 – Placed on Pending Agenda<br>06/29/06 – Report Made | <b>REPORT<br/>MADE</b> |
|-------------|--|------------------------|

Chair Day reported that this is a huge project, it is going very, very well with great potential for the City. The Committee made a commitment a few years ago to track this through to its conclusion (which is many years ahead), and this is why the Committee is reviewing the matter. The Committee is very satisfied with the progress of this project.

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| 2. <a href="#">LU27.015</a><br><a href="#">(Executive<br/>Summary)</a> | RESOLUTION; <b>for public hearing</b> ; approving a contract for sale of land among the City, the Stamford URC and F.D. Rich Co., Inc. for the Private Redevelopment of ReUse Parcel 36.<br>06/07/06 – Submitted by Mayor Dannel P. Malloy<br>06/27/06 – Approved by Planning Board<br>06/29/06 – No action taken by Committee<br>07/05/06 – Committee approved public hearing 6-0-0<br>07/12/06 – To be considered by Board of Finance | <b>PUBLIC<br/>HEARING<br/>APPROVED BY<br/>MACHINE VOTE<br/>(32-1-1)</b> |
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Chair Day reported that the Committee voted unanimously to approve a public hearing.

Chair Day moved for approval of the public hearing; said motion was seconded and approved by a machine vote of 32-1-1 (Reps. Adams, Berns, Blackwell, Boccuzzi, Cannady, Day, DeLuca, DePina, Diamond, Esposito, Fedeli, Figueroa, Franzetti, Giordano, Greenberg, Heaphy, Larobina, Layton, Lombardo, Lyons II, Mallozzi, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Nowakowski, Rauh, Skigen, Summerville and Zelinsky in favor; Rep. White opposed; Rep. Lodato abstaining) (See [RCS Vote Record No. 724](#)).

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

Chair Zelinsky reported that the Operations Committee did not meet this month.

**PUBLIC SAFETY &  
HEALTH COMMITTEE:**     **Richard Lyons, II, Chair**  
[\(Attendance\)](#)             Meeting; Thursday, June 22, 2006  
[\(Votes\)](#)                     7:45 p.m. – Democratic Caucus Room  
[\(Report\)](#)

Chair Lyons reported that the Public Safety & Health Committee met on June 22, 2006. Present were Committee Chair Lyons and Committee Member Reps. Adams, Berns, Coppola, DePina, Larobina, Mirkin and Zelinsky; absent/excused were Reps. Aposporos, C. Martin, J. Pia; also present were Reps. Mitchell and Layton; Michael Toma of the Law Department; Frank Fedeli of Operations; John DaRosa, city resident; Bill Callion, Director of Public Safety, Health & Welfare; Jeff Brown of the Engineering Bureau; John Pepper of RPL Architects, Inc. and Brent Larrabee, Police Chief.

1. PS27.010	REVIEW; of consultant's report regarding Stamford police headquarters.	<b>REPORT MADE</b>
	06/06/06 – Submitted by Rep. Lyons	
	06/22/06 – Report Made	

Chair Lyons reported that the consultant's report is very lengthy and prepared by an internationally-renowned firm out of Canada. Chair Lyons encourages all interested representatives who have an interest in the facility and its condition (which will have to be dealt with in the near future) to look at the report and get up to speed as to what the costs of the consultant's options are. This is the most detailed report that the Police Department has commissioned on its physical structure in decades.



2. [PS27.012](#) PROPOSED ORDINANCE; for publication; **HELD IN  
COMMITTEE**  
amending Chapter 7 (CCTV Cameras) of the Code  
of Ordinances to authorize expanded use of CCTV  
Cameras.  
05/25/06 – Submitted by M. Toma, Legal Affairs  
06/22/06 – Held in Committee

*Secondary Committee: Legislative & Rules*

Chair Lyons reported that Director Callion had submitted this item months ago. The Law Department, in conjunction with the Police Chief and the Director of Public Safety, Health & Welfare, reviewed the ordinance and proposed some changes. The Committee reviewed the proposed changes. The Committee worked very late, and Chair Lyons appreciates their time commitment. The ordinance was reviewed, amended in Committee and there still may be changes needed. The Committee voted 8-0-0 to hold the item. The Law Department submitted a draft back to this ordinance, which still needs review by the Committee.

Chair Lyons encouraged any member who has issues or concerns to get the item from the Board Office, review it thoroughly, and to bring those concerns to the Chair's attention prior to next month's meeting. This is a major item concerning safety and liberties. All members are also encouraged to attend the Committee meeting.

Chair Lyons stated that he hopes to move forward next month on this ordinance.

President Martin stated that this is an important ordinance and asked that members review it prior to the Public Safety & Health Committee meeting, adding that he doesn't want this sitting in Committee for months.

## **PARKS & RECREATION**

**COMMITTEE:** **Linda Cannady, Co-Chair**  
[\(Attendance\)](#) **Joseph Coppola, Co-Chair**  
[\(Votes\)](#) Meeting: Tuesday, June 27, 2006  
[\(Report\)](#) 7:00 p.m. – Republican Caucus Room

Co-Chair Cannady reported that the Parks & Recreation Committee met on June 27, 2006. Present were Co-Chairs Coppola and Cannady and Committee Member Reps. Lyons, Fedeli, Greenberg and McCullen; absent/excused were Reps. Mallozzi, Heaphy, White, Young and Pia. Also present were Rep. Zelinsky, Frank Fedeli of Operations and Roger Fox of the Harbor Commission.

1. [PR27.005](#) PROPOSED ORDINANCE; **for public hearing  
& final adoption**; requiring both municipal golf **HELD IN  
COMMITTEE**

courses to 1) issue identical permits with photos;  
2) that permits contain contact telephone  
numbers for the golf courses; 3) that revenue  
from the sale of permits be divided equally  
between both golf courses.

04/27/06 – Submitted by Reps. Cannady,  
Coppola, Day, DeLuca, Fedeli, Lyons and Skigen

05/23/06 – Committee approved 7-0-2 for  
publication

06/05/06 – Approved for publication 36-2-0

06/27/06 – Held in Committee 6-0-0

Chair Cannady stated that the Committee held this item while it awaits further information.

2. PR27.006	REVIEW; Stamford's Harbor Management Commission plan. 05/08/06 – Submitted by Rep. Lyons 06/27/06 – Report Made	<b>REPORT MADE</b>
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**EDUCATION COMMITTEE:**  
(Attendance)  
([Report](#))

**Thomas C. Hunter, Chair**  
**Michael L. Molgano, Vice Chair**  
Meeting: Thursday, June 22, 2006  
7:00 p.m. – Republican Caucus Room

Vice Chair Molgano reported that the Education Committee met on June 22, 2006. Present were Committee Members: Hunter, Molgano, Rauh, Lodato and C. Martin. Excused were Committee Members: Elaine Mitchell and Cynthia Martin. Also present: Board Members Adams and Layton; Theresa Magistro, Teachers Union President.

1. E27.007	REVIEW possible causes for the high turnover rate of teachers in the first five years of their employment in the Stamford School System. 06/08/06 – Submitted by Chair Hunter 06/29/06 – Report Made	<b>REPORT MADE</b>
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Vice Chair Molgano stated that a detailed Committee Report has been provided on this matter.

**HOUSING/COMMUNITY DEVELOPMENT/**

**SOCIAL SERVICES COMMITTEE:**

(Attendance)  
([Report](#))

**Elaine Mitchell, Chair**  
**Philip J. Giordano, Vice Chair**  
Meeting: Tuesday, June 20, 2006  
6:00 p.m. – Democratic Caucus Room

Chair Mitchell reported that the HCD-SS Committee met on June 20, 2006. Present were Chair Mitchell and Vice Chair Giordano and Reps. McCullen, Blackwell, Molgano and Nowakowski. Excused were Reps. Figueroa, Aposporos and Munger. Also present were Courtney Nelthropp, Chair of the Housing Authority Commission; Richard Fox, Director of the Stamford Housing Authority along with Estella Alexander, Brian Robinson and Vincent Tufo; Charles Parks of the CGP Advocates Law Group, Attorney for Fairfield Court Tenant Association; and Bernest McLeod, President of Fairfield Court Tenant Association.

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| <p>1. HCD27.014    REVIEW &amp; status report; on commercial linkage program.<br/>         03/30/06 – Submitted by Chair Mitchell<br/>         04/10/06 – Held in Committee<br/>         05/16/06 – Held in Committee 7-0-0<br/>         06/05/06 – Held by Full Board<br/>         06/20/06 – Held in Committee</p> | <p><b>HELD IN<br/>COMMITTEE</b></p> |
| <p>2. HCD27.013    REVIEW &amp; update; HOPE VI application for Fairfield Court.<br/>         03/30/06 – Submitted by Chair Mitchell<br/>         04/10/06 – Held in Committee<br/>         05/08/06 – Placed on Pending Agenda<br/>         06/20/06 – Report Made</p>  | <p><b>REPORT<br/>MADE</b></p>       |

Chair Mitchell stated that a detailed report has been provided on Item No. HCD27.013.

<p><b>TRANSPORTATION COMMITTEE:</b>  <a href="#">(Attendance)</a>  <a href="#">(Votes)</a>  <a href="#">(Report)</a></p>	<p><b>Robert “Gabe” DeLuca, Chair</b>  <b>Terry Adams, Vice Chair</b>          Meeting: Tuesday, June 20, 2006          7:00 p.m. – Republican Caucus Room</p>
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Chair DeLuca reported that the Transportation Committee met on June 20, 2006. Present were Chair DeLuca and Committee Member Reps. Franzetti, Blackwell, Giordano, Lombardo, Mirkin and Young; Reps. Zelinsky and Adams were excused. Also present were Bill Callion, Director of Public Safety, Health & Welfare; Sandy Goldstein, Executive Director of the DSSD; John Ruotolo of the DSSD as well as several members of the public who attended to speak at the public hearing.

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| <p>1. <a href="#">T27.010</a>    RESOLUTION for public hearing &amp; final adoption; amending the rates for the discounted <a href="#">employee parking program</a> administered by the DSSD and removing business owners from the program.<br/>         05/01/06 – Submitted by Chair DeLuca &amp; Reps. Adams and Zelinsky</p> | <p><b>APPROVED<br/>BY<br/>MACHINE<br/>VOTE<br/>35-0-0</b></p> |
|--|---|

05/18/06 – Committee approved 6-0-0 (as amended)  
06/05/06 – Approved 37-0-1  
06/20/06 – Committee approved 7-0-0 (as amended)

Chair DeLuca moved to delete the *Whereas* clause that excludes business owners from the program; said motion was seconded.

Rep. Zelinsky stated that this is a very serious matter and has far-reaching consequences in the future. Rep. Zelinsky apologized for not being able to make the Committee meeting, which always fell on the Thursday after Steering, but it was changed apparently to accommodate someone who was invited to the meeting. To begin with, the Transportation Committee minutes of February 13, 2003 on this item state: “the feasibility of offering employees discounted parking at the Bedford Street Garage.” Mr. Zelinsky stated he emphasizes the word *employees*. “At the present time there are two floors in the garage, and approximately 35 employees – primarily waitress staff, dishwashers, waiters – use the garage of which 20 people buy a monthly ticket at a cost of \$55 per month,” which is what it was in 2003. “Mary Schaeffer of Telluride Restaurant believes that with a reduced rate, more people will use the garage, thus freeing up street parking spaces. The Committee recommended that Tim Curtin, working with the DSSD, begin a pilot program for six months, offering a reduced rate which will attract employees into the garage and at the same time assure that there will be no lost revenue to the City. Tim Curtin will keep the Board of Representatives informed as to the program’s status, and trusts that the full Board will go along with the Committee’s recommendation.” Rep. Zelinsky stated that at the March 2003 regular board meeting, there were four or five items on the Agenda, and under that particular item, it said “please see report.” There was no discussion, there was no action taken. The program went into effect, and after two and a half years, through an audit as he understands it, it was found that people were getting these discount tickets and it was never actually approved.

Rep. Zelinsky stated that the program started in 2003 with 35 discount coupons to employees for the main purpose of freeing up the parking spaces in the front that were previously used by the employees so that customers could park there and go in and enjoy the restaurants. These discount coupons were issued by the DSSD, and going from 35 to 251 is like free samples given out in a supermarket. Rep. Zelinsky stated that he is concerned that in another 3 years we may have up to 500 of these discount tickets. He stated he has nothing against the small business owners, but again, the purpose and the reason this was brought to the Board’s attention, was for the employees only. In the minutes of the Transportation Committee of May 18, 2006, Mr. John Routolo of the DSSD did include a fax that had a listing of all the coupons issued, and it says, that there are 251 coupons issued. Mr. Zelinsky stated he cannot believe that if 251 people applied, why they wouldn’t use the discount coupons – but that is another story.

Rep. Zelinsky stated that the point he is trying to bring out is that there are approximately 14 business owners who are taking part in this program, and he believes they should not be. One of the business owners has a business on Atlantic Street, he is

listed in the report from the DSSD as the only individual; he happens also to be a member of the Board of Governors. Rep. Zelinsky stated he thinks this is a bit much and that this is an insult to our residents and our taxpayers.

Rep. Zelinsky stated that he believes that tonight we should not amend the original amendment made last month that excluded the business owners. Rep. Zelinsky stated that there is nothing in the resolution that precludes the DSSD from issuing these discount coupons to employees who may not be working on the first floor. There are businesses with employees working either in the basement or the second floor, and as far as he is concerned, there was never anything said pertaining to that. Whatever happens tonight, he would hope that the DSSD would exclude any of those employees also.

Rep. Zelinsky stated that tonight, right or wrong, we have to change this and go along with what the Committee and the full Board, who voted 37-0 last month to exclude business owners. There has been some conversation about what is an employee and what is an employer. Well, of course, the employee is going to come to work and assist the employer; I don't think there are any absent employers, but don't forget they are the business owners.

Rep. Zelinsky stated he received a copy of an attachment which had the people who did speak at the public hearing, and there were exactly 15 employers who pleaded and changed the minds of the Committee from last month by saying that it was a hardship for them to afford it. The difference between the \$75, which is what the residents and taxpayers pay, and the discounted tickets, which will be approved tonight for \$46, is a difference of \$29 a month times 12; Rep. Zelinsky finds it very unrealistic to say that a business owner is going to go out of business as a result of paying another \$388 per year. Rep. Zelinsky is supportive of small businesses, but the intent was for employees and employees only, and he believes that tonight the Board has to correct an injustice.

Rep. Zelinsky stated he encourages his colleagues to vote against the amendment.

Rep. Adams stated that this discount program has gotten out of hand. It started out with staff – dishwashers and kitchen employees – and it went from 35 employees to 251. During the committee meeting, Sandy Goldstein ensured the Committee that there were no owners that took advantage of the discount. After investigation, the Committee learned there were 14 business owners. The DSSD admitted that the business owners should not be in the program, and the Committee amended the resolution to bar business owners from participation in the program.

Rep. Adams stated that due to the change in the normal Committee meeting date, he and John Zelinsky were unable to attend the meeting. And, at that meeting, business owners attended and expressed that the \$29 difference in the price between a regular and discount parking pass is a burden. The people who live in downtown Stamford are not allowed to take advantage of this discount. Mr. Adams stated he doesn't

understand why the business owners, who may not even live here, should benefit from this program. He added that this program should be restricted to employees.

Rep. Mirkin stated that as a member of the Transportation Committee, he was the individual who made the motion to exclude business owners. Then the Committee held its public hearing, and the public came to speak. The point of the public hearing is to hear what the public has to say. In one way, he does agree with a fellow representative in that there is a wrong that needs to be righted this evening; that wrong was, in his opinion, to exclude business owners. Being a business owner is not a nasty thing, it is not meant to insult people. Business owners pay taxes to the City of Stamford, to the DSSD and they employ people who may or may not live in the town – so, overall they are very good for the economy.

Rep. Mirkin stated he was particularly persuaded by two women who were having difficulty making rent, and they are business owners who have two jobs – one of them not at their business. So, we can drive small business owners out or try to do something that makes sense, which is to offer discount parking to anybody, business owner or not, who works downtown. We just built a new parking garage, we have more than sufficient parking capacity, so to the degree that we take these folks who own businesses and get their cars off the street, means that there is more freed-up parking for people to patronize their businesses so they can pay more taxes to the City of Stamford.

Rep. Mirkin concluded by saying that as one who originally made the amendment to exclude, he also made the motion to include the business owners. Mr. Mirkin asked his fellow representatives to support the amendment that came out of the Transportation Committee 7-0-0.

The motion was approved by a machine vote of 29-5-1 (Reps. Berns, Blackwell, Boccuzzi, Day, DeLuca, DePina, Diamond, Esposito, Fedeli, Franzetti, Giordano, Greenberg, Heaphy, Larobina, Layton, Lodato, Lombardo, Lyons, Mallozzi, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Nowakowski, Pia, Rauh, Skigen and White in favor; Reps. Adams, Cannady, Figueroa, C. Martin and Zelinsky opposed; Rep. Summerville abstaining) (See [RCS Vote Record No. 725](#)).

Chair DeLuca moved the amended resolution; said motion was seconded and approved by a machine vote of 35-0-0 (Reps. Adams, Berns, Blackwell, Boccuzzi, Cannady, Day, DeLuca, DeLuca, DePina, Diamond, Esposito, Fedeli, Figueroa, Franzetti, Giordano, Greenberg, Heaphy, Larobina, Layton, Lodato, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Molgano, Nowakowski, Pia, Rauh, Skigen, Summerville, White and Zelinsky in favor (See [RCS Vote Record No. 726](#)).

2. [T27.011](#) APPROVAL; of an agreement between the City of Stamford and the Norwalk Transit District for transportation services.  
05/31/06 – Submitted by Mayor Dannel P. Malloy  
06/12/06 – Approved by Board of Finance

**APPROVED  
BY  
UNANIMOUS  
VOICE VOTE**

06/20/06 – Committee approved 7-0-0

Rep. DeLuca moved Item No. T27.011; said motion was seconded.

Rep. Zelinsky asked whether the seniors are limited to doctor and hospital visits or whether other locations are accommodated. Chair DeLuca stated that this is for all activities.

**STATE & COMMERCE COMMITTEE: Paul A. Esposito, Chair**

[\(Attendance\)](#)

[\(Report\)](#)

Meeting: Monday, June 26, 2006

6:30 p.m. – Republican Caucus Room

Chair Esposito reported that the State & Commerce Committee met on June 26, 2006. Present were Chair Esposito, committee member Reps. Day, DeLuca, Diamond, Fedeli, Heaphy, Lombardo, Mallozzi, Rauh and Skigen; absent/excused was Clerk Summerville. Also present were President Martin, House Representatives Gerald Fox, III (146<sup>th</sup> Dist), Carlo Leone (148<sup>th</sup> Dist) and Christel Truglia (145<sup>th</sup> Dist) as well as Senators Andrew McDonald (27<sup>th</sup> Dist) and William Nickerson (36<sup>th</sup> Dist).

1. SC27.006	MEETING; with State legislators. 06/12/06 – Submitted by Chair Esposito 06/26/06 – Report Made	<b>REPORT MADE</b>
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Mr. Esposito stated that a report has been provided to all.

**MINUTES**

1.	<a href="#">June 5, 2006 Regular Board Meeting</a>	<b>APPROVED BY UNANIMOUS VOICE VOTE</b>
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**OLD BUSINESS**

**NEW BUSINESS**

**ADJOURNMENT**

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:00 p.m.