

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, March 5, 2007** in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

MINUTES

President Martin called the meeting to order at 8:00 p.m.

INVOCATION: Led by Rep. Lodato

“Our true interest will be best promoted by making all the just claims of our fellow citizens, wherever situated, our own; by urging and enforcing them with the weight of our whole influence; by exercising in every instance a just government in their concerns, and making common cause even where our separate interest would seem opposed to theirs. No other conduct can attach us together; and on this attachment depends our happiness. From Thomas Jefferson’s letter to James Monroe, Aug. 11, 1786.”

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

ROLL CALL: Conducted by Clerk of the Board Annie Summerville; there were thirty-five members present; two vacancies and three members absent/excused (Reps. Franzetti, Young and Mallozzi).

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

MOMENTS OF SILENCE: Thelma Nicole Wright by the 27th Board of Representatives; Leon Johnson, Fred Findley, Linda McCorry, Ruby Watts, Lillie Pearl Williams, Cecil Bennett and Leola Herring by Clerk of the Board Summerville; George Reiner and Dr. Lloyd Fisher by Rep. Rauh; Ruth Louise Jessup Peck, Anna Reinhold Eberhardt, Ruby Cobb Watts, Rosemary C. Simonelli, Samuel Armondo Guarnio, Christine Temple Carlucci and Andrew N. Martinelli by Rep. Giordano; and Michael J. Lasalandra by Reps. Girodano and Zelinsky; Paul Joseph Dziezyc, Bernard G. Siviglia, Sr., David J. Schemel, Walter Langevin and Stuart C. Hallady by Rep. Zelinsky.

COMMUNICATIONS:

1. President Martin reminded all representatives of Tim Curtin's Retirement Dinner, scheduled for March 15, 2007.
2. President Martin read a letter of resignation from Rep. Nowakowski.
3. President Martin announced that the public address system has been installed and is in the process of being fine-tuned.
4. President Martin announced that vacancies will be filled next month.

REMEMBRANCE FOR TOM HUNTER: President Martin stated that Tom Hunter passed away earlier this year, and he felt it appropriate to have a brief time for representatives to share memories or comments about Mr. Hunter. A brief slide show was shown.

President Martin stated that he did not know Tom well until he joined the Board of Representatives, and he was one that was always working hard and unless illness prevented him, he was always at his committee meetings, and he never had a hidden agenda. He was working for what he believed to be his constituents for the City, the kids in the schools, for the East Side Partnership and his honest commitment was something that Mr. Martin is very proud of. Even when they disagreed, he felt that the level of his commitment, the citizen-patriot, touched him, and that is what he remembers most – his commitment and his enjoyment at being here. He remembers Tom's laugh, and he will miss him a great deal. President Martin introduced the remaining speakers.

Carmen Domonkos, former President of the Board: "Tom Hunter was a man who felt deeply and was committed to his duty, to his neighborhood and representing them on the Board of Reps. He was thoughtful; he didn't speak on every issue but when he spoke you could be certain that he truly cared about the issue. He would study an issue in depth, using his expertise as an engineer on the research he had done and knowing that every question had sincerity. Sometimes he was a little conservative, but he kept our caucus kind of balanced. Mary, I don't know how marrying into your family ... I would love to have heard some of those dinner table conversations ... but the East Side Neighborhood, and especially the East Side Partnership. We will really miss him. He came to weekly meetings struggling sometimes when he wasn't well, and we appreciated his interest and his commitment. We want to thank you for supporting him, Mary, in his work for the community and we extend our sincere condolences. Thank you."

Rep. Gabe DeLuca, Minority Leader: When I was reading Tom's obituary, I was astounded to learn that he was an inventor, ran a tour agency in Japan and was a prominent businessman. I was astounded because I couldn't believe that a person as low key, humble, always made you feel at ease, could accomplish so many things. To say that opposites attract, I believe this is true, because Tom, being the quiet person and I, being the opposite, always worked well together on various issues. As we all

know, Tom was sincere about our education system and wanted to be certain that the kids were getting a good education in a safe environment. When Tom wasn't ready to sign off on the Clairol site until there was an environmental study indicating there were no chemicals on the site. We shouldn't forget the fact that he kept hounding the Board of Education to present us with a budget that we could understand. They say that God works in mysterious ways. I believe this is true because at 7:30 a.m. on the day that I received Val's call about Tom, I was speaking with Peter Privitera who mentioned the fact that the previous day Hugh Murphy, a gentleman from the Board of Education, wanted to know what they could do to make Gabe happy with the Board of Education's budget presentation. I emphatically informed Peter that you don't have to make me happy, just do what Tom Hunter has been asking for the past several years. Let me tell you that when I hung up after speaking to Val, I looked up into the sky and said, "Tom, it looks like you finally succeeded. We are about to receive a budget that we can read." Tom, thank you for being with us; you will be always be in our thoughts. God bless you.

Representative Polly Rauh: To know Tom Hunter was to know a true gentleman, a person with much knowledge, expertise, experience and accomplishments. He deeply cared about and gave of himself to our community. Tom's brand of service was to study, weigh all the facts, issues and possibilities. Then, in his low key manner, he would vigorously pursue what he believed to be the best outcome. Tom would persistently debate with both reason and passion. Education was one of his prime passions. He recognized that the successful education of each and every person was essential to their future. This he saw as not only the right of the individual but as the responsibility of each of us – a role that he assumed with much rigor, fervor and dedication. During his years on the Board of Representatives, Tom stood firm in his personal efforts and support for measures that would strengthen the functioning of public education, helping others to understand the importance of communicating program practices and finances in means that the public could understand. For people who cared about the education of Stamford's children, Tom Hunter was our champion. Tom's philosophy epitomizes the well-known Chinese symbol with the dual meaning of crisis and opportunity. To him, if there was a challenge, it was to be met; a gift, accept; an adventure, dare it; a duty, perform it; an opportunity, take it; a goal, achieve it; a puzzle, solve it; a journey, complete it; a promise, fulfill – he will be missed.

Michael Molgano, Co-Chair, Education Committee: I was honored when President Martin asked me to say a few words about Tom, but regrettably, a few words will never be enough to celebrate Tom Hunter's legacy. I have had the privilege of working with Tom ever since becoming a member of this Board. His enthusiasm, compassion, his concern commitment to his office and the people he served – Tom will always be an inspiration to me. Tom was chairman, my mentor and my friend. And, if a few words are all I am allotted, the ones I feel would best sum up Tom's legacy are found in an old Rabbinic saying from the Jewish Mishnah: Everyone whose deeds are more than his wisdom, his wisdom endures; everyone whose wisdom is more than his deeds, his wisdom does not endure. In Thomas C. Hunter's life there is no doubt – his wisdom endures forever.

Majority Leader John Boccuzzi: Tom Hunter. A little man with a heart as big as all outdoors. I can recall many, many telephone conversations with Tom where we discussed the agenda, not only the education items but every item on the agenda. It was always a privilege and an honor to talk with Tom. He always had a point of view that when you listened to it, it was hard to go against it. As far as I am concerned, Tom Hunter will never leave this floor. He will always be a member, and I will always remember his friendship. Thank you.

Representative John Zelinsky: Representative Hunter served on my Operations Committee. Tom attended every one of my committee meetings, except when he was not feeling well. Tom added a great deal to my meetings and asked very good questions on items before us. Tom was well-informed on many topics and issues. Tom was truly a hard-working, dedicated representative who supported his constituents. He will be sorely missed. There was only one Tom Hunter.

Tom's wife, Mary Bernstein Hunter: I know most of you. My phone was always ringing at home, and I would like to really talk about two things, off the cuff. I didn't realize I was going to be asked to speak. One, I would like to talk about Tom and his constituents. And, indeed, no constituent's concern was too small for him, even when he was ill. And whether it meant finding the right representative in city government, whether it meant going to look at trash, whether it meant going to look with a 14-year old constituent about her concern about property near, Tom was always responsive. And, indeed, I have gotten several very nice notes from some of his constituents, which really meant a lot to me.

The other thing that I want to mention is all of you. Most people did not know how sick Tom was. Tom was diagnosed with terminal cancer over two years before he died, and even though he was in and out of hospitals and radiation and chemotherapy and stent replacements, one of the things that kept him going was his community service, and that meant the East Side Partnership and certainly the Board of Representatives. And, it was really amazing, toward the end of his life, and he really had a deteriorating illness, he would often have me come with him because he was concerned that he wouldn't be able to make it through a meeting, and then I could take him home. And, every time he went to a meeting, we never left early. I remember him informing me that certain meetings were only going to last for a short period of time, and I can remember being here at 11:00 and 11:30 at night, and I quickly learned to bring not one but two books with me. But you all kept Tom going. His service to this community and the Board of Representatives was one of the things that was most meaningful to him and so I would like to thank each and every one of you. Thank you.

A slide show on Tom Hunter was presented. President Martin presented Mary Hunter with a Sense of the Board resolution; Clerk of the Board Summerville presented Mary Hunter with a floral arrangement.

FILLING OF VACANCY: President Martin announced that vacancies will be filled next month.

HONORARY RESOLUTIONS:

1. [SENSE OF THE BOARD RESOLUTION](#); honoring Mr. Justin Quagliani on his bravery in assisting the police in the apprehension of a suspect.
12/15/06 – Submitted by Rep. Zelinsky **APPROVED BY UNANIMOUS VOICE VOTE**

President Martin presented Mr. Quagliani with the resolution. Mr. Quagliani thanked the Board for this honor.

2. [SENSE OF THE BOARD RESOLUTION](#) congratulating Jennifer Lapine for her commitment to the Childhood Learning Centers.
02/08/07 – Submitted by President Martin **APPROVED BY UNANIMOUS VOICE VOTE**

3. [SENSE OF THE BOARD RESOLUTION](#); recognizing the 95th Anniversary of the Girl Scouts of the USA.
02/20/07 – Submitted by Rep. Skigen **APPROVED BY UNANIMOUS VOICE VOTE**

4. [SENSE OF THE BOARD RESOLUTION](#); thanking the American Legion Post 3 for its Fourteen Years as Co-Sponsor for the Stamford Area United States Marine Corps Toys for Tots.
02/02/07 – Submitted by Rep. Giordano **APPROVED BY UNANIMOUS VOICE VOTE**

5. [SENSE OF THE BOARD RESOLUTION](#); honoring Thomas C. Hunter, Jr. for his many years of service to the City of Stamford.
02/02/07 – Submitted by the 27th Board **APPROVED BY UNANIMOUS VOICE VOTE**

Upon motion duly made and seconded, the five above-listed resolutions were approved by unanimous voice vote.

At 8:45 p.m., Majority Leader Boccuzzi moved to reconvene party caucuses; said motion was seconded and approved by unanimous voice vote.

STANDING COMMITTEES

The meeting reconvened at 9:05 p.m.

STEERING COMMITTEE: Meeting: Monday, February 12, 2007
[\(Attendance\)](#)
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

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

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

Chair Summerville reported that there was no Appointments Committee meeting held this month.

FISCAL COMMITTEE: **Randall M. Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Votes\)](#) Meeting: Monday, February 26, 2007
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

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[\(Attendance\)](#)
Meeting: Monday, March 5, 2007
[\(Votes\)](#)
6:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Monday, February 26, 2007. Present were Committee Chair Skigen and Vice Chair Cannady and Committee Member Reps. DeLuca, Fedeli, Figueroa, Giordano, Lyons, Mirkin and Mitchell. Absent/excused was Rep. Day. Also present were: Peter Privitera of OPM; Chief McGrath and Brendan Keatley of the Stamford Fire & Rescue Department; Karen Cammarota of the Grants Department; Debra Katz of the Health Department; Bill Callion, Director of Public Safety, Health & Welfare and Sandra Dennies, Director of Administration.

Chair Skigen reported that the Fiscal Committee also met this evening, March 5, 2007. Present were Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Giordano, Lyons, Mirkin and Mitchell. Also present were Reps. Berns, Blackwell, Coppola, Heaphy, Molgano, Rauh and Summerville; Alex Shih, Jim Ziglar and Paul Chatalas of UBS; David Panico of Robinson & Cole; Sandra Dennies, Director of Administration; and Christopher P. martin of Webster Bank.

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| 1. F27.204
\$1,365.00 | ADDITIONAL APPROPRIATION (Grants Budget); Commission on Aging Outreach Grant; to align budget with increased state allotment.
01/26/07 – Submitted by Mayor Dannel P. Malloy
02/08/07 – Approved by Board of Finance
02/26/07 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. F27.200
\$45,000.00 | ADDITIONAL APPROPRIATION (Grants Budget); Prevention Case Management Services; grant to Stamford Health Department from Optimus Health Care to help homeless clients.
01/19/07 – Submitted by Mayor Dannel P. Malloy
01/08/07 – Approved by Board of Finance
02/26/07 – Committee approved 6-0-1 | APPROVED ON
CONSENT
AGENDA |
| 3. F27.201 | GRANT RESOLUTION; authorizing an agreement for funding under the Clean Vessel Act to upgrade the vessel pumpout equipment at Cummings Marina; amount of grant: up to \$11,126; city match: \$3,709
01/22/07 – Submitted by Mayor Dannel P. Malloy
02/26/07 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA |
| 4. F27.203
\$64,590.00 | ADDITIONAL APPROPRIATION (Operating Budget); Collections; Overtime & Social Security; to fund additional pickups for condos and new developments.
01/30/07 – Submitted by Mayor Dannel P. Malloy
02/26/07 – Item Withdrawn | WITHDRAWN BY
ADMINISTRATION |
| 5. F27.202
\$725,179.00 | ADDITIONAL APPROPRIATION (Operating Budget); Stamford Fire & Rescue; Overtime; due to shortage of 12 firefighters, overtime budget will be exceeded.
01/30/07 – Submitted by Mayor Dannel P. Malloy
02/08/07 – Approved by Board of Finance
02/26/07 – Committee approved 9-0-0 | APPROVED ON
CONSENT
AGENDA (Rep.
Munger abstains) |

Secondary Committee: Public Safety & Health

Rep. Lyons moved to waive the Secondary Committee Report; said motion was seconded and approved by unanimous voice vote.

Suspension of Rules:

Chair Skigen moved to suspend the rules to take up an item not appearing on the Agenda; said motion was seconded and approved by unanimous voice vote.

Representative Greenberg left the floor for the discussion of Item No. 6 below.

6. F27.215 Cover Memo- Mayor Rate Lock Strategies Presentation Cover Memo- R&C	RESOLUTION ; authorizing forward refunding of 1998 bonds in an amount not to exceed \$20 million. 03/05/07 – Submitted by Sandra Dennies 03/05/07 – Committee Approved 9-0-1 03/08/07 – To be considered by Board of Finance	APPROVED BY UNANIMOUS VOICE VOTE
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Chair Skigen stated that the City has been successful in the past in doing bond refundings. Between August 1998 and 2005, we have done six bond refundings with a total budgetary savings of almost \$7 million. The bond refunding that is proposed under the resolution for tonight is known as a forward refunding because these bonds have already been refunded, we must wait under IRS law until 90 days before they are due to refund again. However, interest rates are at a very favorable point right now, and the estimated budgetary savings is approximately \$700,000 with a present value of approximately \$625,000, after cost of issuance. What this resolution does is give the authority for the administration, once they get the approval of the Board of Finance, to enter into a rate lock which would give us these savings in the 2007-08 fiscal year. The Committee, after lengthy discussion tonight, voted 9-0-1 to approve this resolution. Chair Skigen moved the item; said motion was seconded and approved by unanimous voice vote.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1-3 and 5, was approved by unanimous voice vote (Rep. Munger abstaining).

Chair Skigen noted that the budget will be released on Thursday and Thursday evening the Mayor and the Board of Education will provide overviews of their budgets. All representatives are invited to attend. The public hearing is Wednesday, March 21, 2007.

**LEGISLATIVE & RULES
COMMITTEE:**

James D. Diamond, Chair

(Attendance)

Arthur Layton, Vice Chair

(Votes)

Meeting: Monday, February 26, 2007

(Report)

7:00 p.m. – Republican Caucus Room

Chair Diamond reported that the Legislative & Rules Committee met on Monday, February 26, 2007. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Berns, Lodato, Lombardo, C. Martin, Mitchell and Zelinsky. Absent/excused were Committee Member Reps. Day, Esposito and Heaphy. Also present were Reps. Fedeli, Skigen and Lyons; Bill Callion, Director of Public Safety, Health & Welfare; Christopher Gioieli of the Stamford Police Department; Tom Cassone, Esq., Director of Legal Affairs; Jeanette Brown, Director of WPCA and Ben Barnes, Director of Operations.

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| 1. LR27.032 | PROPOSED ORDINANCE; for publication;
amending the WPCA ordinance (#1044) to include
changing the assessment formula for new sewer
installation.
12/04/06 – Submitted by Reps. Mirkin & Day
01/22/07 – Held in Committee 5-3-0
02/26/07 – Failed in Committee 3-3-2 (as
amended) | RETURNED TO
COMMITTEE
22-13-0 |
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Chair Diamond stated that this ordinance would roll back the assessment formula to the old formula, which is 40% of sewer-related costs vs. 40% of all related costs, which is a substantial difference. This item failed in committee 3-3-2. Chair Diamond moved Item No. LR27.032; said motion was seconded.

Rep. Boccuzzi moved to return the item to Committee; said motion was seconded.

Rep. DeLuca stated he doesn't understand why we would want to return it to Committee. This is a substantial cost to these people. One of the people who voted against this in Committee said he doesn't want other ratepayers to subsidize these people, however, that representative had no problem a few years back when parking meters were suggested for parts of his district. Rep. DeLuca asked that this be approved for publication so that a public hearing can be held and the public can be heard. He added that we have many emails sent in urging the Board to approve this ordinance.

Rep. Day stated that this item has been on the agenda for three months, and we have barely missed allowing a public hearing so that people can come in and articulate their opinions on this. This is a very simple issue. We changed the rules accidentally, with about 6 minutes left in a 60-minute game. All we are trying to do is to go back and play all 60 minutes of the game under the same rules. If we send it to Committee, that means that implicitly we are going to change the rules again. The substantial portion of our sewer system has been installed using one set of rules and we have to complete

the installation using the very same rules that applied from Day One. Changing the rules right now is unfair and against public policy. This will simply allow the public to be heard on it.

Rep. Mirkin urged fellow board members to vote for publication. In reading the minutes at the last meeting, those who voted against publication seemed to be interested in having the City not defray any costs for particular sewer projects or to tinker with the formula to give a higher percentage burden to people who would ultimately get sewers. When people get sewers, it is not like a big-screen tv. It is because there is a compelling need in the interest of public health. If a group of homes experiences a failure of septic systems, it could affect everyone's drinking water. If we send this back to committee, perhaps we are sending a message that perhaps we really don't want to hear from people who send us to this chamber, and that is wrong. Mr. Mirkin stated he is against adding more costs to homeowners.

Rep. Lyons stated he was at the L&R meeting, and if it was not for a few absent representatives, we may not be having this debate tonight. Rep. Lyons stated he is not sending it back to committee to increase or change the formula in an unfair way; he wants it to go back to committee so it can be done correctly, precisely and adopted at the Committee level, bring it forward for a public hearing and fix the inequities that were done in the ordinance years ago. He keeps hearing people put this ghost out there that the reason it is going back to committee is because someone is looking to hijack the process or increase the rates detrimentally; that is not the intention at all. The purpose of returning it to Committee is to let the Committee do its work and then come out with some equitable relief for the homeowners. No one wants to say that the changes adopted by the 26th Board were what we meant; we all know they weren't what we meant. It was always 40% of sewer-related costs. So, let's fix the language, fix the inequities and let's come forward with a public hearing sixty or ninety days from now ... but let's get it right on the committee level. This project is not on the ground yet, there are not steam shovels in people's back yards. No one is going to be harmed financially.

Rep. Greenberg stated he also has a good grasp of the issue and basically the rules were changed and we are looking to go back to the original rules. He sees no reason why we can't vote for publication, allow the public the opportunity to be heard and move forward that way. He feels sending it back to Committee is just inviting a lot of debate and possibly moving further away from where we should be headed. Mr. Greenberg urged his fellow representatives to vote for publication.

Rep. Munger stated that this is actually something that he and Reps. Pavia and Larobina have been involved with and dates back to failing septic in the early to mid 1990s. These people have been given amounts back then, and for us now to have these people pay the new formula is not fair. We can't give it to one and not the other. This project is slated to start this spring/summer, and that was confirmed by Jeanette Brown and Tim Curtin. Mr. Munger urges his fellow representatives to vote for publication.

Rep. Zelinsky stated that in response to Mr. DeLuca's comments, he was referring to parking meters and he is not ashamed to say that this was his district. For clarification and information purposes, the reason he was against meters being put in his district was because these were residential streets. They were not in commercial areas or the downtown areas; they were infringing on residential areas. He stated that he believed that his constituents would have to be paying more as a result of the change to the ordinance, and he felt at the time that it was not the right way to go. Having said that, he listened to Reps. Day, Greenberg and DeLuca who are really concerned about changing this. He has the minutes of March 1975, and those three representatives voted to approve the change to have the levy on all total costs for the sewers. He doesn't know why they voted in favor of changing it and now they are not. He cannot account why they would do it. Having said that, he would like the item sent back to committee to allow the residents to come to a public hearing. He did pass out in the Democratic Caucus, and he wanted to pass out to the Republican Caucus, some amendments rather than keeping it at the 40% of all costs. One of the recommendations is to exclude storm drains and curbs, which would be a large part of the average \$13,500 they would pay. Or, change the wording to 60%, only to be fair to everybody. So, by sending it back to Committee, we can have a public hearing in the future and those residents can come and voice their opinion. He urges his colleagues to send it back to committee.

Rep. Boccuzzi stated that he agrees with Mr. Lyons. Mr. Zelinsky stated that some people who voted for the change are now against it, and he is certain they were under the same impression that he was when he voted for it that the increase would be somewhere around 10-15%, not what it is now. He is not in favor of the new ordinance where the charges include the entire project, but this project is not like the two previous projects where figures were already given to the people who were getting the sewers. There has to be a compromise between the old and the new. Rep. Zelinsky has a compromise, he has a compromise, and these should be given to the committee for review. He would like the Committee to look at it and see what the new costs will be.

Rep. Mirkin stated that people said they thought it might be a 10% increase or a 15% increase, however, they did not know what the increase would be and everyone was entitled to estimate it. Rep. Mirkin asked, with regard to previous votes, if anyone in this room hasn't ever changed his/her mind. Because the ordinance that was passed was a lengthy ordinance and maybe some people did not pay close attention. But, that is not the point. The point is that when something is passed, a review may be required; a review of this legislation may show up an unintended consequence and its effects on people, and he feels it is then a great thing to do to try and change it.

Rep. Mirkin stated that by sending it back to committee, it will be an attempt to increase the cost to residents. He just heard from two representatives that this is what they are trying to do, and this would be wrong. There are certain items in the city – police, fire, education – you still share in those costs. He doesn't see anything wrong in putting it back to the way it was and it is appropriate to share these costs throughout the City.

Rep. Mirkin stated that he hopes we publish tonight so that we can get input from the public that we represent.

After discussion, Rep. Esposito moved the question was made, seconded and failed by a machine vote of 21-14-0. Reps. Adams, Aposporos, Blackwell, Boccuzzi, Cannady, DePina, Esposito, Figueroa, Giordano, Heaphy, Lodato, Lyons II, C. Martin, D. Martin, McCullen, Mirkin, Mitchell, Rauh, Skigen, Summerville and White in favor; Reps. Berns, Coppola, Day, DeLuca, Diamond, Fedeli, Greenberg, Larobina, Layton, Lombardo, Molgano, Munger, Pia and Zelinsky opposed (See [RCS Vote Record No. 781](#)).

Rep. Adams stated he is in support of returning it to Committee. The Committee should come up with a resolution to this issue.

Rep. Diamond stated that he voted in favor of the ordinance in committee. In response to Rep. Zelinsky's concerns about the costs that his constituents will have to pay, the cost is \$2.69 vs. \$15,500 to the homeowners. If this item is sent back to Committee, everyone can be assured that the public will have a say on the matter.

Rep. Day stated that he is not in favor of a compromise, but approving for publication does not prevent a compromise. The democratic thing to do is to have the public hearing. This provision is about 400 words, and this amendment involved deleting 3 words and adding 5 words; that is all this is. What is the work for the Committee to do?

Rep. DeLuca stated that as Mr. Mirkin stated, as years go by, you realize an error you may have made. Now, he feels this should be rectified. He is afraid that if this goes back to Committee, the public hearing won't happen until April, and then there will be the spring vacation and people will not be able to come to the public hearing. It makes no sense to him to delay it.

Rep. Greenberg stated that in response to the mentioning of his name earlier, that one of his colleagues has extrapolated how he intends to vote on the overall ordinance when in fact we are just debating whether to send it back to Committee or to take it up for publication. Rep. Greenberg stated he reaffirms his position that this be moved for publication so that the public has an opportunity to be heard. Mr. Greenberg stated that he doesn't appreciate other members of this Board extrapolating how he intends to vote, but he does think that public input is needed and there is no reason why we can't move forward right now.

Rep. Zelinsky stated in clarification to Mr. Greenberg's statement, he did not say how anyone would vote presently; he mentioned how they voted earlier. Also, according to the officials that came to the L&R Committee, the new way of paying for the sewers was explained to the residents on Intervale Road. Also, he took the trouble to come to the office and read the minutes of February 7, 2005. The minutes clearly and specifically state that there were four amendments made; three passed, one failed. There was no mention during the public part of our meeting about any percentage. We were just voting on the ordinance. Now, granted the last page of the ordinance is the one that

dealt with the levy of the assessments and that is where the change was made. He also brings to everyone's attention that the changes were prompted from complaints by sewer users about subsidizing the cost of new sewers. It was mentioned that it is only going to be \$2.69, but the balance of the 60% is paid by other ratepayers. The people that are requesting sewers are only paying 40%; and also, this was a ballpark figure that approximately \$13,500 would be the additional charge because of the change. This would be paid over a 15-year period. He has sympathy and respect for the residents in that area, and over the weekend he thought about it and felt he may have been too strong. He wants to be fair and has suggested compromise amendments.

Rep. Berns stated that he doesn't think anyone on this Board who suggested we stick with the mistake that was made two years ago. The mistake was not to make a change, it was the change that was made. We didn't realize we would be doubling the cost from approximately \$13,000 per person to about \$26,000 per person. Between \$13,000 and \$26,000, or the old and the new formula, there are many numbers, one of which would be a 10% increase, from \$13,000 to \$14,300. This would cost about \$1,300 per year. No one is in favor of \$26,000, but we should move a little bit with the policies and thinking that were debated and decided upon back in 2005.

The motion to return to Committee passed by a vote of 22-13-0 (Reps. Adams, Berns, Blackwell, Boccuzzi, Cannady, DePina, Diamond, Esposito, Figueroa, Giordano, Heaphy, Lyons II, C. Martin, D. Martin, McCullen, Mitchell, Pia, Rauh, Skigen, Summerville, White and Zelinsky in favor; Reps. Aposporos, Coppola, Day, DeLuca, Fedeli, Greenberg, Larobina, Layton, Lodato, Lombardo, Mirkin, Molgano and Munger opposed (See [RCS Vote Record No. 782](#)).

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| 2. LR27.033 | REVIEW; amendments to the WPCA ordinance.
12/20/06 – Submitted by Rep. Day & Mirkin
01/22/07 – No action taken
02/26/07 – Held in Committee 8-0-0 | HELD IN
COMMITTEE |
| 3. LR27.035 | PROPOSED ORDINANCE; for publication ;
regarding graffiti.
12/21/06 – Submitted by Director Callion
01/22/07 – Held in Committee 8-0-0
02/26/07 – Committee approved 8-0-0 (as amended) | APPROVED BY
MACHINE VOTE
29-5-0 |

Chair Diamond moved to approve Item No. LR27.035; said motion was seconded. Chair Diamond stated that when the police department and the anti-blight officer goes out and sees graffiti where the owner has not removed the graffiti, notice will be sent out, a period of time will be indicated, and a potential fine will be levied if the graffiti is not eliminated. There are neighborhoods in the City where there is blight; this affects the neighborhoods and the way people think about their neighborhoods and it is important that we move forward.

Rep. Berns stated he will vote for publication. He believes this ordinance does accomplish some good. He is concerned about what he feels is a blame the victim approach. Here we have young people buying spray cans, going around and spraying property. The property owner is completely innocent. We are proposing here is to threaten to fine them on a daily basis for the criminal activity of someone else. This step is necessary, but it is profoundly unfair and it is an unbalanced approach if we do not include other measures, for example, providing for the Director of Public Safety & Health or Operations to offer serious rewards if someone who turns in the perpetrators, who are so difficult to find. If we permitted them to offer rewards of more than the \$90, that might cause other students who are aware of people who are doing this to step forward, turn them in. We could catch them and scare the rest of them. That will be effective. We are not just punishing the property owners but making a serious effort to find the criminals. We need serious outreach to junior and high school students. There is opportunity to do outreach to hardware stores asking them to ask for identification and perhaps keep track of those who are buying spray paint. Even if these ideas are not particularly effective, it is a more balanced approach and gives an appearance of fairness.

Rep. Zelinsky stated that he originally voted against publication because it didn't make sense to punish someone who has been harmed by a perpetrator. He did change his mind to vote for publication out of respect for some representatives; Rep. Fedeli has problems in her district, for example. He has serious reservations about punishing someone who did not commit a crime. He stated he believes New York City has some type of law that says you cannot sell spray paint to minors, and maybe this is a way to handle it. There could be people who are not in a position to pay to have the graffiti removed.

Rep. Adams stated he is against the ordinance because it goes after victims. We should be looking into ways to holding graffiti artists responsible for damaging the property by making them pay for the removal of the graffiti. An ordinance that would charge people \$90 a day is not the solution. The property owners are being victimized by another person's disregard for personal property. This ordinance is not getting to the solution to the problem. This is re-victimizing the victim by fining them for something they were not responsible for.

Clerk Summerville stated that she is not voting for publication because she wants to save the taxpayers some of the cost of publishing. The other reason is that her district has a lot of graffiti. We do have an ordinance on the books to take care of it. Here we go, because someone is not enforcing the law, we are going to put more teeth into this by having someone else pay for another's crime. She is also not certain that it is young people who are doing this. She has some seniors in her district who have private homes who cannot afford this, and they live in an area where this happens. She will not vote to have them forced to take graffiti off of their home because they are a victim. Out of fairness we should demand that the blight ordinance, that is in place already, take care of this. Graffiti is blight. Why should we impose on the public a public hearing of

something we know already is not really good law? Clerk Summerville stated that common sense dictates that this is unfair. She says to the City: if it is blight, if it is a nuisance, it is incumbent on the City to take care of this. We should give this a try.

Rep. Layton stated that he lives in a condominium community, and they have a 7' high fence with graffiti. If one imagines hate-group graffiti there, and the association decides not to do something about it due to cost, now thousands of drivers will see this. This is a tool to make them remove it. If someone can't pay for the graffiti removal and to maintain their property, everyone in the community has to suffer from it.

Rep. Lyons stated that the police department undertook an initiative many months ago to try and track the graffiti, and they put together a pretty lengthy report, and he says 80-85% of the graffiti was on commercial properties. Rep. Lyons stated he sympathizes with everyone here and perhaps at the committee level they can address residential vs. commercial. A lot of the commercial properties were being affected, and they don't lack resources. For those with a hardship, he is certain we can include some safeguards in the ordinance. It is important that this was not undertaken without any research or methodology.

Rep. Lodato stated that he is a member of a family with several business interests in commercial properties. These properties have been repeatedly vandalized with graffiti. He cautions his fellow representatives against using the phrase that "this ordinance punishes the victim." Rather, this ordinance engages a property owner who has been victimized and communicates with that property owner that he/she has a responsibility to the neighborhood and the community at large to maintain the quality of life and the appeal of that neighborhood. A blighted property devalues the neighboring properties. It gives the impression of a high crime or an unsafe or an undesirable area. Whether the owner has been victimized or not, that property not being tended to will cause harm to his/her neighbors. The property owner has a responsibility to abate graffiti.

Rep. Fedeli stated that to clarify, the fine is not \$90/day; it is a \$90 initial fine and a \$10/day fine. Also, her district has been hit very hard with graffiti. It was herself and the Springdale Neighborhood Association who met with the chief, who was up front about their tracking the graffiti and putting an ordinance forward. This is going back almost one year. Of the quality of life issues in her district, she gets the most calls on graffiti. Where we can abate it right away, they do. Some property owners abate it immediately; others don't. This is not meant to punish. It is meant to try to get a mechanism to start the process. People spend a lot of money on their houses and want to protect their neighborhoods; then you drive through and see stuff written everywhere. She believes we should publish it and if it needs to be amended, she is open-minded to that. But, the public deserves to speak on this matter.

Rep. Day stated that this is not punishing the victim but of recognizing inherent obligations that property ownership entails. It is not unlike a tree falling on your property it is just incumbent on the owner to clear that tree. If ice forms on the sidewalk, it is

incumbent on the owner to remove that ice. If someone throws a bag of garbage in your front yard, it is incumbent on the property owner to clean it up. He does not view graffiti any different than these examples.

The motion was approved by a machine vote of 29-5-0 (Reps. Aposporos, Berns, Blackwell, Boccuzzi, Coppola, Day, DeLuca, DePina, Diamond, Esposito, Fedeli, Giordano, Greenberg, Heaphy, Larobina, Layton, Lodato, Lombardo, Lyons II, D. Martin, Mirkin, Mitchell, Molgano, Munger, Pia, Rauh, Skigen, White and Zelinsky in favor; Reps. Adams, Cannady, Figueroa, C. Martin and Summerville opposed.) (See [RCS Vote Record No. 783.](#))

4. [LR27.036](#) RESOLUTION; clarifying the intent of the Board of Representatives vis-à-vis the Sweet Briar Road Project in enacting Ordinance 1044, and particularly the prospective applicability of Stamford Code Sect. 200-41. **APPROVED BY UNANIMOUS VOICE VOTE**
02/07/07 – Submitted by Chair Diamond and Reps. Munger and Larobina
02/26/07 – Committee Approved 8-0-0

Chair Diamond stated that this Board enacted in 2005 a substantial change to the WPCA ordinance. One of the things that this Board did that year is change the way we assess residential sewer charges. This was a significant change. It was discovered that the residents of Sweet Briar Road were actually assessed originally under the old rates but would now be assessed the new, higher rates. Therefore, this resolution will cause these residents to be assessed under the old rates.

President Martin confirmed that the Corporation Counsel has electronically communicated to us that it is perfectly fine to do this as the project was already underway when this ordinance was changed.

Upon motion duly made and seconded, the item was approved by unanimous voice vote.

5. LR27.037 PROPOSED ORDINANCE; **for publication**; **HELD IN COMMITTEE**
amending Section 1-18 of the Code of Ordinances to increase the maximum general fine from \$90 to \$250, as permitted by § 7 of Public Act 06-185.
01/02/07 – Submitted by Reps. Day and DeLuca
02/26/07 – Held in Committee 8-0-0

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Chair

[\(Attendance\)](#)

Pauline S. Rauh, Vice Chair

[\(Votes\)](#)

Meeting: Monday, February 26, 2007

[\(Report\)](#)

6:45 p.m. – Republican Caucus Room

Chair Fedeli reported that the Personnel Committee met on Monday, February 26, 2007. Present were Chair Fedeli and Committee Member Reps. Cannady, Figueroa, Layton, Lodato and Skigen; absent/excused were Reps. Boccuzzi, Greenberg and Rauh. Also present was Tania Barnes of Human Resources and Joe Falzone of Operations.

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| 1. P27.045 | APPROVAL; of a contract of employment with William H. Morris as Clerk of the Works.
01/25/07 – Submitted by Mayor Dannel P. Malloy
02/26/07 – Committee approved 5-0-0 | APPROVED ON
CONSENT
AGENDA |
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Chair Fedeli moved the Consent Agenda, consisting of Item No. P27.045. Said motion was seconded and approved by unanimous voice vote.

LAND USE/URBAN

REDEVELOPMENT COMMITTEE: Harry Day, Chair

[\(Attendance\)](#)

Patrick J. White, Vice Chair

[\(Report\)](#)

Meeting: Wednesday, February 8, 2007

7:00 p.m. – Democratic Caucus Room

Chair Day reported that the Land Use-Urban Redevelopment Committee met on Wednesday, February 8, 2007. Present were: Chair Day and Vice Chair White as well as Committee Member Reps. Greenberg, Lombardo and Summerville; also present was Rep. Adams; Rick Redniss, David Emerson of EPB; Stacey Zimmermann of SEI; Andy Altman and John Freeman of Antares. Committee Members Boccuzzi, Diamond, Franzetti and Mitchell were excused.

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| 1. LU27.025 | REVIEW; possible changes in EPB aquifer protection regulations to conform to DEP model municipal regulations.
12/11/06 – Submitted by Chair Day
01/24/07 – No action | REPORT
MADE & HELD
IN COMMITTEE |
| 2. LU27.026 | REVIEW; development plans for South End.
12/20/06 – Submitted by Chair Day
01/24/07 – No action | REPORT
MADE |

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

[\(Attendance\)](#)

[\(Votes\)](#)

Meeting: Wednesday, February 21, 2007

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

Chair Zelinsky reported that the Operations Committee met on Wednesday, February 21, 2007. Present were Chair Zelinsky and Vice Chair Mirkin and Committee Member Reps. Berns, Coppola, Larobina, Lodato and Mallozzi. Absent/excused were Reps. Adams, Munger and White. Also present was Ben Barnes, Director of Operations.

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| 1. O27.016 | RESOLUTION and approval of public hearing ; increasing the municipal solid waste and bulky waste tipping fees, currently at \$82/ton.
01/27/07 – Submitted by Director Ben Barnes
02/21/07 – Committee approved 7-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. O27.017 | REVIEW; five-year trend of municipal solid waste pickup.
02/08/07 – Submitted by Reps. Mirkin and DeLuca
02/21/07 – Held in Committee 7-0-0 | HELD IN
COMMITTEE |

Chair Zelinsky moved the Consent Agenda, consisting of Item No.1; said motion was seconded and approved by unanimous voice vote.

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

Chair Lyons reported there was no meeting held this month.

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| 1. PS27.021 | RESOLUTION; requesting the Mayor to appoint a Committee to undertake and complete a study and investigation, as provided in Section 1(b) of Public Act 06-185, with respect to special assessments for blighted properties.
02/05/07 – Submitted by Reps. Day and DeLuca | NO REPORT |
|-------------|---|------------------|

**PARKS & RECREATION
COMMITTEE: Linda Cannady, Co-Chair**

[\(Attendance\)](#)

Joseph Coppola, Co-Chair

[\(Votes\)](#)

Meeting: Tuesday, February 20 2007

(Report)

7:00 p.m. – Democratic Caucus Room

Co-Chair Cannady reported that the Parks & Recreation Committee met on Tuesday, February 20, 2007. Present were Co-Chairs Cannady and Coppola and Committee Member Reps. Lyons, Fedeli, Greenberg, Heaphy, Pia and C. Young; absent/excused were Committee Member Reps. White, McCullen and Mallozzi. Also present were: A. Barbarotta of Board of Ed/Facilities, Mickey Docimo of Administration/Parks & Recreation, Phil D'amico of the Parks Department; Marc Fraioli, Charles Pia of the Stamford Babe Ruth Softball and Middle School Softball and Joe "Pepi" Barbarotta of Parks/Facilities.

Co-Chair Cannady moved to take Item No. PR27.018 out of Committee; said motion was seconded and approved by unanimous voice vote.

1. [PR27.018](#) APPROVAL; of a contract with Grindline Skateparks for design/build of concrete skate park at Scalzi Park. **APPROVED 28-4-0 BY MACHINE VOTE**
01/04/07 – Submitted by Mayor Dannel P. Malloy
01/11/06 – **HELD** by Board of Finance 6-0-0
01/23/07 – Committee approved 7-0-0
02/05/07 – Held by Board of Representatives
02/08/06 – Approved by Board of Finance 4-0-2
02/20/07 – No action taken

Co-Chair Cannady moved Item No. PR27.018; said motion was seconded and approved by a machine vote of 28-4-0 (Reps. Adams, Aposporos, Berns, Blackwell, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Diamond, Esposito, Fedeli, Greenberg, Heaphy, Larobina, Layton, Lodato, Lombardo, Lyons II, C. Martin, D. Martin, Mitchell, Molgano, Munger, Pia, Skigen and Zelinsky; Reps. Figueroa, Mirkin, Rauh and White opposed (See [RCS Vote Record No. 784](#)).

2. [PR27.019](#) REVIEW; citywide field maintenance including Board of Education fields. **HELD IN COMMITTEE**
02/09/07 – Submitted by Reps. Pia and Coppola
02/20/07 – Held in Committee

10:23 p.m. - Clerk Summerville noted that Rep. Berns left the meeting.

EDUCATION COMMITTEE: Michael L. Molgano, Vice Chair

(Attendance)

Meeting: Tuesday, February 27, 2007

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

Vice Chair Molgano reported that the Education Committee met on Tuesday, February 27, 2007. Present were Vice-Chair Molgano and Committee Member Reps. Lodato, Pia, Rauh and Young. Committee Member Reps. Franzetti, C. Martin and Mitchell were excused. Also present was Marty Levine from the BOE who joined the meeting at 8:35 p.m.

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| 1. E27.013 | REVIEW; analysis and discussion by Education Committee on Stamford Public Schools Strategic Plan and teacher retention report.
02/08/07 – Submitted by Vice Chair Molgano
02/27/07 – Report Made | REPORT
MADE |
|------------|--|------------------------|

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

Philip J. Giordano, Vice Chair

[\(Attendance\)](#)

Subcommittee Meetings: Tuesday, Feb. 13, 2007

5:30 p.m. – Democratic Caucus Room AND

[\(Report\)](#)

Saturday, February 17, 2007

9:00 a.m. – Democratic Caucus Room

Chair Mitchell reported that the Housing-Community Development-Social Services Sub-Committees met on Tuesday, February 13, 2007 and on Saturday, February 17, 2007. Present on February 17, 2007 were: Mitchell, Giordano, Aposporos, Figueroa, Molgano, McCullen and Munger. Also in attendance: Sandra Dennies, Tim Beeble, Karen Cammarota. Representatives McCullen left early because she wasn't feeling well.

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| 1. HCD27.021 | APPROVAL; of Year 33 budget for the Community Development Block Grant.
01/02/07 – Submitted by Tim Beeble
02/17/07 – Report Made | REPORT
MADE |
|------------------------------|--|------------------------|

TRANSPORTATION COMMITTEE: Robert "Gabe" DeLuca, Chair

[\(Attendance\)](#)

Terry Adams, Vice Chair

[\(Report\)](#)

Meeting: Thursday, February 22, 2007

7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on Thursday, February 22, 2007. Present were Chair DeLuca and Vice Chair Adams and Committee Member Reps. Blackwell, Franzetti, Giordano, Lombardo, Mirkin and Zelinsky; excused was Rep. Young. Also present were: Mike Pensiero, Michael Albanese and Jack Chnowski of the Information Technology Department and Veera Karukonda of Traffic Engineering.

1. [T27.025](#) REVIEW & **Public Hearing**; feasibility of streaming CCTV traffic feeds over the City's website. **REPORT MADE**
01/04/07 – Submitted by Rep. Franzetti
01/18/07 – Report Made
02/22/07 – Report Made

Chair DeLuca stated that the Committee recommended that the President of the Board contact the mayor about having funds included in the capital budget to fund this initiative. President Martin asked if anyone had any objectives to this; seeing none, President Martin stated he would work with the Chair and the Vice Chair to see that this is done.

STATE & COMMERCE COMMITTEE: Paul A. Esposito, Chair
(Attendance) Meeting: Wednesday, February 28, 2007
(Report) 7:00 p.m. – Democratic Caucus Room

Chair Esposito reported that the State & Commerce Committee met on Wednesday, February 28, 2007. Present were Chair Esposito and Committee Member Reps. Summerville, Heaphy, Diamond, DeLuca, Skigen, Rauh and Zelinsky. Also present were Renee Kahn, Tim Beeble, Robin Stein and Michael Freimuth.

1. [SC27.010](#) REVIEW; Economic Development Annual Report. **REPORT MADE**
01/22/07 – Submitted by Rep. Diamond
02/28/07 – Report Made
2. [SC27.011](#) REVIEW; legal significance of property located within the City of Stamford that is listed on the National Register of Historic Places. **REPORT MADE & HELD IN COMMITTEE**
02/07/07 – Submitted by Rep. Diamond
02/28/07 – Report Made

MINUTES

1. [February 5, 2007 Regular Board Meeting](#) **APPROVED BY**

**UNANIMOUS
VOICE VOTE**

III. OLD BUSINESS

IV. NEW BUSINESS

V. ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 10:30 p.m.