

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, December 3, 2007** in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

MINUTES

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

INVOCATION: Led by Clerk of the Board Summerville.

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

ROLL CALL: Conducted by Clerk of the Board Summerville. There were thirty-three members present and seven members absent/excused (Reps. Aposporos, Berns, DePina, Franzetti, Heaphy, Lyons and Mitchell). Note: Rep. Lyons and Heaphy arrived after roll call.

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

MOMENTS OF SILENCE: For the late: John Waldo Harvey, Sr., by Clerk of the Board Summerville; Dr. Michael Frymus by Reps. Rauh and Zelinsky; Charles J. Windhorst and L. Stewart Thorne by Reps. Lyons and White; Dorothy E. Daly by Reps. Giordano and Zelinsky; Sabina Virginia Lauren O'Connor, Mariangela Julia Vavala, Michael Donald Zezima, Jr. and Rose C. Donahue by Rep. Giordano; and John Waldo Harvey, Sr., Joshua Lang, Todd Hogerson, James Langley, Pat W. Mollo, Paul Hans Heidemann and John Joseph Olgerowicz by Rep. Zelinsky.

COMMUNICATIONS: President Martin announced:

1. The calendar for 2008 has been distributed to all representatives.

2. President Martin wished Reps. Blackwell, Esposito, Mitchell, Mallozzi and Larobina a Happy December birthday.
3. The Holiday Party will be held Wednesday night.
4. All re-elected members will be assigned to the same committees with the exception that Carl Franzetti will serve on the Parks & Recreation instead of Salvatore Gabriele.

Suspension of Rules:

A motion to suspend the rules to take up an item not appearing on the Agenda was made, seconded and approved by unanimous voice vote.

OATH OF OFFICE:

President Martin administered the Oath of Office to: Mark Larobina, Patricia Billie Miller, Salvatore Gabriele, Walter Neary and Marion McGarry. He also administered the Oath of Office to Carolyn Young.

HONORARY RESOLUTIONS:

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Tuesday, November 13, 2007
 ([Report](#)) 7:00 p.m. – Democratic Caucus Room

A motion to waive the Steering Committee Report was made, seconded and approved by unanimous voice vote.

APPOINTMENTS COMMITTEE: Annie M. Summerville, Chair
John J. Boccuzzi, Vice Chair
 ([Attendance](#)) Meeting: Tuesday, November 27, 2007
 ([Report](#)) 7:00 p.m. – Democratic Caucus Room
 - and -
 ([Attendance](#)) Meeting: Monday, December 3, 2007
 ([Votes](#)) 6:45 p.m. – Conference Room #2
 ([Report](#))

Chair Summerville reported that the Appointments Committee met on Tuesday, November 27, 2007 without a quorum. Present were Chair Summerville and Committee Member Reps. Blackwell, Layton and Molgano. Excused was Vice Chair Boccuzzi;

absent were Committee Member Reps. Aposporos, DePina, McGarry and Munger. Also present was Rep. Zelinsky.

Chair Summerville also reported that the Appointments Committee met on Monday, December 3, 2007. Present were Chair Summerville and Vice Chair Boccuzzi and Committee Member Reps. Blackwell, Layton, McGarry, Molgano and Munger; absent/excused were Committee Member Reps. Aposporos and DePina.

1. [A27.117](#) **Commission on Aging**
Queen McCullen (D) Repl. Maynard
130 Ursula Place, #4 (*Exp. 6/1/8*)
Stamford, CT 06902
Term Expires: 06/01/08
11/07/07 – Submitted by Mayor Dannel P. Malloy
12/03/07 – Committee approved 7-0-0
**APPROVED ON
CONSENT
AGENDA**

2. A27.119 **Commission on Aging**
Peter Engelmann (D) Reappointment
77 Aspen Lane (*Exp. 6/1/7*)
Stamford, CT 06903
Term Expires: 06/01/10
11/07/07 – Submitted by Mayor Dannel P. Malloy
12/03/07 – Committee approved 7-0-0
**APPROVED ON
CONSENT
AGENDA**

3. [A27.113](#) **Social Services Commission**
Janet C. Murphy (D) Repl. Sadowsky
50 Forest Street, Apt. 923 (*Exp. 12/1/4*)
Stamford, CT 06901
Term Expires: 12/01/08
10/17/07 – Submitted by Mayor Dannel P. Malloy
12/03/07 – Committee approved 7-0-0
**APPROVED ON
CONSENT
AGENDA**

4. [A27.118](#) **Zoning Board of Appeals (Alternate)**
Michael P. Nemec (D)
25 Adams Avenue, #110 Repl. Weinberger
Stamford, CT 06902 (*Exp. 12/1/6*)
Term Expires: 12/01/09
11/07/07 – Submitted by Mayor Dannel P. Malloy
12/03/07 – Committee approved 7-0-0
**APPROVED ON
CONSENT
AGENDA** (*Reps.
Mirkin & Mallozzi
abstaining*)

5. [A27.116](#) **Tax Assessment Board of Appeals** **HELD IN COMMITTEE**
 Mark Diamond (D) Repl. Gordon
 24 West Trail (Exp. 12/1/6)
 Stamford, CT 06903
 Term Expires: 12/01/09
 10/24/07 – Submitted by Mayor Dannel P. Malloy
 12/03/07 – Held in Committee
6. [A27.120](#) **Environmental Protection Board (Alternate)** **APPROVED ON CONSENT AGENDA (Rep. Mallozzi abstaining)**
 Lawrence E. Barron (D) Reappointment
 50 Glenbrook Road (Exp. 6/30/7)
 Stamford, CT 06902
 Term Expires: 06/30/10
 11/07/07 – Submitted by Mayor Dannel P. Malloy
 12/03/07 – Committee approved 7-0-0
7. [A27.114](#) **Southwestern Regional Planning Agency** **APPROVED ON CONSENT AGENDA**
 Dudley Williams (D) Reappointment
 101 Dogwood Lane (Exp. 3/15/7)
 Stamford, CT 06903
 Term Expires: 03/15/08
 10/23/07 – Submitted by Mayor Dannel P. Malloy
 12/03/07 – Committee approved 7-0-0
8. [A27.121](#) **Personnel Commission** **APPROVED ON CONSENT AGENDA**
 Frank Green (D) Reappointment
 61 Cold Spring Road (Exp. 12/1/6)
 Stamford, CT 06905
 Term Expires: 12/01/09
 11/07/07 – Submitted by Mayor Dannel P. Malloy
 12/03/07 – Committee approved 7-0-0
9. [A27.112](#) **Smith House Board of Directors** **APPROVED ON CONSENT AGENDA**
 Cranston Darris (D) Repl. Meyer
 91 Strawberry Hill Ave., #325 (Exp. 12/1/8)
 Stamford, CT 06902
 Term Expires: 12/01/08
 10/10/07 – Submitted by Mayor Dannel P. Malloy
 12/03/07 – Committee approved 7-0-0
10. [A27.115](#) **Zoning Board (Alternate)** **APPROVED BY MACHINE VOTE**
 David S. Stein (D) Reappointment

83 Boulder Brook Drive (Exp. 12/1/6) 31-2-1
Stamford, CT 06903
Term Expires: 12/01/11
10/23/07 – Submitted by Mayor Dannel P. Malloy
12/03/07 – Committee approved 7-0-0

Chair Summerville moved Item No. A27.115; said motion was seconded. Chair Summerville stated that Mr. Stein is very well versed in the zoning process, he has sat in on many Zoning Board actions. The Committee found him to be an exceptionally qualified and bright applicant, and the Committee unanimously voted to approve him for appointment to the Zoning Board.

Rep. Zelinsky stated that he agrees with some of Rep. Summerville's comments regarding Mr. Stein, and he has nothing personal against Mr. Stein. He did vote against the Trump Park, the first time the application came before the Zoning Board, and he commends him for his vote as well as the other Zoning Board members. However, when the Trump Park came back with a few, small modifications, he did vote for it. Mr. Stein also voted yes for two other projects, including two 400-foot high towers to house the Ritz Carlton Hotel and condo complex at the Atlantic Street Post Office site and Lowe Enterprises of California's proposal for a 300-foot condo tower at the northeast corner of Washington and Tresser Boulevards. During Mr. Stein's interview before the Appointments Committee, which he attended, when asked about the large development downtown, he stated that he felt it was good for Stamford and our residents. He takes strong exception to his thinking about large developments downtown, and so do the majority of Stamford residents. It only creates traffic, traffic problems, congestion, pollution and gridlock. He cannot support someone who votes this way on zoning applications.

Rep. Diamond stated that he disagrees with Rep. Zelinsky on this appointment. He stated that Mr. Stein has served with distinction on the Zoning Board as an alternate, he is in fact an alternate, but he comes to just about every minute and almost always is asked to serve. He stated that Mr. Stein has an excellent balance between development, traffic and other concerns for zoning. Mr. Stein has gone out of his way to ask for, demand and, in fact, has been successful, in obtaining concessions from those who wish to come into Stamford to build. These concessions included affordable housing and parkland. Rep. Diamond stated that he should be supported by this Board.

Rep. Day stated that, on a bipartisan note, Mr. Stein has been an outstanding member of the Zoning Board, and Mr. Stein actually led the effort to obtain a \$1 million plus contribution to the Mill River Park from the Ritz Carlton Project. He added that Mr. Stein has done a very good job.

The item was approved by a machine vote of 31-2-1 (Reps. Adams, Blackwell, Boccuzzi, Cannady, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Gabriele, Giordano, Larobina, Layton, Lodato, Lombardo, Lyons, C. Martin, D. Martin, McGarry, Miller, Mirkin, Molgano, Munger, Neary, Pia, Rauh, Skigen, Summerville and

Young in favor; Reps. White and Zelinsky opposed; Rep. Mallozzi abstaining) (See [Vote Record No. 877](#)).

Chair Summerville moved the Consent Agenda, consisting of Item Nos. 1-4 and 6-9. Said motion was seconded and approved by voice vote (Reps. Mirkin and Mallozzi abstaining on Item No. 4; Rep. Mallozzi abstaining on Item No. 6).

Chair Summerville thanked the Committee for their participation. The meeting was an exciting one, and the Committee interviewed and approved some excellent people to fill these vacancies.

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

Chair Skigen reported that the Fiscal Committee met on Monday, November 26, 2007. Present were Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Giordano, Lyons, Mirkin, Mitchell and Rauh; absent/excused was Rep. Figueroa. Also present was: Allan Brown of Smith House; Karen Cammarota of the Grants Office; Sandy Dennies, Director of Administration; Lisa Reynolds, Controller; Pete Privitera, Director of OPM; Brent B. Larrabee, Stamford Police Department; Bill Callion, Director of Public Safety, Health & Welfare; and Ellen Bromley, Social Services.

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|--|---|---|
| 1. F27.326
\$135,000.00 | ADDITIONAL APPROPRIATION (Grants Budget); Police/Bomb Squad/Robot; to purchase a Talon Robot for use by the Bomb Squad; source of funds: Homeland Security Funding.
11/08/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/26/07 – Committee approved 6-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. F27.323
\$159,500.00 | ADDITIONAL APPROPRIATION (Grants Budget); Brownfields Assessment Grant; EPA grant funds to assess possible contamination of properties along Myrtle Avenue as part of Stamford Urban Transitway Phase II.
10/18/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/26/07 – Committee approved 6-0-0 | APPROVED ON
CONSENT
AGENDA |
| 3. F27.325
\$100,000.00 | ADDITIONAL APPROPRIATION (Operating Budget); Mayor’s Office; Contracted Services; | APPROVED ON
CONSENT |

contribution to Stamford Flood Relief Fund to assist Stamford residents in response to damages incurred from the 10/11/2007 flood.
10/29/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/26/07 – Committee approved 6-0-1

AGENDA

4. [F27.321](#)
\$477,265.00

ADDITIONAL APPROPRIATION (Operating Budget); Smith House; quarterly operating fee payment.
11/08/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – To be considered by Board of Finance
11/26/07 – Committee approved 8-0-1

**APPROVED ON
CONSENT
AGENDA** (*Rep. Mirkin abstaining*)

5. [F27.320](#)

APPROVAL; of allocation of funds for pay plan employee salary increases.
11/08/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance (3-2-0)
11/26/07 – Committee approved 8-0-1

**APPROVED BY
MACHINE VOTE
23-10-1**

Chair Skigen moved Item No. F27.320; said motion was seconded.

Rep. Mirkin stated that he was the one abstaining vote in Committee. He is not supporting this because he does not think the employees are entitled to an increase; what he is opposed to is the method of allocation. This is an opportunity for the Mayor to recognize individual performance, these employees not being in a union, whereas we know when a union contract is approved, there is a certain percentage that goes to the best and to the least efficient in the union. So, he does not believe that every person performs at the same level every year. He stated it is an opportunity for the Mayor to assess these individuals and allocate the raises accordingly. He will vote no on the basis that it is not being allocated on merit, it is just straight across the Board.

Rep. Coppola stated that in July this administration laid off, among others, four firefighters. The excuse at that time was due to severe budget cuts in the Department of Public Safety. This item tonight demonstrates to him, at least, that this administration seems to find the money for whatever it feels it wants or needs. He does not begrudge the direct reports or the support staff that are in line for these raises, not be a long shot, and he believes that most of them deserve, for the most part, an increase in salary as well as recognition for the sacrifices they make for us. Having said that, there still remains four firefighters whose lives are in turmoil and on hold, some of whom have families. All they want right now is to go back to work protecting people's lives and supporting their families. If we can't afford to put them back to work, how can we justify pay raises for anybody else in the City. He believes that this item will pass tonight, but not with his vote.

The tem was approved by a machine vote of 23-10-1 (Reps. Adams, Blackwell, Boccuzzi, Cannady, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Giordano, Lyons, Mallozzi, D. Martin, McGarry, Miller, Neary, Rauh, Skigen, Summerville, White, Young and Zelinsky in favor; Reps. Coppola, Gabriele, Larobina, Layton, Lodato, Lombardo, C. Martin, Mirkin, Molgano and Pia opposed; Rep. Munger abstaining) (See [Vote Record No. 878](#)).

6. [F27.322](#) APPROVAL; of a contract between the City of Stamford and MBIA Municipal Investors Service Corporation for investment advisory services. **APPROVED ON CONSENT AGENDA**
10/17/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/26/07 – Committee approved 9-0-0
7. [F27.324](#) PROPOSED ORDINANCE; **for publication**; creating an Other Post Employment Benefits Trust. **APPROVED ON CONSENT AGENDA**
10/22/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – No action taken by Board of Finance
11/26/07 – Committee approved 9-0-0

Chair Skigen moved the Consent Agenda, consisting of Item Nos. 1-6 and 7; said motion was seconded and approved by unanimous voice vote (Rep. Mirkin abstaining on Item No. 4).

LEGISLATIVE & RULES

COMMITTEE:

James D. Diamond, Chair

[\(Attendance\)](#)

Arthur Layton, Vice Chair

[\(Votes\)](#)

Meeting: Monday, November 19, 2007

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

– and –

[\(Attendance\)](#)

Meeting: Monday, December 3, 2007

[\(Votes\)](#)

6:30 p.m. – Conference Room #1

[\(Report\)](#)

Chair Skigen reported that the Legislative & Rules Committee met on Monday, November 19, 2007. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Berns, Esposito, Heaphy, Lodato, Lombardo and Zelinsky; absent/excused were Committee Member Reps. Mitchell and C. Martin. Also present were: Bill Callion, Director of Public Safety, Health & Welfare; Michael Toma of the Law

Department; Anne Mones of Risk Management; Mike Pensiero of IT and Kerry L. Flaherty.

Chair Diamond reported that the Legislative & Rules Committee also met on December 3, 2007. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Day, Lombardo, Lodato and C. Martin; absent/excused were Committee Member Reps. Berns, Esposito, Heaphy, Mitchell and Zelinsky.

1. [LR27.059](#) PROPOSED ORDINANCE; **for publication:** **HELD IN COMMITTEE**
amending Chapter 164 of the Code of Ordinances to reduce noise pollution caused by lawn and landscaping equipment.
11/07/07 – Submitted by Rep. Lodato
11/19/07 – Held in Committee 9-0-0

2. [LR27.058](#) RESOLUTION; approving a license agreement between the City and Landmark Square for installation of radio communications equipment. **APPROVED ON CONSENT AGENDA**
10/29/07 – Submitted by Mayor Dannel P. Malloy
11/01/07 – Approved by Planning Board
11/19/07 – Committee Approved 8-0-0

3. [LR27.056](#) REVIEW; administrative issues regarding notice requirements of recently-enacted State statute: An Act Concerning the Sale, Lease or Transfer of Municipal Property. **NO ACTION TAKEN**
10/03/07 – Submitted by Clerk Summerville
10/22/07 – Report Made & Held in Committee
11/07/07 – Held
11/19/07 – No action taken

4. [LR27.060](#) APPROVAL; of an agreement with GAB Robins of North America, Inc. for liability claims administration services. **APPROVED ON CONSENT AGENDA (as amended)**
11/08/07 – Submitted by Mayor Dannel P. Malloy
11/19/07 – Committee approved 9-0-0 (as amended)
12/03/07 – To be considered by Board of Finance

Chair Diamond stated the Committee changed one word in the contract: quarterly was deleted in the top of Page 2.

Chair Diamond moved the Consent Agenda, consisting of Item Nos. 2 and 4; said motion was seconded and approved by unanimous voice vote.

As Secondary Committee:

5. P27.066 PROPOSED ORDINANCE; for publication; policy to provide five points on Police Officer written test for Stamford residents.
12/03/07 – Held in Committee 6-0-0 **Concurred to Hold Item**
6. [T27.034](#) RESOLUTION; renewing a lease between the City of Stamford and St. John’s Church for use of a parking lot.
12/03/07 – Concur 6-0-0 **Concurred 6-0-0**

Chair Diamond stated that the Committee concurred with the Primary Committee on both Item Nos. 5 and 6.

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Chair

(Attendance)

Pauline S. Rauh, Vice Chair

(Votes)

Meeting: Wednesday, November 28, 2007

(Report)

7:00 p.m. – Republican Caucus Room

Chair Fedeli reported that the Personnel Committee met on Wednesday, November 28, 2007. Present were Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Cannady, Figueroa, Gabriele, Layton, Lodato and Skigen; absent/excused was Committee Member Boccuzzi. Also present was Rep. DeLuca; Dennis Murphy, HR Director; Maggi Murray of HR; Brent Larrabee, Chief of Police; and Lou Casolo, City Engineer.

1. P27.063 APPROVAL; of an employment contract with Sheryl Gerard as Clerk of the Works II.
10/03/07 – Submitted by Mayor Dannel P. Malloy
10/24/07 – Committee approved 8-0-0
11/07/07 – Returned to Committee
11/28/07 – Committee approved 8-0-0 **APPROVED ON CONSENT AGENDA (Rep. Pia abstaining)**
2. [P27.064](#) REVIEW; of police arbitration award.
11/08/07 – Submitted by President Martin & Rep. Rauh
11/28/07 – Report Made **REPORT MADE**
3. [P27.065](#) APPROVAL; of pay plan adjustment for Director of Economic Development.
11/08/07 – Submitted by Mayor Dannel P. Malloy **APPROVED ON CONSENT AGENDA**

11/08/07 – Held by Board of Finance
11/28/07 – Committee approved 8-0-0
12/03/07 – To be considered by Board of Finance

4. P27.066 **PROPOSED ORDINANCE; for publication;** **HELD IN**
establishing a policy to provide five points on **COMMITTEE**
Police Officer written test for Stamford residents.
11/07/07 – Submitted by Rep. DeLuca
11/28/07 – Held in Committee 8-0-0

Secondary Committee: Legislative & Rules

Held

Chair Fedeli moved the Consent Agenda, consisting of Item Nos. 1 and 3; said motion was seconded and approved by unanimous voice vote (Rep. Pia abstaining on Item No. 1).

LAND USE/URBAN

REDEVELOPMENT COMMITTEE: Harry Day, Chair

[\(Attendance\)](#)

Patrick J. White, Vice Chair

[\(Votes\)](#)

Meeting: Tuesday, November 20, 2007

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

Chair Day reported that the Land Use-Urban Redevelopment Committee met on Tuesday, November 20, 2007. Present were Chair Day and Committee Member Reps. Franzetti, Gabriele, Lombardo, Mitchell and Summerville; absent/excused were Committee Member Reps. Boccuzzi, Diamond and White. Also present were Rep. Zelinsky and Robin Stein.

1. [LU27.042](#) **APPROVAL;** of a second amendment to an **APPROVED BY**
agreement with Olin Partnership, Ltd., for Mill River **MACHINE VOTE**
Waterfront Park Design services. **32-1-0**
10/17/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/20/07 – Committee approved 6-0-0

Chair Day moved Item No. LU27.042; said motion was seconded. Chair Day stated the agreement basically is the next phase pursuant to an agreement that this Board has already approved with Olin Partnership for the design of the Mill River Park. The basic design was completed, several public meetings were held in connection with that design. The design has been enthusiastically embraced by most people in the City. This is the next phase that involves the construction drawings to implement the design.

Rep. White stated that his opposition is well known.

The item was approved by a machine vote of 32-1-0 (Reps. Adams, Blackwell, Boccuzzi, Cannady, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Gabriele, Giordano, Larobina, Layton, Lodato, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, McGarry, Miller, Mirkin, Molgano, Munger, Neary, Pia, Rauh, Summerville, Young and Zelinsky in favor; Rep. White opposed) (See [Vote Record No. 879](#)).

OPERATIONS COMMITTEE: John R. Zelinsky, Jr., Chair
(Attendance) Scott Mirkin, Vice Chair
(Votes)

Meeting: Thursday, November 29, 2007

(Report)

7:00 p.m. – Republican Caucus Room

Chair Zelinsky reported that the Operations Committee met on Thursday, November 29, 2007. Present were Committee Chair Zelinsky and Vice Chair Mirkin and Committee Member Reps. Adams, Berns, Coppola, Larobina, Lodato, Mallozzi and Neary. Absent/excused were Committee Member Reps. Munger and White. Also present were State Senator Andrew McDonald; President D. Martin; Reps. DeLuca, Lyons, Molgano and Pia; Bill Callion; Robert McGrath; Alex Tergis and Dan Colleluori of Operations; Ben Barnes, Director of Operations and Mike Wellman of Transload; Lou Casolo, Ed Gentile and Frank Smeriglio of the Engineering Bureau and Skip Gorenflu of the WPCA.

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|------------|---|------------------------|
| 1. O27.032 | REVIEW; storm drainage system vis-à-vis October 11, 2007 flooding; causes of flooding; potential relief for residents.
10/28/07 – Submitted by the 27 th Board of Reps.
11/29/07 – Report Made | REPORT
MADE |
|------------|---|------------------------|

Secondary Committee: Public Safety & Health

Waived

Chair Zelinsky stated that Director Barnes began the meeting by describing the incidents in the South End Pumping Station, and the misconception that there was a one hour delay to turn on the 3rd and 5th pumps. Director Barnes also mentioned that there was unusual weather, there was no anticipation of the excess rain, which Chair Zelinsky believes was 6 to 8 inches in a four-hour period. Mr. Casolo, our city engineer, conducted an extensive and very powerful PowerPoint presentation outlining what the Engineering Department is planning on doing to address the problems in the area.

Chair Zelinsky stated that the public was invited to speak, and several members relayed their losses, they stated that they did not live in flood zones, therefore they did not have flood insurance. They did not receive any compensation or assistance with their losses, and Chair Zelinsky asked Mr. Casolo what he thought the possible cost to the residents for their property damage, and he mentioned close to \$1 million.

The Committee decided to review the matter again in six months, and the Engineering Department will return to review their progress in identifying the possible reasons for the flooding problems and proposed solutions.

Public Safety & Health Committee Chair Lyons moved to waive the Secondary Committee Report; said motion was seconded and approved by unanimous voice vote.

2. [O27.033](#) APPROVAL; of an agreement with TransLoad America-Baletech, LLC for solid waste management services. **APPROVED BY MACHINE VOTE 31-3-0**
10/29/07 – Submitted by Mayor Dannel P. Malloy
11/08/07 – Approved by Board of Finance
11/29/07 – Committee approved 8-0-0

Chair Zelinsky stated that Director Barnes explained that two consultants were hired to prepare an RFQ. After submissions, the RFP was prepared and TransLoad, who met the requirements and provided the best pricing and scheme for managing Stamford's solid waste was selected. They will remove the waste at \$69/ton, which is \$11 cheaper than the current rate.

Chair Zelinsky moved to approve Item No. O27.033; said motion was seconded.

Rep. Mallozzi stated that at the meeting, he requested additional information. He inquired as to whether or not it was received. Rep. Zelinsky replied that we didn't receive the information.

Rep. Lyons stated that he believed, as an attendee at the meeting, that the gentleman from American BaleTech, in conjunction with members of the Operations Committee, stated they had posted a \$1 million performance bond. Rep. Lyons felt that Mr. Mallozzi's concerns were addressed at the meeting.

Rep. Mallozzi stated that the Chairman made it clear to Mr. Barnes that these two items were required. This can be heard on the meeting tape. The Committee also wanted to receive copies of attachments referenced in the contract.

Clerk Summerville stated that if materials had been received, they would have been forwarded to the chairman.

Rep. Mallozzi stated that since the material was not received, he made it clear at the Committee meeting that he would be voting for it based on their representations that the material would be forwarded. They had plenty of time to forward this material, and he will be voting against this material.

Rep. Mirkin stated that Ben Barnes provided a thick notebook with all backup and exhibits and it was made available to anyone who wanted to look at it. Mr. Mirkin added

that he is satisfied with the response to the \$1 million bond; he was assured that the bond is in place. In his mind all the questions were answered. He believes that the contract takes effect January 1st, and it offers substantial savings in the tipping fees, so he thinks the Board should act this evening.

Rep. Zelinsky stated that the agreement states the work would commence on January 1, 2008. He stated that the Board should vote on it, and he would be more than happy to follow up with Director Barnes if any member wants any additional information.

Clerk Summerville stated that the book was available in the Board Office. The book was left on the podium instead of going to the office, along with a CD. She was confident that Mr. Mallozzi's questions would be answered in this information.

Rep. Lyons stated that we have already noticed the current company that manages our haulaway that we intend to terminate this contract; if this does not pass, they will need to institute an interim plan.

Rep. Mallozzi stated that he voted based on their representations, the problem is that he first asked about a bond, and no one knew anything about the bond. Then, they said they thought they had a \$1 million bond and assured him they would have a copy before the meeting. He is not saying we should vote against it; he is going to vote against it for this reason. When we ask for something, we should get it.

Rep. Mirkin stated that he does not think Mr. Barnes is being obstinate or has not done what is in the best interests of the City. This does save \$700,000 annually, and we should save every dollar we can for taxpayers.

The item was approved by a machine vote of 31-3-0 (Reps. Blackwell, Boccuzzi, Cannady, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Gabriele, Giordano, Larobina, Layton, Lombardo, Lyons, C. Martin, D. Martin, McGarry, Miller, Mirkin, Molgano, Munger, Neary, Pia, Rauh, Skigen, Summerville, White, Young and Zelinsky in favor; Reps. Adams, Lodato and Mallozzi opposed) (See [Vote Record No. 880](#)).

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

[\(Attendance\)](#)

Meeting: Thursday, November 15, 2007

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

- and -

Meeting: Thursday, November 29, 2007

7:00 p.m. – Republican Caucus Room

[\(Report\)](#)

(in conjunction with Operations Committee)

Chair Lyons reported that the Public Safety & Health Committee met on November 15, 2007. Present were Chair Lyons and Committee Member Reps. Adams, Aposporos, Berns, Coppola, Larobina, Mirkin, Pia and Zelinsky. Absent/excused were Committee Member Reps. DePina and C. Martin. Also present were Reps. DeLuca, Lodato, Mitchell, Molgano and President David Martin; Mark Brennan and Troy Jones of Glenbrook FD; Bill Callion, Director of Public Safety, Health & Welfare; Tim Conroy of Stamford Fire & Rescue; Ray Whitbread, Matt Maounis, Mr. Jaldello and Mark Kovock of Turn of River FD; and John Didelot of Belltown FD.

Chair Lyons reported that the Public Safety & Health Committee also met on Thursday, November 29, 2007, in conjunction with the Operations Committee. Present were Chair Lyons and Committee Member Reps. Adams, Berns, Coppola, Larobina, Mirkin, Pia and Zelinsky. Absent/excused were Committee Member Reps. Aposporos, DePina and C. Martin. Also present were State Senator Andrew McDonald; President D. Martin; Reps. DeLuca, Molgano, Lodato, Mallozzi and Neary; Bill Callion; Robert McGrath; Alex Tergis and Dan Colleluori of Operations; Ben Barnes, Director of Operations and Mike Wellman of Transload; Lou Casolo, Ed Gentile and Frank Smeriglio of the Engineering Bureau and Skip Gorenflu of the WPCA.

1. [PS27.027](#) REVIEW; proposed interim fire plan and its impact on 2007-2008 fire budget. **REPORT MADE**
09/07/07 – Submitted by Rep. Coppola & Molgano
11/15/07 – Report Made

Chair Lyons stated that this meeting went on for an hour and a half with many questions and answers provided by the attendees. There is a summary in the Committee Report. There are some requests in that meeting for documents, and he has emailed the director of that department asking for certain issues or documents brought up by members.

Rep. Mirkin asked that Mr. Lyons follow up on receiving the information requested.

2. [PS27.024](#) REVIEW; draft policies & procedures manual for CCTV cameras. **HELD IN COMMITTEE**
04/06/07 – Submitted by Director Callion
05/31/07 – Report Made & Held in Committee
07/09/07 – Motion to place on Agenda failed
08/23/07 – Report Made
09/27/07 – Report Made
10/01/07 – Report Made
11/15/07 – Held in Committee 9-0-0

This item was held.

As Secondary Committee:

1. O27.032 REVIEW; storm drainage system vis-à-vis October 11, 2007 flooding; causes of flooding; potential relief for residents.
10/28/07 – Submitted by Reps. Diamond, Zelinsky, Coppola, Lodato and Pia

Chair Lyons stated that several members of Public Safety & Health attended the Committee meeting with Operations. There is also a secondary Committee Report attached to the main report.

PARKS & RECREATION

COMMITTEE: Linda Cannady, Co-Chair

Joseph Coppola, Co-Chair

~~Meeting: Tuesday, November 20, 2007~~

~~7:00 p.m. – Republican Caucus Room~~

Meeting Cancelled

1. [PR27.023](#) RESOLUTION; approving 2008 summer day camp and playground fees. **NO ACTION TAKEN**
11/07/07 – Submitted by Mayor Dannel P. Malloy

EDUCATION COMMITTEE: Polly Rauh, Chair

(Attendance)

Michael L. Molgano, Vice Chair

(Report)

Meeting: Thursday, November 29, 2007

7:00 p.m. – Democratic Caucus Room

Chair Rauh reported that the Education Committee met on Thursday, November 29, 2007. Present were Chair Rauh and Vice Chair Molgano and Committee Member Reps. Lodato, Miller and Pia. Absent/excused were Committee Member Reps. C. Martin and C. Young. Also present were Jennifer Lapine, Dudley Williams, Bridget Fox, Sandy Testani and Ellen Mellis.

1. E27.021 REVIEW; early childhood programs in Stamford: **REPORT MADE**
programs, status, needs and evaluation.
11/08/07 – Submitted by Chair Rauh
11/29/07 – Report Made

Chair Rauh stated that an extensive overview of early childhood programs in Stamford was held, and the status at this point is that we have approximately 450 four-year olds who are totally unserved and going off to kindergarten with a gap that presents itself in the academic achievement area. Primarily the problem is due to lack of space, and there were suggestions to follow up. The City will be returning \$350,000 to the State for early childhood programs because of lack of space. The full materials are on file in the Board Office.

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

(Attendance)

Philip J. Giordano, Vice Chair

(Votes)

Meeting: Monday, December 3, 2007

(Report)

6:30 p.m. – Conference Room #1

Vice Chair Giordano reported that the Housing-Community Development-Social Services Committee met on Monday, December 3, 2007. Present were Vice Chair Giordano and Committee Member Reps. Blackwell, Figueroa and Molgano; absent/excused were Reps. Aposporos, Mitchell and Munger.

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| <p>1. HCD27.028 PROPOSED ORDINANCE; for public hearing and final adoption; amending Chapter 146, Housing Standards, Section 146-67, Creation of a Commercial Linkage Affordable Housing Program, to revise the formula under Paragraph A.1., Generation and Calculation of Commercial Linkage Fees for Inclusion in the Stamford Housing Development Fund; and to amend Section 3, Exemptions.
07/09/07 – Submitted by Rep. Mitchell
07/30/07 – No action taken
08/13/07 – Placed on Pending Agenda
10/01/07 – Committee approved 5-0-0
10/01/07 – Approved for publication
10/16/07 – Committee approved 6-0-0
11/07/07 – Returned to Committee
12/03/07 – Committee approved 4-0-0</p> | <p>APPROVED ON
CONSENT
AGENDA</p> |
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Chair Giordano stated no members of the public appeared to speak, and the item was approved unanimously.

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| <p>2. HCD27.030 APPROVAL; of Year 34 Planning/Budgeting Schedule for the CDBG Program.
11/08/07 – Submitted by Tim Beeble</p> | <p>NO ACTION
REQUIRED</p> |
|---|--------------------------------------|

Rep. Mirkin stated that he would support an increase. If there is ever anything that has a target on it, that you clearly are aware of and that you make a conscious decision, it is to choose to park in a handicapped space. The higher you can make that deterrent, maybe you don't collect any revenue, but the more we keep those spots open for those who need them, he believes the better off we are.

Rep. Day stated that someone doesn't accidentally park in a handicapped space. Most of our handicapped citizens would find it rather remarkable that we wouldn't do what the State specifically authorized us to do.

Rep. Lyons stated that he is not for needlessly increasing fees or fines, but this City is woefully short on municipal handicapped parking. Years ago, after the Majestic Theaters on Summer Street, it was requested to make the front of that building for handicapped spaces, and it never went anywhere because of the DSSD. He encourages anything we can do to help alleviate the shortage of handicapped spaces.

Rep. Mallozzi asked whether there has been a problem with this recently, or are we just increasing it because we have the ability to do so. Rep. DeLuca stated there have been problems. He has seen problems himself at the golf course with handicapped spaces being occupied by people who are "hop, skipping and jumping all over the place," He has seen other handicapped people looking for spots that are not available. The fact that the State took the time out to enact this legislation should also be considered. He stated that this is just for publication, and a public hearing should be held on this item.

Rep. Adams stated that this is another opportunity to raise fines. Now that the State has increased it to \$250, now we will see all fines be increased toward that threshold. If there was serious abuses, it would have been noted before now. He has not heard of excessive abuse of this, and he believes that from \$90 to \$150 to \$250 is a bit much, and \$250 is a lot. He is against increasing this.

Rep. Coppola stated that if we raise that fine to \$250, we won't have to worry about enforcement. We should not even be talking about this; people who park in handicapped spaces are just plain ignorant, and it is inexcusable. If you had anybody in your family that was handicapped, you would know what he is talking about. He thinks we should move the question and get it out for publication, and it is "silly for us" to keep talking about this.

Rep. Mirkin stated that the objective is to get zero tickets; it is not to collect money. A person willingly decides to park in that space, and if they do it, they are going to pay a cost. If you can't park in a legal spot and put money in the meter, then so be it. If it is \$500 or \$1,000, then you just pay it.

Rep. DeLuca stated that he would hate to imply to a handicapped person that some members of the Board of Representatives think that this is a revenue-making item. This item should be published and a public hearing should be held on it.

Rep. Summerville stated that we should think about amending the item. What about those who have handicapped stickers who are really not handicapped, and there are quite a few of them. You cannot judge a handicapped person by viewing their disability, but there is quite a bit of abuse for people using the handicapped sticker who are truly not handicapped. Perhaps the Committee will look at that. She challenges the doctors who issue these permits and those people who violate the spirit of the handicapped sticker, by misusing them.

The item was approved by a machine vote of 20-14-0 (Reps. Boccuzzi, Coppola, Day, DeLuca, Esposito, Fedeli, Gabriele, Giordano, Larobina, Layton, Lombardo, Lyons, D. Martin, Mirkin, Molgano, Munger, Pia, Skigen, White and Zelinsky in favor; Reps. Adams, Blackwell, Cannady, Diamond, Figueroa, Lodato, Mallozzi, C. Martin, McGarry, Miller, Neary, Rauh, Summerville and Young opposed) (See [Vote Record No. 881](#)).

3. [T27.034](#) **RESOLUTION**; renewing a lease between the City of Stamford and St. John's Church for use of a parking lot. **APPROVED ON CONSENT AGENDA**
10/29/07 – Submitted by Mayor Dannel P. Malloy
11/20/07 – Approved by Planning Board
11/08/07 – Approved by Board of Finance
11/27/07 – Committee approved 6-0-0

Secondary Committee: Legislative & Rules

Concur

Chair DeLuca moved the Consent Agenda, consisting of Item Nos. 1 and 3; said motion was seconded and approved by voice vote (Rep. Lodato abstaining on Item No. 1).

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

No meeting; no report.

MINUTES

1. [November 7, 2007 Regular Board Meeting](#) **APPROVED BY UNANIMOUS VOICE VOTE**

OLD BUSINESS

NEW BUSINESS

Clerk Summerville commended and thanked the Historical Society for the calendar that was provided to all representatives.

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 9:30 p.m.

*A transcript of these proceedings is available in
the Offices of the Board of Representatives*