

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, January 5, 2009** 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 Clerk of the Board Summerville

“Dear Lord, cleanse our hearts and our minds of all malice, all hatred and all jealousy that might linger here tonight. Let us approach our duties with an open mind and a friendliness toward all our fellow workers and representatives. Let us not forget that our fellow citizens have placed us here on this Board, which has grown and developed through the sacrifices and the labors of the many faithful who have gone before us. Let us quickly recognize that our greatest contribution to public service will be honesty, integrity and the application of the principles of Thy golden rules. In Your name we pray, Amen.”

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

ROLL CALL: Conducted by Clerk of the Board Summerville. There were thirty-four members present, four absent/excused (Reps. Heaphy, Figueroa, White and Rauh) and two vacancies. **Note:** Rep. White arrived after roll call.

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

MOMENTS OF SILENCE: For the late: Estelle Goldman Skigen by the 27th Board of Representatives; Antoinette Marie Gergle by the 27th Board of Representatives; Stephanie Christiansen, James J. Tooher, Vincent J. Denicola and Helen P. Smyth by Reps. Giordano and Zelinsky; Norman P. Senecal, Mary Hudak Nemchek, Robert Dickinson Towne, Wendy Ann Romano, Michael A. Catalano, Mathew J. Grande and Barbara Nicely by Rep. Giordano; Thomas P. Kennedy, Thomas W. Howard, Robert P. Rachinsky, Jr., Rocco J. Genovese, Phyllis Ann Fitzpatrick, Charles Adam Valendra, Charles Robotti, John Antony Doumlele, Jr. and Concetta “Connie” Morabito by Rep. Zelinsky.

COMMUNICATIONS: Present Martin announced:

1. Reps. McGarry, Berns and Franzetti are celebrating January birthdays;
2. Rep. McGarry has a new grandson, Jack Ryan Healy.
3. Rep. Munger has submitted his resignation, effective December 22, 2008.

FILLING OF VACANCIES:

1. 5th District – Rep. DePina moved to fill the vacancy in the 5th District, previously held by Rep. Miller, by nominating Lila Wallace. Said motion was seconded and approved by a voice vote (Rep. Skigen abstaining).

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.

2. 18th District – Rep. DeLuca moved to fill the vacancy in the 18th District, previously held by Rep. Munger, by nominating James Caterbone. Said motion was seconded and approved by a voice vote (Rep. Skigen abstaining).

President Martin administered the oath of office to Ms. Wallace and Mr. Caterbone. President Martin noted that Mr. Caterbone and Ms. Wallace and Ms. McNeil will be filling the corresponding committee assignments of their predecessors.

HONORARY RESOLUTIONS:

- | | | |
|----|--|---|
| 1. | PRESENTATION OF SENSE OF THE BOARD RESOLUTION ; thanking Christopher Shays for his many years of service.
11/10/08 – Submitted by 27 th Board
12/01/08 – Approved by 27 th Board | APPROVED BY
UNANIMOUS
VOICE VOTE |
|----|--|---|

President Martin read the resolution and presented same to Congressman Shays.

Congressman Shays stated: “As I was driving here, I was thinking that I learned politics in the best school in the country – Stamford, CT. There is a culture here ... John Boccuzzi has served here 36 years. I want you to know that you should never take your city for granted, you should never take the politics that you learned here, your work together .. it is a lesson that other parts of the country could learn. When I and my wife decided that we needed to move to Bridgeport, it was the toughest decision made – to leave this city and to not live here because it is a special place. I have a lot of plaques that we decided we didn’t want to keep after so many years, but this plaque I will keep

forever because it is very generous, very thoughtful, and you may think that this gesture does not mean all that much ... but it means the world to me.

“I was thinking, as we were saying he pledge of allegiance, tomorrow I would have joined the Congress if I had won and said that pledge, but when you look at the American flag as a member of Congress, you see it in ways that are pretty amazing. The men and women who risk their lives for all of us, they do it with a great deal of dedication and conviction that they are doing the Lord’s work. You all are doing the Lord’s work. David, as president, thank you for reading this proclamation and inviting me to receive this honor. It is a wonderful honor, and I thank you very much. I wish you all the very best this year. Thank you.”

2. [SENSE OF THE BOARD RESOLUTION](#); thanking **APPROVED BY**
Hart School employees Thomasena Smikle, school **UNANIMOUS**
nurse, and Gerard Sangermano, custodian, for **VOICE VOTE**
saving the life of Isaiah Walden-Butler.
12/04/08 – Submitted by the 27th Board

President Martin presented the plaques to Ms. Smikle and Mr. Sangermano.

Ms. Smikle stated: “I am an employee of the City of Stamford Health Department at Hart School. This is a great honor. I worked for many years as a nurse, and I often say that my job is often not appreciated and no one recognizes how hard we work in the school setting, taking care of not only the children but the staff. ... In coming here and seeing the plaque and the recognition, it makes me feel very good to be appreciated by the city and to receive the acknowledgement that we saved somebody. I feel honored that I had the strength that God gave me to remember what to do, and I had Gerard with me. I am accepting this plaque, not only for myself but also for my co-workers, the other school nurses, who I know would have done the same thing under the same circumstances. I appreciate it, and thank you very much.”

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, December 8, 2008
7:00 p.m. – Democratic Caucus Room

Majority Leader Boccuzzi moved to waive the Steering Committee Report; said motion was seconded and approved by unanimous voice vote.

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

of a vest.
12/04/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – To be considered by Board of Finance
12/15/08 – Committee approved 6-0-0

Rep. Lyons stated this item was being held pending Board of Finance approval

4. [F27.474](#) ADDITIONAL APPROPRIATION (Grants Budget); **HELD IN**
\$3,400.00 Click It or Ticket Grant; Overtime; to establish and **COMMITTEE**
run check points for seat belt enforcement.
12/04/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – To be considered by Board of Finance
12/15/08 – Committee approved 6-0-0

Rep. Lyons stated this item was being held pending Board of Finance approval

5. [F27.471](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED ON**
\$1,000.00 Social Services; Advertising & Official Notices; to **CONSENT**
appropriate funds from fine monies received to cover **AGENDA**
anticipated advertising expenses for the remainder of
the fiscal year for the City's anti-blight efforts.
12/02/08 – Submitted by Mayor Dannel P. Malloy
12/10/08 – Approved by Board of Finance
12/15/08 – Committee approved 6-0-0

6. [F27.472](#) APPROVAL; of a contract with Document **APPROVED ON**
([contract](#) Technologies, Inc. for the printing and mailing of tax **CONSENT**
[summary](#)) bills. **AGENDA**
12/02/08 – Submitted by Mayor Dannel P. Malloy
12/10/08 – Approved by Board of Finance
12/15/08 – Committee approved 6-0-0

7. [F27.470](#) REJECTION; of a proposed *partial* capital project **NO ACTION**
closeout for CP6574 – Public Safety Radio System **TAKEN**
Upgrade.
11/14/08 – Submitted by Mayor Dannel P. Malloy
12/10/08 – Approved by Board of Finance
12/15/08 – Motion to reject failed 0-6-0

8. [F27.477](#) PROPOSED ORDINANCE; **for publication**; **APPROVED ON**
amending Section 47-62 of the Code of Ordinance **CONSENT**
by revising the Minimum Mandatory Contribution **AGENDA**
(Section 47-62 (b)).
12/08/08 – Submitted by Mayor Dannel P. Malloy
12/15/08 – Held in Committee 6-0-0

Chair Skigen stated that the Fiscal Committee met this evening to discuss Item No. F27.477. The ordinance will revise the minimum mandatory contribution. A committee report has been distributed to all members. The Committee has taken the requirement of full funding and moved it from commencing 7/1/9 to 7/1/10. For the year 7/1/9, the proposal is that the minimum required contribution shall be not less than 50% of the actuary's recommended minimum annual contribution amount. This means that if we decide to move forward and adopt this for final adoption, the City could contribute approximately \$2 million less than they would otherwise pay to the OPEB Trust for the current fiscal year. The Committee voted 8-0-1 in favor of the language proposed.

Chair Skigen moved the Consent Agenda, consisting of Item Nos. 1, 2 5, 6 and 8; said motion was seconded and approved by unanimous voice vote.

**LEGISLATIVE & RULES
COMMITTEE:**

**James D. Diamond, Chair
Arthur Layton, Vice Chair**

No meeting/No report.

PERSONNEL COMMITTEE:

**Mary Lisa Fedeli, Chair
Pauline S. Rauh, Vice Chair**

No meeting/No report.

- | | | |
|------------|--|----------------------------|
| 1. P27.095 | REJECTION; of a contract between the City of Stamford Board of Education and the Stamford Administrators Union.
12/02/08 – Submitted by Denise Gagne
12/10/08 – Advisory provided to Mayor by Board of Finance
01/08/09 – Advisory Opinion to be issued by Board of Finance | NO ACTION
TAKEN |
|------------|--|----------------------------|

LAND USE/URBAN

REDEVELOPMENT COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Harry Day, Chair

Patrick J. White, Vice Chair

Meeting: Wednesday, December 17, 2008

7:30 p.m. – Democratic Caucus Room

Chair Day reported that the Land Use/Urban Redevelopment Committee met on Wednesday, December 17, 2008. Present were Committee Chair Day and Vice Chair White and Committee Member Reps. Franzetti, Gabriele, and Mitchell.

1. [LU27.057](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; changing the designated agency for Stamford's Aquifer Protection Agency from the EPB to the Zoning Board. **APPROVED BY UNANIMOUS VOICE VOTE**
11/13/08 – Submitted by Chair Day
11/17/08 – Committee approved 8-0-0
12/02/08 – Approved on Consent Agenda
12/17/08 – Committee approved 5-0-0

Chair Day stated that a public hearing was held and no one attended. The Committee approved the ordinance by a vote of 5-0-0.

Chair Day stated that the State enacted a law back in the early 1990s requiring each municipality to designate an aquifer protection agency in anticipation of the future release of regulations that would provide a regulatory framework for aquifer protection areas. Not much was known at the time of the original ordinance. Stamford, in compliance with the State mandate, designated the EPB as its aquifer protection agency. This is only theoretically relevant to Stamford because we don't pump water for a public water supply out of the ground, however, the water company does maintain two wells for emergency use which they have never used. So it is conceivable that they could pump water out of these aquifer areas in Stamford.

Following the designation of the EPB, some ten years later, the State finally released the regulations governing this whole issue and it became clear that pursuant to those regulations that we have not designated the appropriate agency and most other communities have designated the Zoning Board because the regulations, which in turn require the municipalities to adopt local regulations regarding the aquifer protection areas, really were dealing in terms of uses and use permits, which belong much more appropriately within the jurisdiction of the Zoning Board. It also involves the drawing of maps, which is a function of the Zoning Board – not the EPB. So, it became clear following the State's issuance of the regulations, that we had not designated the appropriate agency. This was agreed upon by the EPB Director and Robin Stein.

A motion to approve the item was made, seconded and approved by unanimous voice vote.

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

No meeting/No report.

**PUBLIC SAFETY &
HEALTH COMMITTEE:** **Richard Lyons, II, Chair**
[\(Attendance\)](#) Meeting: Monday, December 15, 2008
[\(Votes\)](#) 7:45 p.m. – Republican Caucus Room
[\(Report\)](#)

Chair Lyons reported that the Public Safety & Health Committee met on Monday, December 15, 2008. Present were Chair Lyons and Committee Member Reps. Aposporos, Coppola, DePina, Larobina, C. Martin and Zelinsky; absent/excused were Committee Member Reps. Adams, Mirkin and Pia. Also present were Representative Fedeli; and Brent Larrabee, Chief of Police; Bill Callion, Director of Public Safety, Health & Welfare; and Mike Pensiero, Director of IT.

1. [PS27.039](#) APPROVAL; of an agreement with Principal Decision Systems International for license, training and annual service for the Telestaff police and fire computerized office scheduling system. **APPROVED ON
CONSENT
AGENDA**
12/02/08 – Submitted by Mayor Dannel P. Malloy
12/10/08 – Approved by Board of Finance
12/15/08 – Committee Approved 6-0-1

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

**PARKS & RECREATION
COMMITTEE:** **Linda Cannady, Co-Chair**
[\(Attendance\)](#) **Joseph Coppola, Co-Chair**
[\(Votes\)](#) Meeting: Tuesday, December 16, 2008
[\(Report\)](#) 6:30 p.m. – Republican Caucus Room

Rep. Coppola reported that the Parks & Recreation Committee met on Tuesday, December 16, 2008. Present were Co-Chairs Coppola and Cannady and Committee Member Reps. Fedeli, Franzetti, Heaphy, Lyons, Mallozzi, Pia and White. Absent or

excused were Committee Member Reps. McGarry and Young. Also present were Reps. Deluca and Layton

1. [PR27.033](#) RESOLUTION; and **public hearing**; approving proposed fee increases for camps, playgrounds and activity programs. **APPROVED BY MACHINE VOTE 26-9-1**
10/08/08 – Submitted by Mayor Dannel P. Malloy
10/21/08 – Committee approved as amended 6-1
11/10/08 – Returned to Committee (*as amended – reduced rate of \$300*)
11/19/08 – Committee approved 3-2-1 (*as amended – reduced rate of \$375*)
12/02/08 – Approved 25-6-0 (full rate \$900 /reduced rate \$375)
12/16/08 – Committee approved 5-1-1

Co-Chair Coppola moved to approve the fees, as amended by the Committee; said motion was seconded and approved by a machine vote of 26-9-1 (Note: Reps. White and Caterbone voted in favor; Rep. Wallace abstained) (Reps. Aposporos, Boccuzzi, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Franzetti, Gabriele, Giordano, Larobina, Layton, Lodato, Lombardo, Lyons II, Mallozzi, D. Martin, McGarry, Mirkin, Molgano, Neary, Pia and Zelinsky in favor; Reps. Adams, Berns, Cannady, DePina, C. Martin, McNeil, Mitchell, Skigen and Young opposed)(See [Vote Record No. 977](#)).

2. [PR27.036](#) RESOLUTION; approving a dog park banner at Courtland Park in an area that is easily visible to pedestrians and traffic. **NO ACTION NECESSARY**
11/30/08 – Submitted by Reps. Heaphy, DeLuca, Layton & Coppola
12/16/08 – Committee approved resolution & Held in Committee 7-0-0

Co-Chair Coppola stated that this matter has been resolved, and no action is required.

EDUCATION COMMITTEE: Polly Rauh, Chair
Michael L. Molgano, Vice Chair

No Meeting/No Report.

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

V. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.