

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, February 2, 2009** in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

MINUTES

INVOCATION: Led by Rep. Giordano. Dear Lord, You know better than all of us gathered here this evening how dire the consequences are in this country and the world. We are at a crossroad. Lord, please equip us to let us know how best to help those who need Your help the most with the utmost speed. Lord, give the people hope, let them know help is on the way and that under Your protection, we may enjoy peace in our days and freedom from fear of our enemies. We ask this in Your great and Holy name. Amen.”

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

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were thirty-four members present; four members absent/excused (Reps. DePina, Larobina, C. Martin and Mirkin) and one vacancy.

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

MOMENTS OF SILENCE: For the late: Terri Thompson, Addie Weems and Eunice Gray, from Clerk Summerville; Dr. Dubissette by Rep. Day; Dennis John Cyr., Sr., Philip J. Giordano, Antonio Tony Casale, Mary Starks, Emilio E. Esposito, Audrey Clark and Patsy J. Carta, by Rep. Giordano; and Dara L. Kraus, Nestor Montoya, Roy Garcia, Helen Somma Sabia by Rep. Zelinsky.

COMMUNICATIONS: President Martin announced:

1. Clerk Summerville, President Martin & Rep. Lila Wallace celebrate February birthdays.
2. Rep. Molgano has resigned effective January 31, 2009 because he relocated out of his district. It is anticipated that this vacancy will be filled next month.
3. Committee changes as follows: Rep. Lombardo is no longer on Legislative & Rules; Rep. Gabriele will serve on Legislative & Rules; Rep. Layton will serve

on the Education Committee and will take Rep. Molgano's place on Steering; C. Martin is no longer on Education.

HONORARY RESOLUTIONS:

1. [SENSE OF THE BOARD RESOLUTION](#); thanking George Ducanic for his many years of volunteerism for Toys for Tots.
01/05/09 – Submitted by Clerk Summerville & Rep. Giordano

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, January 12, 2009
[\(Attendance\)](#) 7:00 p.m. – Democratic Caucus Room
[\(Report\)](#)

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

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

No meeting; No report.

TRANSPORTATION COMMITTEE: **Robert "Gabe" DeLuca, Chair**
[\(Attendance\)](#) **Terry Adams, Vice Chair**
[\(Votes\)](#) Meeting: Thursday, January 22, 2009
[\(Report\)](#) 7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on January 22, 2009. Present were: Chair DeLuca and Vice Chair Adams and Committee Member Reps. Franzetti, Giordano, Young and Zelinsky; absent/excused were Committee Member Reps. Larobina, Lombardo and McNeil. Also present was Rep. Coppola; Jack Condlin of the Stamford Chamber of Commerce; Ernie Orgera and Josh LeCar of City Operations; Ben Barnes, Director of Operations; David Chase, Stuart Popper, Steve Gazillo and Chris Kane of URS Corporation and Mani Poola, Traffic Engineer.

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| 1. T27.051 | RESOLUTION ; approving a lease agreement between the City of Stamford and St. John's Roman Catholic Church for a parking lot.
11/18/08 – Submitted by Mayor Dannel P. Malloy
11/25/08 – Approved by Planning Board
12/10/08 – Approved by Board of Finance
01/22/09 – Committee approved 6-0-0 | APPROVED ON
CONSENT
AGENDA |
| 2. T27.053 | PROPOSED ORDINANCE; <u>for publication</u> ;
amending Chapter 231, Vehicles & Traffic, Article IX – One Way Streets to provide for signage and notification of residents when streets directions are altered.
11/27/08 – Submitted by Chair DeLuca and Reps. Coppola and Zelinsky
01/22/09 – Committee approved 6-0-0 (<i>as amended</i>) | APPROVED ON
CONSENT
AGENDA (<i>Rep. Lodato abstaining</i>) |

Rep. DeLuca stated that the Committee approved three amendments to the ordinance. Rep. DeLuca moved the amendments; said motion was seconded and approved by unanimous voice vote (Rep. Lodato abstaining).

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| 3. T27.052 | REVIEW; feasibility study conducted by URS Corporation of light rail service in Stamford & presentation from the consultant.
11/21/08 – Submitted by Chair DeLuca & Rep. Zelinsky
01/22/09 – Report Made | REPORT
MADE |
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Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 and 2, was approved by unanimous voice vote.

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

[\(Attendance\)](#)

[\(Report\)](#)

Elaine Mitchell, Chair

Philip J. Giordano, Vice Chair

Meeting: Tuesday, January 27, 2009

6:00 p.m. – Legislative Chambers

- and -

Meeting: Thursday, January 29, 2009

6:30 p.m. – Republican Caucus Room

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Chair Mitchell reported that the Housing-Community Development-Social Services Committee met on Tuesday, January 27, 2009. Present were Committee Members Reps. Chair Mitchell, Vice-Chair Giordano, Aposporos, Figueroa, Wallace and Molgano.

Rep. McNeil was excused. Reps. Also present: Rep. Gabriele; Tim Beeble, Director of Community Development; and Eric Larson, Grants Coordinator.

Chair Mitchell reported that the Housing-Community Development-Social Services Committee also met on January 29, 2009. Present were Committee Members Reps. Chair Mitchell, Vice-Chair Giordano, Aposporos, Wallace and McNeil. Reps. Figueroa and Molgano was excused. Also present: Tim Beeble, Director of Community Development; and Robin Stein, Land Use Director.

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| 1. HCD27.39 | REVIEW; effects on affordable housing capacity from multiple land acquisitions.
10/06/08 – Submitted by Chair Mitchell & Rep. DePina
10/21/08 – Report Made
11/10/08 – Report Made & Held in Committee
11/18/08 – Held in Committee 6-0-0
01/29/09 – Report Made | REPORT MADE
& HELD IN
COMMITTEE |
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Chair Mitchell stated that Mr. Stein stated that the recent purchases of housing by Stamford Hospital has had an impact on the availability of affordable housing in Stamford. Private agencies and private property owners are not bound by the 1-1 ordinance. Mr. Stein stated he would discuss this activity with the Hospital and would provide statistics to the Committee. Chair Mitchell stated that this matter will remain on the agenda.

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| 2.
HCD27.43a | PUBLIC HEARING; for the Annual Action Plan for funding for CDBG Year 35 (2009-2010).
01/02/09 – Submitted by Tim Beeble
01/29/09 – Public hearing to be held
01/27/09 – Report Made | REPORT
MADE |
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Chair Mitchell reported that the Committee held a public hearing and heard 39 CDBG proposals. A tape proceeding of the hearing is available in the Board office.

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| 3.
HCD27.43b | SUBCOMMITTEE MEETING; for the Annual Action Plan for funding for CDBG Year 35 (2009-2010). | NO ACTION
TAKEN |
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| 4. HCD27.44 | RESOLUTION; authorizing the Mayor to apply and accept funding from the State of CT under the Neighborhood Stabilization Program.
01/02/09 – Submitted by Tim Beeble
01/29/09 – Committee approved 5-0-0 (<i>as amended</i>) | APPROVED ON
CONSENT
AGENDA |
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Chair Mitchell described the way the grant will work. It is a four-year grant, and after four years, unused funds will be returned to the State and to the Federal government.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 4, was approved by unanimous voice vote.

EDUCATION COMMITTEE:

Polly Rauh, Chair

[\(Attendance\)](#)

Meeting: Wednesday, January 21, 2009

[\(Votes\)](#)

7:00 p.m. – Republican Caucus Room

[\(Report\)](#)

Chair Rauh reported that the Education Committee met on January 21, 2009. Present were Chair Rauh and Vice Chair Molgano and Committee Member Reps. Lodato, Wallace and Young. Also present were Dr. Starr; Bill Dunn, Monica Hoherchak, Jackie Heftman, Steve Polo and Susan Nabel of the Board of Education; Pete Privitera of OPM and Lou Casolo, City Engineer.

1. [E27.036](#) APPROVAL; of an agreement for consulting services with EMG Engineering & Environmental Consulting Services for a five-year capital plan for Stamford Public Schools facilities. **APPROVED ON CONSENT AGENDA**
12/02/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance 5-0-0
01/21/09 – Committee approved 5-0-0

Chair Rauh stated this will include space capacity studies at Northeast School to determine the feasibility and usefulness and in preparing the capital plan.

2. [E27.037](#) RESOLUTION; naming the new Inter-District Magnet School located on the Clairol property the “Rogers International School” with a tagline of “The Green School for Global Citizens.” **APPROVED BY UNANIMOUS VOICE VOTE (as amended)**
12/03/08 – Submitted by Susan Nabel
12/02/08 – Approved by the Board of Education
01/21/09 – Committee approved 4-1-0

Chair Rauh moved Item No. E27.037; said motion was seconded.

Chair Rauh stated that the word “international” is required to be part of the name of the School by the program. Chair Rauh moved to eliminate approval of the tagline and amend the name of the school to read: “The Green School for Global Citizens.” Said motion was seconded and approved by unanimous voice vote.

President Martin stated he would take the position that the school named The Rogers International School. The tagline is not considered part of the resolution. The Board of Education can include a tagline if it so chooses.

The main motion was approved by unanimous voice vote.

3. E27.038 REVIEW; OPM's November 2008 Final Audit Report, **REPORT**
BOE Capital Projects Vendor/Supply Charges Audit. **MADE**
01/06/09 – Submitted by Vice Chair Molgano
01/21/09 – Report Made

Chair Rauh stated that the findings were reviewed. There were two major issues: items being charged that are not capital projects and also the charging of capital project items to the wrong capital project. There was a training set up, and procedures are now in place to correct this.

4. E27.039 REVIEW; existence of AEDs (automated external **REPORT**
defibrillators) in Stamford Public Schools and signs **MADE**
posting their locations within buildings.
01/06/09 – Submitted by Vice Chair Molgano
01/21/09 – Report Made

Chair Rauh reported that there are now at least one and often two defibrillators in each of the schools. Signs will be posted at locations within the building.

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

PARKS & RECREATION

COMMITTEE:

[\(Attendance\)](#)

[\(Report\)](#)

Linda Cannady, Co-Chair

Joseph Coppola, Co-Chair

Meeting: Tuesday, January 27, 2009

7:00 p.m. – Republican Caucus Room

- and -

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Meeting: Monday, February 2, 2009

6:45 p.m. – Conference Room #1

Chair Cannady reported that the Parks & Recreation Committee met on January 27, 2009. Present were Co-Chair Cannady and Committee Member Reps. Franzetti, Lyons, Mallozzi, White and Young. Absent or excused were Co-Chair Coppola and Committee Member Reps. Fedeli, McGarry and Pia. Also present were Reps. Caterbone and Gabriele; Frank Fedeli, Office of Operations; and Roger Fox, Stamford Harbor Management Commission..

Chair Cannady reported that the Parks & Recreation Committee also met this evening (February 2, 2009). Present were Co-Chairs Cannady and Coppola and Committee Member Reps. Fedeli, Pia, Lyons, McGarry, Franzetti and Heaphy. Absent/excused were Committee Member Reps. Mallozzi, White and Young. Also present was President Martin, Clerk Summerville and Frank Fedeli.

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| <p>1. PR27.037 PROPOSED ORDINANCE; for publication;
 adopting the Harbor Management Plan.
 12/02/08 – Submitted by Parks & Recreation
 Committee
 12/08/08 – Placed on Pending Agenda
 01/27/09 – Meeting Continued
 02/02/09 – Committee approved 8-0-0 (<i>as amended</i>)</p> | <p>APPROVED BY
 UNANIMOUS
 VOICE VOTE</p> |
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Co-Chair Cannady moved an amendment to the ordinance; i.e., eliminating the text of the ordinance and state law from the ordinance so that it merely references the statutes/ordinances. This would preclude the Board from having to amend the plan each time there is a change to either the ordinance or the state statute.

The motion was seconded and approved by unanimous voice vote.

Chair Cannady moved the ordinance, as amended; said motion was seconded and approved by unanimous voice vote.

PUBLIC SAFETY &

HEALTH COMMITTEE:

Richard Lyons, II, Chair

[\(Attendance\)](#)

Meeting: Thursday, January 29, 2009

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on January 29, 2009. Present were: Chair Lyons and Committee Member Reps. Adams, Aposporos, Coppola, C. Martin, Pia and Zelinsky. Absent/excused were Committee Member Reps. Berns, Larobina and Mirkin. Also present were Reps. DeLuca, Fedeli and Gabriele; former Representative Frank Browne; Director Callion; Johnnie Lee, MD, Director of Health; Jim Kelley of Local 786; Matt Palmer, Tim Conroy and John McCabe of SFRD; and representatives of the Glenbrook, Springdale and Long Ridge fire companies.

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| <p>1. PS27.040 REVIEW; matter of circulation/distribution of draft
 version of Strategic Fire Study.
 01/08/09 – Submitted by Rep. DeLuca
 01/29/09 – Report Made & Held in Committee</p> | <p>REPORT
 MADE</p> |
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Chair Lyons stated that the Committee discussed Matter PS27.040 at length; a report was provided to all members.

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| <p>2. PS27.036 REVIEW; staffing of school nurses for private and
 parochial schools including state
 funding/reimbursement and staffing levels by school.
 10/07/08 – Submitted by Rep. Pia
 10/13/08 – Placed on Pending Agenda
 01/29/09 – Report Made</p> | <p>REPORT
 MADE</p> |
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Chair Lyons stated that Dr. Lee presented to the Committee, and a report on this item was provided to all members.

OPERATIONS COMMITTEE: **John R. Zelinsky, Jr., Chair**
(Attendance) **Scott Mirkin, Vice Chair**
(Votes) Meeting: Wednesday, January 21, 2009
(Report) 7:15 p.m. – Democratic Caucus Room

Chair Zelinsky reported that the Operations Committee met on January 21, 2009. Present were: Chair Zelinsky and Vice Chair Mirkin and Committee Member Reps. Adams, Caterbone, Coppola, Mallozzi and Lodato. Absent/excused were Committee Member Reps. DePina, Neary, Berns, Larobina and White. Also present were Reps. Franzetti, DeLuca and Gabriele; Director Ben Barnes; Ernie Orgera; Frank Fedeli; Lou Casolo, City Engineer; Ellen O’Neill of Keep Stamford Beautiful; Stamford residents Emilio Funicello, who along with youths from the community clean all areas of Stamford; members of the Operations Department drivers.

1. [O27.052](#) REVIEW; snow removal during snow storms to date. **REPORT
MADE**
01/07/09 – Submitted by Rep. Zelinsky
01/21/09 – Report Made

Chair Zelinsky stated that Mr. Barnes and Mr. Orgera attended the meeting. They discussed the 12/19/08 snow storm and that certain streets were not plowed or salted. The next snow storms the drivers in Operations did a wonderful job on all the city streets. Rock salt is put down first when the temperature is 17 degrees, then liquid calcium chloride is added. The ratio is 5-1 salt/sand. No action was required.

2. [O27.043](#) REVIEW; illegal dumping throughout Stamford to **REPORT
MADE**
include areas that are most problematic, city
response, volunteer clean up, etc.
05/08/08 – Submitted by Rep. Mirkin
05/13/08 – Placed on Pending Agenda
01/21/09 – Report Made

Chair Zelinsky stated that discussion with Director Barnes and Ms. O'Neill from Keep Stamford Beautiful was had. A description of the work done was given to the Committee. Rep. Mallozzi suggested a symposium be held to bring in churches, community groups, schools and other volunteer organizations to help with this problem. This matter will be discussed again at a later date.

LAND USE/URBAN

REDEVELOPMENT COMMITTEE:

[\(Votes\)](#)

[\(Report\)](#)

Harry Day, Chair

Patrick J. White, Vice Chair

Meeting: Wednesday, January 28, 2009

7:30 p.m. – Republican Caucus Room

Chair Day reported that the Land Use-Urban Redevelopment Committee met on January 28, 2009. Present were Chair Day, Vice Chair White and Committee Member Reps. Gabriele, Lombardo and Mitchell; absent/excused were Committee Member Reps. Boccuzzi, Diamond, Franzetti and Summerville.

1. [LU27.058](#) APPROVAL; of a Third Amendment to an Agreement between the City and Olin Partnership, LTD for Professional Services – Mill River RFP #336; additional work required due to complexity of project. **APPROVED BY MACHINE VOTE 33-1-1**
12/26/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance
01/28/09 – Committee approved 5-0-0

Chair Day stated that this is for additional services under the existing agreement with respect to design services for the Mill River Park. The amount is \$229,500, included in the capital budget, and basically it covers: 1) increased and unanticipated issues of coordination with the Army Corps of Engineers on the river restoration project (it was required that the ACOE Plan meld perfectly with the Olin and city design plan); and 2) the approvals under the DEP had to be revised and resubmitted. Those two expenses amounted to \$85,000. The remaining \$145,000 for additional design services for the park that were not included in the original design plan. This was done because you don't want to spend more on a design than is necessary at any given phase. You want to make sure that you are achieving milestones. The Army Corps work, which will begin imminently, needed to be addressed first.

Rep. Berns asked what the consequences would be to not authorize this appropriation.

Chair Day stated that he doesn't know where to begin with that one. We have years and years of planning and momentum on this project, with the project finally getting ready to kick off. It would severely jeopardize the continuation and ultimate completion of the project..

Rep. Zelinsky stated that in the memorandum and agreement it mentioned an additional amount of \$229,500. He did not see a fiscal request. Chair Day stated the funds were available in the capital budget.

Rep. Zelinsky asked for a rough estimate of the first agreement. Rep. Day stated that he recalls it may be about \$2 million, or less than that.

Rep. Zelinsky stated that this is the 3rd amendment. He asked for the 1st and 2nd amendment, and if so, how much. Chair Day stated he did not have the numbers with him, but that all amendments fall within the capital budget.

Rep. Zelinsky asked why so many of these items listed under the heading of requests for additional fees for professional fees, why there wasn't foresight by someone in the administration or Olin Partnership. Why they had 3 amendments?

Chair Day stated that to some extent on these design contracts, you design as much as is warranted at any given time. The first focus was the river restoration. If we never got the river restoration, there is no point in proceeding with the ultimate design features of the project, which contemplate the river restoration. It took a long time to finally secure the federal funding, \$7 million plus, in connection with this project. We incurred a year-long delay and finally received the authorization. Utility relocations, etc. are included in this request, and you wouldn't have this done if you weren't certain it was going to be implemented.

Rep. Zelinsky stated that in the 3rd amendment, in one of the whereas clauses, it states, "the consultant's work has increased, due to the complexities involved in the Mill River Greenbelt Project, phasing coordination with the US Corps of Engineers and required DEP permit resubmissions." Rep. Zelinsky stated that this is an awful lot of money to resubmit permits. Also, in the agreement, the Olin letterhead specifies, "due to the nature of the proposed phasing and the required DEP permissions, the scope of work for Olin and our consultants has increased from our proposal of 28 August 2007, thereby exceeding our negotiated fee for professional services and reimbursable expenses for the construction document phase."

Rep. Zelinsky stated that again he cannot see the relationship between that exorbitant cost and the scope of their work. He stated they go into a lot of detail, which he is not an expert in, including a playground, a revised path and wall layout to match the design, but he wonders where this will all start. Let's be perfectly clear, this is for a park. We all know what the economic conditions of our city and our residents is, people are being laid off, utility bills are going up, when is it going to stop? He had reservations in the beginning about this, especially when the ice skating rink and some other things were brought up, but he doesn't know where it will stop. The original \$2 million was a lot of money we spent, we are asking for contributions to help pay for this. People are out of work, and he doesn't know who will be contributing money to this effort. Could it end up being half finished because of money. It keeps going and going and going. He has a

concern for the taxpayers, and in all good conscience, he does not think it is appropriate at this time, and he will be voting against it.

Chair Day stated that we have a pool of resources that will accomplish the building of this park, it is federal money, it is a contribution by the city, but that is a small fraction of the ultimate cost of this projects. It will be almost completely financed by funds raised by the Collaborative, together with TIF financing that this Board approved a long time ago, which basically says that the park will pay for itself. If the increase in property values, brought about by the existence of this park, do not materialize, it won't be built. This park is not costing the city out of pocket money.

Chair Day moved Item No. LU27.058; said motion was seconded and approved by a machine vote of 33-1-1 (Reps. Adams, Aposporos, Berns, Boccuzzi, Cannady, Caterbone, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Heaphy, Layton, Lodato, Lombardo, Lyons, Mallozzi, D. Martin, McGarry, Mitchell, Neary, Pia, Rauh, Skigen, Summerville, Wallace, White & Young in favor; Rep. Zelinsky opposed; Rep. McNeil abstaining) (See [Vote Record No. 983](#)).

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| 2. LU27.048 | RESOLUTION; accepting Woodbine Way as a public street.
04/28/08 – Submitted by Edward J. Frattaroli, Inc.
05/13/08 – Placed on Pending Agenda
01/08/09 – Approved by Engineering Dept.
01/2809 – Committee approved 5-0-0 | APPROVED ON
CONSENT
AGENDA |
| 3. LU27.059 | RESOLUTION; <u>for public hearing & referral to Planning Board</u> ; authorizing the acquisition by negotiation or eminent domain of rights of way and easements for the Cold Spring Road Bridge Rehabilitation Project.
01/09/09 – Submitted by Mayor Dannel P. Malloy
01/2809 – Committee approved 5-0-0 | APPROVED ON
CONSENT
AGENDA |

Chair Day stated this matter was approved for referral to the Planning Board. President Martin stated that we are not providing final authorization but are recommending the resolution for final publication and referral to the Planning Board.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 2 and 3, was approved by unanimous voice vote.

PERSONNEL COMMITTEE:
[\(Attendance\)](#)
[\(Votes\)](#)
[\(Report\)](#)

Mary Lisa Fedeli, Chair
Pauline S. Rauh, Vice Chair
Meeting: Monday, January 26, 2009
6:30 p.m. – Democratic Caucus Room

Chair Fedeli reported that the Personnel Committee met on January 26, 2009. Present were Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Figueroa, Gabriele, Layton, Lodato and Skigen. Also present were Reps. Caterbone, DeLuca and Day; Jackie Heftman of the Board of Education; Denise Gagne, Executive Director of Human Capital Development, Board of Education; Joshua Starr, Ph.D., Superintendent and Tm Abbazia and Michael Pollard of the Board of Finance.

1. [P27.082](#) **ORDINANCE; for public hearing & final adoption;** **APPROVED ON
CONSENT
AGENDA**
amending the responsibilities within the position of
Human Resources Director.
11/03/08 – Submitted by Mayor Dannel P. Malloy
11/25/08 – Held in Committee 6-0-0
12/01/08 – Committee approved 8-0-0 (*as amended*)
12/02/08 – Approved on Consent Agenda
01/26/09 – Committee approved 8-0-0

2. [P27.095](#) **REJECTION;** of a contract between the City of
Stamford Board of Education and the Stamford
Administrators Union. **CONTRACT
REJECTED BY
MACHINE VOTE
28-4-2**
12/02/08 – Submitted by Denise Gagne
12/10/08 – Advisory provided to Mayor by Board of
Finance
01/21/09 – Negative Advisory Opinion issued by
Board of Finance
01/26/09 – Committee REJECTED 7-1-1

Chair Fedeli stated that Dr. Starr was present to review the contract. This is a two year proposed contract, 3% in each of the two years. There is an option converting some positions from 221 days to 206 days, it provides for a one-time retirement incentive and increases the contribution from 17% in year 1 to 18% in year 2.

There was much discussion regarding this item, and the committee voted to reject 7-1-1.

Rep. Day stated that he has been very supportive of education in this city, but we are at a time and place where as a city we have to take a stand here. He supports one year increases at 3%. This is a two-year contract, with 2 years of 3% increases, after the worldwide financial crisis has unfolded. In addition, this particular union, if he understands correct, the average salary is in the neighborhood of \$130,000. We are in a situation where people making less than half of that or a fraction of that are losing their jobs, or at the very least being asked to take no increases or being asked to take decreases. There is a risk of an arbitrator going against us, but it is a risk we should take. We have shown that we are willing to increase contracts for 1 year at 3% until we figure out where we are as a city or as a country. He believes it would be unconscionable to support this contract.

Chair Fedeli moved to REJECT Item No. P27.095; said motion was seconded and the contract WAS REJECTED by a machine vote of 28-4-2 (Reps. Adams, Aposporos, Berns, Boccuzzi, Cannady, Caterbone, Coppola, Day, DeLuca, Diamond, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Heaphy, Layton, Lodato, Lombardo, Mallozzi, D. Martin, McGarry, McNeil, Neary, Pia, Rauh, Summerville and Young in favor; Reps. Esposito, Lyons, Mitchell and Skigen in favor; Reps. Wallace and Zelinsky abstaining) (See [Vote Record No. 984](#)). (Note: Rep. White left the floor for the discussion and vote on this item.)

LEGISLATIVE & RULES

COMMITTEE:

([Attendance](#))

([Votes](#))

([Report](#))

James D. Diamond, Chair

Arthur Layton, Vice Chair

Meeting: Monday, January 26, 2009

7:00 p.m. – Republican Caucus Room

Chair Diamond reported that the Legislative & Rules Committee met on January 26, 2009. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Berns, Day, Lodato, C. Martin, Mitchell and Zelinsky. Absent/excused were Committee Member Reps. Esposito, Heaphy, and Lombardo. Also present were Board President Martin and Reps. Caterbone, DeLuca, Gabriele and Mallozzi; Donna Loglisci, Town Clerk; Thomas Cassone, Esq., Director of Legal Affairs, City of Stamford; William Forker, Director of Assessments and Collection; Robert DeMarco, Building Department; and Ben Barnes, Director of Operations.

- [LR27.087](#) PROPOSED ORDINANCE; **for publication**; **APPROVED ON CONSENT AGENDA**
amending Chapter 218 (Swimming Pools) of the Code of Ordinances to add penalty and enforcement provisions and to allow for the enforcement of the most recently-amended version of the State Building Code.
12/22/08 – Submitted by Mayor Dannel P. Malloy
01/26/09 – Committee approved 8-0-0 (*as amended*)
- [LR27.080](#) PROPOSED ORDINANCE; **for publication**; **HELD IN COMMITTEE**
requiring the abatement of discharge of fats, oils and grease into public sewers.
09/11/08 – Submitted by Mayor Dannel P. Malloy
10/27/08 – Committee Held 6-0-0
11/10/08 – Report Made & Held in Committee
11/24/08 – Held in Committee 6-0-0
01/26/09 – Held in Committee 8-0-0
- [LR27.081](#) PROPOSED ORDINANCE; **for publication**; **APPROVED ON CONSENT**
designating the Office of the Town Clerk as the

department responsible for posting all meeting minutes and all special meeting notices received by public agencies on the official website per Public Act No. 08-3.

AGENDA

09/30/08 – Submitted by Mayor Dannel P. Malloy
10/27/08 – Committee Held 6-0-0
11/10/08 – Report Made & Held in Committee
11/24/08 – Held in Committee 6-0-0
01/26/09 – Committee approved 8-0-0

4. [LR27.075](#) PROPOSED ORDINANCE; **for publication**;
amending Section 220-8 B. of the Code of Ordinances, Senior Citizens and Disabled Property Owners Tax Abatement; to provide for ~~increased income limits~~ and increased exemption in the fair market value of the residence for both the abatement and the deferral program.
07/21/08 – Submitted by Reps. DeLuca, Zelinsky and Lodato
08/18/08 – Committee approved 6-1-0
09/02/08 – Approved for publication
09/15/08 – Committee approved 5-1-0
10/06/08 – Item approved 31-1-1
10/10/08 – Resubmitted by President Martin
11/24/08 – Held in Committee
01/26/09 – Committee approved 6-1-1 (*as amended*)

**APPROVED BY
MACHINE VOTE
32-1-2**

Chair Diamond stated amended the description as above. This item has been pending before the Board since July. In October, an ordinance was approved, but after we approved it, we received a recommendation from the Board of Finance that was critical of some of what the Board approved. Furthermore, the Board of Finance recommended that it was in favor of increasing benefits for those seniors and disabled who were the most needy and also for increasing the benefit amounts for those who already qualify. The Committee took this up with Mr. Forker, and the Committee did in fact go back to the original income limits that were in the ordinance before it was amended in October. The Committee did however increase fair market value as a criteria for benefits as the Committee had done in October. Then it took the actual benefits schedule and included it in the ordinance. They looked at Mr. Forker's proposed benefits schedule, and the Committee wanted to make sure that all those who qualified in the past received some increase, the largest for those with the lowest income and modest increases for those at the higher levels. The ordinance was thus amended. Nonetheless, he is confident that this ordinance is now consistent with the recommendations from the Board of Finance.

Chair Diamond moved to approve Item No. LR27.075; said motion was seconded and approved by a machine vote 32-1-2 (Reps. Adams, Aposporos, Berns, Boccuzzi, Cannady, Caterbone, Coppola, Day, DeLuca, Diamond, Esposito, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Heaphy, Lodato, Lombardo, Lyons, Mallozzi, D. Martin, McGarry, Mitchell, Neary, Pia, Rauh, Skigen, Summerville, White, Young and Zelinsky)

in favor; Rep. Layton opposed; Reps. McNeil and Wallace abstaining) (See [Vote Record No. 985](#)).

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

FISCAL COMMITTEE: **Randall M. Skigen, Chair**
([Attendance](#)) **Linda Cannady, Vice Chair**
([Votes](#)) Meeting: Monday, January 26, 2009
([Report](#)) 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on January 26, 2009. Present were: Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Giordano, Lyons, Mirkin, Mitchell and Rau. Also present were Ben Barnes Director of Operations; Bill Callion, Director of Public Safety, Health & Welfare; Sandy Dennies, Director of Administration; Jim Hricay, OPM; Karen Cammarota, Grants Office; Ernie Orgera of Operations and Ed Gentile of Engineering.

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| 1. F27.477 | PROPOSED ORDINANCE; <u>for public hearing & final adoption</u> ; amending Section 47-62 of the Code of Ordinance by revising the Minimum Mandatory Contribution (Section 47-62 (b)).
12/08/08 – Submitted by Mayor Dannel P. Malloy
12/15/08 – Held in Committee 6-0-0
01/05/09 – Committee approved 8-0-1 for publication
01/05/09 – Approved for publication
01/26/09 – Held in Committee 8-0-0 | HELD IN COMMITTEE |
| 2. F27.475
\$2,929.00 | ADDITIONAL APPROPRIATION (Grants Budget); Bulletproof Vest Grant; Uniforms; U.S. Dept. of Justice funding will reimburse 50% of the purchase of a vest.
12/04/08 – Submitted by Mayor Dannel P. Malloy
12/15/08 – Committee approved 6-0-0
01/05/09 – Held in Committee
01/08/09 – Approved by Board of Finance
01/26/09 – Committee approved 8-0-0 | APPROVED ON CONSENT AGENDA (<i>Rep. Franzetti abstaining</i>) |
| 3. F27.474
\$3,400.00 | ADDITIONAL APPROPRIATION (Grants Budget); Click It or Ticket Grant; Overtime; to establish and run check points for seat belt enforcement.
12/04/08 – Submitted by Mayor Dannel P. Malloy
12/15/08 – Committee approved 6-0-0
01/05/09 – Held in Committee
01/08/09 – Approved by Board of Finance 4-1-0 | APPROVED ON CONSENT AGENDA (<i>Rep. Franzetti abstaining</i>) |

01/26/09 – Committee approved 8-0-0

4. [F27.478](#) ADDITIONAL APPROPRIATION (Capital Budget); **APPROVED ON**
\$84,400.00 Citywide Vehicle Replace/Upgrade; CT Clean Fuel **CONSENT**
Program; to purchase ten hybrid electric vehicles. **AGENDA** (Rep.
12/11/08 – Submitted by Mayor Dannel P. Malloy Adams
12/16/08 – Approved by Planning Board abstaining)
01/08/09 – Approved by Board of Finance
01/26/09 – Committee approved 9-0-0

5. [F27.483](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED ON**
\$430,620.00 Operations; Salt & Sand; to purchase salt and sand **CONSENT**
needed for the remainder of the FY 08-09 winter **AGENDA**
season.
01/12/09 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance 5-0-0
01/26/09 – Committee approved 9-0-0

Secondary Committee: Operations

Concur 7-0-0

6. [F27.481](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED ON**
\$7,253,528.00 Transfers to Self Insurance Fund; surplus funds from **CONSENT**
2007/08 fiscal year will be reserved and set aside for **AGENDA** (Rep.
settling tax appeals: 2006 grand list - \$1,336,778; Adams
2007 grand list - \$5,916,750. abstaining)
01/07/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance 5-0-0
01/26/09 – Committee approved 8-0-1

7. [F27.479](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED ON**
\$229,552.00 Transfers to OPEB Trust; surplus funds from 2007- **CONSENT**
08 fiscal year to fund a portion of the annual required **AGENDA**
contribution to the OPEB Trust Fund.
01/07/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance 5-0-0
01/26/09 – Committee approved 9-0-0

8. [F27.480](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED BY**
\$96,147.00 Board of Education; surplus funds from 2007-08 **MACHINE VOTE**
fiscal year to be set aside to defray increases in **25-5-2**
Board of Ed fuel expenses.
01/07/08 – Submitted by Mayor Dannel P. Malloy
01/08/09 – Approved by Board of Finance 5-0-0
01/26/09 – Committee approved 6-2-1

Chair Skigen stated this will set up an energy reserve fund.

Chair Skigen moved to approve Item No. F27.480; said motion was seconded and approved by a machine vote of 25-5-2 (Reps. Adams, Aposporos, Berns, Boccuzzi, Caterbone, Coppola, Day, DeLuca, Diamond, Esposito, Figueroa, Franzetti, Giordano, Heaphy, Lyons, Mallozzi, D. Martin, McGarry, Mitchell, Neary, Rauh, Skigen, White, Young and Zelinsky in favor; Reps. Fedeli, Gabriele, Lodato, Lombardo and Pia opposed; Reps. McNeil and Wallace abstaining) (See [Vote Record No. 986](#)).

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| 9. F27.482 | RESOLUTION (Bonding); with respect to the issuance and sale of \$40,000,000 General Obligation Bonds, Issue of 2009; and REVIEW; issuance and sale of \$40,000,000 General Obligation Bond Anticipation Notes.
01/09/09 – Submitted by Sandy Dennies
01/08/09 – Approved by Board of Finance 5-1-0
01/26/09 – Held in Committee 9-0-0 | REPORT
MADE |
|----------------------------|--|------------------------|

Chair Skigen moved the Consent Agenda, consisting of Item Nos. 2 through 7; said motion was seconded and approved by voice vote (Rep. Adams abstaining on Item Nos. 4 and 6; Rep. Franzetti abstaining on Item Nos. 2 and 3).

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

No meeting; No report.

MINUTES

- | | |
|--|---|
| 1. January 5, 2009 Regular Board Meeting | APPROVED BY
UNANIMOUS
VOICE VOTE |
|--|---|

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Audio and video tape recordings of these proceedings are available through the Offices of the Board of Representatives and/or the website www.boardofreps.org