

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, November 9, 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. Zelinsky.

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

ROLL CALL: Conducted by Clerk of the Board Annie Summerville. There were 37 members present and 3 absent/excused (Reps. Heaphy and Lodato). Note: Rep. Berns arrived immediately after roll call.

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

MOMENTS OF SILENCE: For the late: Frederick P. Lenz, Jr. by Clerk Summerville; Eleanor Montgomery and Adele Sosnowitz by the 27th Board of Representatives; Edna McMurray by Reps. DePina and Mitchell; Jonathan Singer by Reps. Rauh and Zelinsky; Thomas James Conklin; Jacob Jack Dazzo; William Lamar Boll; Mario Amalfitano; Jennie Lacerenza; Benjamin J. Servidio, Jr.; Angelino Christofakis; William Chirimbes; Philip V. Aquire and Joseph C. Lacerenza, Sr. by Rep Giordano; Anthony Montecalvo; Anthony J. Pollio; Frank J. Muskus; Morris Teig and Michael Scocco, Jr. by Rep. Zelinsky.

COMMUNICATIONS: President Martin announced:

1. Pat White and Mitchell Kaufman were celebrating November birthdays.
2. The Childcare Learning Center ribbon-cutting ceremony will be held on Wednesday, November 18, 2009 at 10:30 a.m.
3. The Old Town Hall ribbon-cutting ceremony will be held on Thursday, November 19, 2009 at 11:00 a.m.
4. The Annual Holiday Party will be held on Tuesday, December 1, 2009 at 6:30 p.m. at Columbus Park.
5. President Martin thanked Reps. Lyons, Lodato, Aposporos and Berns for their service and wished them much success.

HONORARY RESOLUTIONS:

1. [SENSE OF THE BOARD RESOLUTION;](#) **APPROVED BY**
 commending Julio Aguilar for rescuing a mother **UNANIMOUS**
 and two children from an attacking dog. **VOICE VOTE**
 10/23/09 – Submitted by Reps. Figueroa & Heaphy

2. [SENSE OF THE BOARD RESOLUTION;](#) **APPROVED BY**
 congratulating Christopher Shays on being named **UNANIMOUS**
 “Honorary Grand Marshal” of the 2009 Veterans’ **VOICE VOTE**
 Day Parade. **VOICE VOTE**
 11/02/09 – Submitted by President David Martin

Majority Leader Boccuzzi moved to suspend the rules to take up an item out of order; said motion was seconded and approved by unanimous voice vote.

1. [LR27.101](#) PROPOSED ORDINANCE; for **final adoption**;
 approving a tax abatement agreement between
 Palmer Square LP (Charter Oak Communities) and
 the City for 51 of 85 units of housing at 26 Palmers
 Hill Road. **APPROVED BY**
 06/24/09 – Submitted by Mayor Dannel P. Malloy **MACHINE VOTE**
 07/20/09 – Committee approved 7-0-0 **22-16-0**
 08/03/09 – Approved on Consent Agenda
 08/17/09 – Held in Committee 6-0-1
 09/08/09 – Held in Committee
 09/21/09 – Held in Committee
 10/22/09 – Held in Committee 5-3-0

Vice Chair Layton stated that this item was held in committee 5-3-0.

Rep. Skigen moved to take the following item out of committee; said motion was seconded. President Martin noted that this is a non-debatable motion, and 21 votes are required. The motion was approved by a machine vote of 21-16-0 (Reps. Adams, Berns, Boccuzzi, Cannady, DePina, Giordano, Giraldo, Kaufman, Lyons II, Mallozzi, C. Martin, D. Martin, McGarry, McNeil, Mitchell, Neary, Rauh, Skigen, Summerville, Wallace and Young in favor; Reps. Aposporos, Caterbone, Cerasoli, Coppola, Day, DeLuca, Fedeli, Franzetti, Gabriele, Layton, Lombardo, Mirkin, Pia, Raduazzo, White and Zelinsky opposed (See [Vote Record No. 1054](#)).

Rep. Mirkin stated he wants the record to show that there was sufficient time to vote. If members leave the floor to take care of other business, he objects to one side going out to get a vote on something that this is important, as evidenced by the audience. This motion would have failed on 20, if the President had called the vote when Rep. Mirkin asked him to do so on three occasions.

Clerk Summerville stated that, respectfully, she was taking care of the business of the

board, ensuring that the capacity was not being exceeded in this room. Clerk Summerville asked that the record show that she was not off the floor but was working to make certain we were not over capacity while this vote was initiated. This was done for safety reasons.

A motion to approve Item No. LR27.101 was made and seconded.

Rep. Mirkin stated that there is obviously a willingness by the majority to take this item out of committee and approve it. He urges those who voted to take it out of committee to stop and think. The people sitting in this audience have written everybody on the board because they are concerned about this project. A legal case has been filed, which is in the courts. Rep. Mirkin asked his fellow representatives to give consideration to those who showed up tonight to at least allow the process to go through the courts to see what ruling the court may have. He hates to think that we may act like Congress in trying to push through legislation on a fast-track matter when no one can give a reason for doing so. Rep. Mirkin stated he sees no reason why we have to vote on this issue this evening, and not allowing people who live in and near the proposed development an opportunity to have their day in court. On other matters in this city, we have not voted on issues that came before us because we did not want to get involved while there were legal proceedings underway, and he asks for that same consideration in this case. The world will not come to an end if we allow the folks who live in the area and who took time to show up tonight in the audience the opportunity to have their case heard in a court. This is still the United States of America, and he hopes that we give them that opportunity – the same opportunity anyone would ask for his/her neighborhood.

Rep. Zelinsky stated he voted to hold this item because 1) this pits the Charter Oak Communities and Stamford Hospital against Westover residents; 2) the residents say that affordable housing has not been evenly distributed and they are concerned with traffic and crime; 3) and a lawsuit was filed seeking to overturn the July Zoning Board approval of a general site plan to build the project. Rep. Zelinsky stated he has been on the board for 32 years, and he doesn't recall voting on an issue while it was in the courts. Rep. Zelinsky stated he has always been in favor of affordable housing. Last month a judge ruled against the City's motion to throw the case out; therefore, the judge must think the case has some merits. At the L&R Committee meeting, he asked when they thought Vidal Court would be torn down, and they said 2012, or 3 years from now. He asked when they would start construction, and they said June of 2010. He asked the Law Department how long the court case would take, and they said it could be from one month to longer than a year. The court case is the key to the whole issue. It would be unfortunate if the Board ended up with egg on its face by voting to approve this if the court case is ultimately successful. He stated that there is no urgency, we should wait a month or two to let the court case proceed, and then he would feel more comfortable voting on this matter at that time.

Rep. Coppola agreed with the previous two speakers. In every instance that he is aware of the City has never moved forward on any issue that is pending in court, and

this should not be any different. Rep. Coppola said that if this abatement is approved, the message that will be sent by those who vote to approve is that they don't particularly have concern for people to have their right to be heard or their right to a day in court, and he believes this is an abomination.

Rep. Day stated that he has been intimately involved in the planning for this project, and has reviewed the arguments for some time now. This matter has been held by the L&R Committee for 3 months. Rep. Day stated that the appropriate thing at this point would be to allow the time to pass so the court can make a determination.

Rep. Boccuzzi stated that he resents the fact that Rep. Coppola is saying we don't want to give the residents their day in court. The tax abatement has nothing to do with their day in court. All we are doing is transferring the tax abatement from one place to another. It is not approving the project, it is not putting any money up for the project, it is just changing the abatement. For the previous speaker to say that we don't want to give the residents their day in court is not true.

The motion was approved by a machine vote of 22-16-0 (Reps. Adams, Berns, Boccuzzi, Cannady, DePina, Figueroa, Giordano, Giraldo, Kaufman, Lyons II, Mallozzi, C. Martin, D. Martin, McGarry, McNeil, Mitchell, Neary, Rauh, Skigen, Summerville, Wallace and Young in favor; Reps. Aposporos, Caterbone, Cerasoli, Coppola, Day, DeLuca, Fedeli, Franzetti, Gabriele, Layton, Lombardo, Mirkin, Pia, Raduazzo, White and Zelinsky opposed (See [Vote Record No. 1055](#)).

Chair Skigen moved to take up an item out of order, said motion was seconded and approved by unanimous voice vote.

Chair Skigen stated that the Committee met twice on these items. On November 19, 2009, when the Engineering Department and Mr. Barnes presented these items, the thought was that the project could be accomplished for \$750,000 (Item No. 8). The Committee approved it 8-0-0 on consent.

8. F27.585	ADDITIONAL APPROPRIATION (Capital Budget);	APPROVED BY UNANIMOUS VOICE VOTE
\$750,000.00	Engineering Department; Alma Rock Road and Mary Joy Lane Water Extensions.	
	10/08/09 – Submitted by Mayor Dannel P. Malloy	
	10/27/09 – Approved by Board of Finance	
	10/13/09 – Approved by Planning Board	
	10/19/09 – Committee approved 8-0-0	

A motion to approve Item No. 8 was made, seconded and approved by unanimous voice vote.

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

9. [F27.586](#) **RESOLUTION**; Amending the Capital Budget for Fiscal Year 2009-2010 by adding an appropriation of \$750,000 for the Engineering Department – Public Drinking Water Supply, Scofieldtown Area & authorizing general obligation bonds of the City to meet said appropriation.
10/14/09 – Submitted by Ben Barnes
10/19/09 – Committee approved 9-0-0
- APPROVED BY
UNANIMOUS
VOICE VOTE**

A motion to approve Item No. 8 was made, seconded and approved by unanimous voice vote.

Chair Skigen stated that subsequent to the November 19th meeting, the Engineering Department discovered that in order to do this project in a timely fashion, it was going to be more expensive than originally thought. Therefore, they came back for a second appropriation for an additional \$650,000. Although the Agenda says the appropriation is for Alma Rock Road and Mary Joy Lane Water Extensions, this will also cover the cost of bringing water to a portion of High Ridge Road and a portion of Haviland Road where contamination has also been found. The Committee approved this 10-0-0, and Chair Skigen moved the item.

10. [F27.587](#) ADDITIONAL APPROPRIATION (Capital Budget);
\$650,000.00 Engineering Department; **second request** for
funding for Alma Rock Road and Mary Joy Lane
Water Extensions .
10/29/09 – Submitted by Mayor Dannel P. Malloy
11/02/09 – [Planning Board](#) approved \$750,0000
11/09/09 – Approved by Board of Finance
11/09/09 – Committee approved 10-0-0
- APPROVED BY
UNANIMOUS
VOICE VOTE**

The motion to approve Item No. 10 was seconded and approved by unanimous voice vote.

Chair Skigen stated that Item No. 11 is a resolution amending the capital budget in the amount of \$650,000 for the public drinking water supply for the Scofieldtown area. This was approved in Committee 10-0-0, and Chair Skigen moved the item.

11. [F27.588](#) **RESOLUTION**; (**second**) amending the Capital
Budget for Fiscal Year 2009-2010 by adding an
appropriation of \$650,000 for the Engineering
Department – Public Drinking Water Supply,
Scofieldtown Area & authorizing general obligation
bonds of the City to meet said appropriation.
10/29/09 – Submitted by Ben Barnes
11/09/09 – Committee approved 10-0-0
- APPROVED BY
UNANIMOUS
VOICE VOTE**

The motion to approve Item No. 11 was seconded and approved by unanimous voice vote.

Chair Lyons stated the Committee met twice on the item below, and the Committee passed the resolution that declares a water emergency. The resolution clearly delineates the houses and roads being included. The end of the resolution, subsections A and B, reference the numerical addresses and the intersections that may be affected. Chair Lyons moved for approval of the resolution; said motion was seconded.

1. [PS27.051](#) RESOLUTION; approving the connection to the public water supply, including extension of water mains and service laterals, of houses located on Alma Rock Rd and Mary Joy Lane and waiving all reimbursement by individual property owners for the costs of such extension
10/05/09 – Submitted by President Martin & the 27th Board
10/29/09 – Committee approved 7-0-0 (*as amended*)
11/09/09 – Committee approved 9-0-0 (*as amended*)

**APPROVED BY
UNANIMOUS
VOICE VOTE**

Rep. Berns stated that he will vote in favor of this but feels we are setting a bad precedent in that we are combining two different decisions that should be handled differently. The time to decide to waive fees is not in the heat of the moment when we are concerned with a health crisis and getting water in immediately. The decision to waive fees is a decision that should be taken later once the water is in and when it is time to assess those fees. While he thinks this is the perfect example where we do want to waive the fees, he is afraid that we are setting precedent at a future date with another project that is not quite so sympathetic and we will feel the need to make these two decisions at the same time.

Mr. Pia confirmed that the resolution provides for city water hookups should contamination be found; not for all residences listed on the resolution.

Rep. Skigen stated that through tonight's actions, it is the understanding and belief of the Engineering Department that work will commence on the new areas by the end of this week or early next week. He respectfully disagrees with Rep. Berns regarding the assessment. These homeowners need to know that these lines are going to be brought in and that they are not going to be assessed. If you look at the map, it is pretty clear that there is an underground plume that is flowing from Very Merry down to Alma Rock, and these people have been harmed over the years, we need to get water in there, and we need to know that 6 months from now we are not going to ask them to write a check for \$20,000. He encourages everyone to vote in favor of the resolution tonight.

The motion to approve Item No. 11 was seconded and approved by unanimous voice vote.

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Tuesday, October 13, 2009
([Minutes](#)) 7:00 p.m. – Democratic Caucus Room

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

APPOINTMENTS COMMITTEE: **Annie M. Summerville, Chair**
([Attendance](#)) **John J. Boccuzzi, Vice Chair**
([Votes](#)) Meeting: Tuesday, October 27, 2009
([Report](#)) 7:00 p.m. – Democratic Caucus Room
- and -
([Attendance](#)) Meeting: Monday, November 9, 2009
([Votes](#)) 6:30 p.m. – Democratic Caucus Room
([Report](#))

Chair Summerville reported that the Appointments Committee met as indicated above. Present were Chair Summerville and Vice Chair Boccuzzi and Committee Member Reps. Aposporos, Cerasoli, DePina, and McNeil. Absent/excused was Reps. Caterbone, Layton and McGarry.

Chair Summerville reported that the Appointments Committee also met on November 9, 2009. Present were Chair Summerville and Vice Chair Boccuzzi and Committee Member Reps. Aposporos, Caterbone, Cerasoli, DePina, Layton and McGarry. Absent/excused was Committee Member Rep. McNeil.

1. A27.194	Board of Ethics		APPROVED ON
	Cheryl G. Bader (D)	Reappointment	CONSENT
	243 Jonathan Drive	(Term Exp. 6/30/8)	AGENDA
	Stamford, CT 06903		
	Term Expires: 06/30/13		
	06/02/09 – Submitted by Mayor Dannel P. Malloy		
	06/23/09 – No action taken		
	09/04/09 – Resubmitted by Mayor Dannel P. Malloy		
	09/30/09 – Held in Committee 6-0-0		
	10/27/09 – Committee approved 6-0-0		

2. [A27.197](#) **Environmental Protection Board** **APPROVED ON
CONSENT
AGENDA**
Leigh W. Shemitz (D) Reappointment
135 Hannahs Road (Term Exp. 12/1/8)
Stamford, CT 06903
Term Expires: 12/01/11
06/02/09 – Submitted by Mayor Dannel P. Malloy
06/23/09 – No action taken
09/04/09 – Resubmitted by Mayor Dannel P. Malloy
09/30/09 – Held in Committee 6-0-0
10/27/09 – Committee approved 6-0-0

Clerk Summerville moved to suspend the rules to take up two items not appearing on the agenda; said motion was seconded and approved by unanimous voice vote.

3. [A27.214](#) **Zoning Board – Alternate** **APPROVED BY
UNANIMOUS
VOICE VOTE**
Keith Silver (D) Repl. Kaufman
525 Westhill Road (Term Exp. 12/01/9)
Stamford, CT 06902
Term Expires: 12/01/09
11/09/09 – Committee approved 7-0-0

Clerk Summerville moved to approve Item No. 3; said motion was seconded and approved by unanimous voice vote.

4. [A27.215](#) **Zoning Board - Alternate** **APPROVED BY
UNANIMOUS
VOICE VOTE**
Kathleen Donahue (D) Repl. Stein
131 Lawn Ave., C-5 (Term Exp. 12/01/11)
Stamford, CT 06902
Term Expires: 12/01/11
11/09/09 – Committee approved 7-0-0

Clerk Summerville moved to approve Item No. 4; said motion was seconded and approved by unanimous voice vote.

Chair Summerville moved to approve the Consent Agenda, consisting of Item Nos. 1 and 2; said motion was seconded and approved by unanimous voice vote.

Clerk Summerville stated her committee worked very hard, and she thanked them for a wonderful term.

Suspension of Rules:

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

1. [SENSE OF THE BOARD RESOLUTION;](#)
Commending and Thanking David Martin for his
Many Years of Service.
11/09/09 – Submitted by the 27th Board

**APPROVED BY
UNANIMOUS
VOICE VOTE**

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

Rep. Skigen read the resolution into the record (which is attached hereto).

President Martin stated it has been an honor and a privilege to serve for these 26 years. President Martin stated: "I make one final commitment to you. Unbeknownst to most of you is that Annie has been nagging me for almost the full term of the 8 years to get a picture back there on the wall, and it has never been a big enough priority. I will, in fact, get a picture taken and have it hung on the wall. Thank you."

Rep. Skigen stated: "On a personal note, I have run with David for the last 16 years, walked door to door with him over many of those campaigns, and for those of you who don't know, there is even a section of our district that has Greenwich addresses. David has an undying belief in the perfectibility of mankind and the ability for people to think rationally. We would be standing at these homes with Greenwich addresses with people saying they don't want anything to do with Stamford, they don't want to hear from any politicians in Stamford, they want to secede from Stamford and be a part of Greenwich because then their property values will go up and their taxes will go down. And David would stand there and talk to these people and reason with them, and I would be pulling on his sleeve saying that we are not going to get the vote, we have to move on. But, David truly believes that if you talk to people and you reason with people, you can reach an accommodation, you can do what is best for the people and the people of this City, and it has been my privilege to serve with you over the last 14 years, and I thank you."

Rep. DeLuca stated he has enjoyed working with David for 24 of the last 26 years. He said: "Although we never agreed on certain issues, we were able to come to mutual agreements on a lot of them. Way back in 1991, a former representative lost the mayoral election and then revitalized and brought Stamford to life. I only hope that you will follow in her footsteps of Sandy Goldstein. Then, we will have another past president that ran for mayor, lost but will go on to do great things to improve the lives of those in Stamford. I really enjoyed serving with you. I wish you the best of luck."

Rep. Boccuzzi said: "There is not much more that I can add to what the previous two gentlemen said, but I will say, as majority leader, working with you has been a pleasure. We didn't always agree, but the bottom line was that we solved problems. I think, through your leadership, the Board of Representatives has gotten a lot more respect in the City of Stamford than before. Thank you very much for your service, don't get lost. Come back."

Rep. Day stated: "I think very few people have ever served this Board with such distinction over such a long time as you, and I think the point that John just made is

really an important one, that you elevated the role of this Board to a status that it had not before that achieved. When you first mulled over the idea of running for mayor, I was not overjoyed with the idea, because as I told you then, win or lose, you weren't going to be on this Board anymore, and I think we all now face that reality. Over the last 11 years, you and I have had some unbelievable arguments about more subjects than I can ever remember. But, out of that emerged I believe a permanent friendship, and I really, sincerely hope that you will stay involved one way or another in our city."

President Martin stated: "I thank you all. I don't have any great speeches here tonight."

Rep. Zelinsky stated: "I just want to publicly thank you for your 26 years on the Board and your 8 years as serving as our president. You are a strong, fair leader working with both Democrats and Republicans. I have served on the Board for 32 consecutive years, and with all due respect to the other presidents, in my mind you are the best. I wish you had run for the Board of Representatives also like some other people did, and you could have come back as a representative and possibly as president. But needless to say that wasn't meant to be. You will be sorely missed, and I wish you and your family good health and success in your future endeavors. God bless you and your family."

President Martin stated: "It has been an honor, it has been a privilege, and particularly, over this last 8 years, my goal has been to have this Board have more respect in this City, and my sense is that we are moving in the right direction. I am proud of you, because I didn't do it, we did it, and I want to thank everyone here for making this a more important and honorable and enjoyable task than it could have been any other way, and I thank you."

Rep. Skigen stated: "I want to thank Judy and Rachel and Sarah. Judy, for 26 years, has gone without seeing you many evenings a month; Rachel and Sarah weren't even twinkles in your eye when you first joined this Board, and they all sacrificed, along with you, to allow you to serve the City, and I would like to thank them for their dedication as well."

FISCAL COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Randall M. Skigen, Chair

Linda Cannady, Vice Chair

Meeting: Monday, October 19, 2009

7:00 p.m. – Democratic Caucus Room

- and -

Meeting: Monday, November 9, 2009

6:30 p.m. – Conference Room #2

Chair Skigen reported that the Fiscal Committee met on Monday October 19, 2009.

Present were: Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Lyons, Mirkin, Rauh and Summerville. Absent/excused was Rep. Mitchell. Also present were: Bill Callion, Director of Public Safety, Health & Welfare; Peter Privitera, OPM; Karen Cammarota, Grants Office; Robin Stein, Land Use Bureau; Ben Barnes, Director of Operations and Mike Pensiero, Technology Management Services.

Chair Skigen reported that the Fiscal Committee also met on November 9, 2009. Present were Chair Skigen, Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Lyons, Mirkin, Mitchell, Rauh and Summerville. Also present were Reps. Giordano and Young; Lou Casolo, Fred Manfredonia and Peter Privitera.

1. [F27.577](#) ADDITIONAL APPROPRIATION (Grants Budget); **APPROVED ON**
\$87,494.00 Justice Assistance Grant; U.S. Dept. of Justice **CONSENT**
Grant to reduce youth violence. **AGENDA**
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0

2. [F27.579](#) ADDITIONAL APPROPRIATION (Grants Budget); **APPROVED ON**
\$34,593.00 Healthy Communities; EPA Grant for Asthma **CONSENT**
Education and Prevention; Funding for part-time bi- **AGENDA**
lingual outreach worker, training and program
supplies.
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0

3. [F27.582](#) ADDITIONAL APPROPRIATION (Grants Budget); **APPROVED ON**
\$242,000.00 Education Through Adventure; Funding from **CONSENT**
community groups for Education Through **AGENDA**
Adventure facilitators.
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0

4. [F27.583](#) ADDITIONAL APPROPRIATION (Capital Budget); **APPROVED ON**
\$2,300,000.00 Public Safety Health & Welfare; 800 MHZ Trunking; **CONSENT**
Citywide public safety radio system; rebanding as a **AGENDA**
result of negotiated settlement with Sprint/Nextel.
09/29/09 – Submitted by Mayor Dannel P. Malloy
09/29/09 – Approved by [Planning Board](#)
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0

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| 5. F27.575
\$485,000.00 | ADDITIONAL APPROPRIATION (Capital Budget); STAG Harbor Point Waste Water; Upgrade of current sewer, storm and sanitary wastewater infrastructure.
09/29/09 – Submitted by Mayor Dannel P. Malloy
09/29/09 – Approved by Planning Board
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA |
| 6. F27.576
\$40,765.00 | ADDITIONAL APPROPRIATION (Operating Budget); Stamford Partnership; Funding for Census Outreach Coordinator, advertising, outreach events and promotional materials.
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Approved by Board of Finance
10/19/09 – Committee approved 8-0-0 | APPROVED ON
CONSENT
AGENDA |
| 7a. F27.580
\$67,926.00 | REJECTION; of a capital project close out; Central Services Equipment; Billing Equipment.
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Held by Board of Finance (<i>for PB app.</i>)
10/13/09 – Approved by Planning Board
10/19/09 – Item Withdrawn | ITEM
WITHDRAWN |
| 7b. F27.581
\$61,515.00 | ADDITIONAL APPROPRIATION (Capital Budget); OPM/Central Services; Central Services Equipment; Reduce out-sourcing of specialized printing operation and replace equipment
09/29/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Held by Board of Finance (<i>for PB app.</i>)
10/13/09 – Approved by Planning Board
10/19/09 – Item Withdrawn | ITEM
WITHDRAWN |

Clerk Summerville took over chairing the meeting at this time.

A motion to suspend the rules to take up Item No. F27.589 below, which did not appear on the agenda, was made, seconded and approved by unanimous voice vote.

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| 12. F27.589
(Rates) | APPROVAL; of a contract between the City of Stamford and Hooker & Holcombe, Inc. for actuarial services through June 30, 2011.
10/29/09 – Submitted by Mayor Dannel P. Malloy
11/09/09 – Approved by Board of Finance
11/09/09 – Committee approved 10-0-0 | APPROVED BY
VOICE VOTE
(Rep. Rauh
abstaining) |
|--|---|--|

Chair Skigen stated that this item was taken up this evening in Committee. The

actuarial reports are generally received in December; the vendor has already started work on the reports. A motion to approve Item F27.589 was made, seconded and approved by unanimous voice vote.

President Martin returned to chair the meeting.

A motion to approve the Consent Agenda, consisting of Item Nos. 1 through 6 above, was made, seconded and approved by unanimous voice vote.

Chair Skigen stated that the Fiscal Committee is clearly the best committee. He thanked Clerk Summerville for filling in for the last six months while Mr. Giordano has been recuperating, and it is good to have Phil back this evening. Over the four years, the Committee handled close to 600 items as well as 4 budgets, and he appreciates all the work. It is a long, tough haul on Fiscal, and each and every member deserves their due.

LEGISLATIVE & RULES

COMMITTEE:

Arthur Layton, Vice Chair

[\(Attendance\)](#)

Meeting: Thursday, October 22, 2009

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

Vice Chair Layton reported that the Legislative & Rules Committee met as indicated above. Present were Vice Chair Layton and Committee Member Reps. Day, Gabriele, Heaphy, Kaufman, Lodato, Mitchell and Zelinsky; absent/excused were Committee Member Reps. Berns, Giraldo and C. Martin. Also present was Vin Tufo, Rick Redness, Sybil Richards and about 15 members of the public.

Rep. Layton stated that he began as Vice Chair and upon Mr. Diamond's resignation, he served as Vice Chair. They had many meetings in their committee on very substantial issues. While others were on vacation this summer, they were holding meetings. He thanked everyone who served on the committee for their participation.

PERSONNEL COMMITTEE:

Mary Lisa Fedeli, Chair

[\(Attendance\)](#)

Polly Rauh, Vice Chair

[\(Votes\)](#)

Meeting: Monday, October 19, 2009

[\(Report\)](#)

6:30 p.m. – Republican Caucus Room

Chair Fedeli reported that the Personnel Committee met as indicated above. Present were all members of the Committee: Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Figueroa, Gabriele, Layton, Lodato and Skigen;

also present was Clerk Summerville and Rep. DeLuca; Maggi Murray and Tania Barnes of Human Resources; and Ann Brown and Ed Gentile of Engineering.

1. [P27.124](#) RESOLUTION; **for public hearing & final adoption**; providing for an increase in fees from \$30 to \$35 for police and firefighter examinations.
08/24/09 – Submitted by Maggi Murray, HR Dept.
09/09/30 – Committee approved 8-0-0
10/19/09 – Committee approved 8-0-0
APPROVED ON CONSENT AGENDA

2. [P27.125](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; awarding a five point residency bonus for entry level firefighter written examinations.
08/24/09 – Submitted by Maggi Murray, HR Dept.
09/30/09 – Committee approved 6-2-0 (*as amended*)
10/19/09 – Committee approved 8-0-1
APPROVED ON CONSENT AGENDA

3. P27.126 APPROVAL; of a Clerk of the Works Agreement with Susan M. Kiskan.
10/07/09 – Submitted by Mayor Dannel P. Malloy
10/19/09 – Committee approved 9-0-0
APPROVED ON CONSENT AGENDA

A motion to approve the Consent Agenda, consisting of Item Nos. 1 through 3 above, was made, seconded and approved by unanimous voice vote.

Chair Fedeli stated that her committee has the best attendance record, and they always had a quorum. They had tough contracts this year, and she appreciates everyone's attendance and attention to the details in that Committee.

**LAND USE/URBAN
REDEVELOPMENT COMMITTEE:**

Harry Day, Chair

Patrick J. White, Vice Chair

[\(Report\)](#)

Meeting: Wednesday, October 21, 2009

7:00 p.m. – Democratic Caucus Room

- continued to –

[\(Attendance\)](#)

Meeting: Monday, October 26, 2009

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

Chair Day reported that the Land Use Committee was scheduled to meet on October 21, 2009. There being no quorum, the meeting was continued to Monday, October 26, 2009. Present were Chair Day and Vice Chair White and Committee Member Reps. Boccuzzi, Gabriele, McGarry, Mitchell and Summerville. Absent/excused were Committee Member Reps. Franzetti and Lombardo. Also present were Reps. DeLuca

and Figueroa; John Leydon, Esq.; Rachel Goldberg, Esq., URC; Burt Rosenberg, Esq., Asst. Corporation Counsel; Ben Barnes, Director of Operations and approximately 15 members of the DeBera Lane neighborhood.

1. [LU27.068](#) RESOLUTION & **public hearing**; providing for the City's transfer of the title to property located on Hillcrest Park Road to the Stamford Land Conservation Trust for open space purposes.
09/21/09 – Submitted by Mayor Dannel P. Malloy
09/29/09 – Approved by Planning Board
10/08/09 – Approved by Board of Finance
10/26/09 – Committee approved 6-0-1
APPROVED ON CONSENT AGENDA (Rep. Day abstaining)

2. [LU27.070](#) RESOLUTION & **public hearing**; approving a purchase and sales agreement for the sale of property at High Ridge Road and Bedford Street by City of Stamford to PCKT, LLC.
09/21/09 – Submitted by Mayor Dannel P. Malloy
10/13/09 – Approved by Planning Board
11/09/09 – Approved by Board of Finance
10/26/09 – Committee approved 5-0-2
APPROVED BY MACHINE VOTE OF 33-1-2

A motion to approve Item No. LU27.070 was made and seconded. Chair Day stated this involves the sale of a small sliver of land at the northeast curve where High Ridge intersects Bedford Street. It will be used for parking. This matter surfaced as a result of title searches; there appears to have been a mistake. The property is about 3,000 square feet. The purchase price is the median of the two appraisals performed on the property.

Rep. White stated he is opposed to the sale of city property.

Said motion was approved by a machine vote of 33-1-2 (Reps. Aposporos, Boccuzzi, Cannady, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Giraldo, Layton, Lombardo, Lyons II, Mallozzi, C. Martin, D. Martin, McGarry, McNeil, Mirkin, Mitchell, Pia, Raduazzo, Rauh, Skigen, Summerville, Wallace, Young and Zelinsky in favor; Rep. White opposed; Reps. Adams and Kaufman abstaining) (See [Vote Record No. 1056](#)).

3. [LU27.069](#) **RESOLUTION**; beginning the process of street acceptance for DeBera Lane.
09/22/09 – Submitted by Rep. Figueroa
10/26/09 – No action taken
NO ACTION TAKEN

4. [LU27.071](#) RESOLUTION & **public hearing**; final authorization of the acquisition by negotiation or eminent domain of rights of way and easements for the Cold Spring
APPROVED ON CONSENT

Road bridge rehabilitation project.
10/07/09 – Submitted by Mayor Dannel P. Malloy
10/26/09 – Committee approved 6-0-1

AGENDA (Rep.
Adams
abstaining)

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 4, was made, seconded and approved by voice vote (Rep. Day abstaining on Item No. 1; Rep. Adams abstaining on Item No. 4).

Rep. Day stated that he absolutely has the best committee, and he thanked everybody on the committee. They had a huge workload this session approving hundreds of millions, if not billions, of dollars in development and other projects of importance to the City of Stamford. He has a very, very good committee with an exceptional vice chair, and he leaned heavily on Clerk Summerville for her wise advice on strategy on many occasions. It is a very good committee, and he is proud to have led it.

Rep. White thanked Rep. Day, saying he did a very good job and you really couldn't have a better chair and a more fair chair in terms of running meetings and allowing those who disagreed with him to speak and gave them a lot of latitude.

OPERATIONS COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

John R. Zelinsky, Jr., Chair

Scott Mirkin, Vice Chair

Meeting: Wednesday, October 21, 2009

7:00 p.m. – Republican Caucus Room

- and -

Meeting: Monday, November 9, 2009

6:45 p.m. – Conference Room #1

Chair Zelinsky reported that the Operations Committee met as indicated above. Present were Co-Chair Zelinsky, Co-Chair Mirkin and Committee Member Reps. Coppola and Raduazzo. Absent or excused were Reps. Adams, Berns, Caterbone, Lodato, Mallozzi, Neary and White. Also present were Alex Tergis, PSB Chief; and Dan Colleluori, Solid Waste Supervisor.

Chair Zelinsky reported that the Operations Committee also met on November 9, 2009. Present were Chair Zelinsky, Vice Chair Mirkin and Committee Member Reps. Berns, Caterbone, Mallozzi, Neary, Raduazzo and White. Absent or excused were Reps. Adams, Coppola and Lodato. Also present were Alex Tergis, PSB Chief; Dan Colleluori, Solid Waste Supervisor and Frank Sparagna, Independent Refuse.

1. [O27.060](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; amending the Tipping Fee ordinance for recyclable materials.
09/08/09 – Submitted by President Martin & Dan Colleluori

**APPROVED ON
CONSENT
AGENDA**

09/23/09 – Committee approved 7-0-1
11/09/09 – Committee approved 8-0-0

2. O27.061 REVIEW; city policies regarding commercial and electronic signs on city property.
09/04/09 – Submitted by Rep. Skigen
09/23/09 – Report Made & Held in Committee
11/09/09 – No action taken

**NO ACTION
TAKEN**

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

Chair Zelinsky thanked the members of his Committee: Vice Chair Mirkin and Reps. Adams, Berns, Caterbone, Lodato, Coppola, Mallozzi, Neary, Raduazzo and White, for their help and attendance, and he sincerely enjoyed working with them all.

PUBLIC SAFETY &

HEALTH COMMITTEE:

Richard Lyons, II, Chair

[\(Attendance\)](#)

Meeting: Thursday, October 29, 2009

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

- and -

[\(Attendance\)](#)

Meeting: Monday, November 9, 2009

[\(Votes\)](#)

6:45 p.m. – Republican Caucus Room

[\(Report\)](#)

Chair Lyons reported that the Public Safety & Health Committee met on October 29, 2009. Present were Committee Chair Lyons and Committee Member Reps. Adams, Caterbone, Coppola, DePina, Pia and Zelinsky. Absent/excused were Committee Member Reps. Aposporos, Berns, C. Martin and Mirkin. Also present were Lou Casolo, City Engineer; Gerry Logan, Aquarion; Johnnie Lee, MD., Director of Health; and five members from the Scofieldtown Road area (see attached sign-in sheet).

Chair Lyons reported that the Committee also met on November 9, 2009. Present were Chair Lyons and Committee Member Reps. Aposporos, Berns, Caterbone, Coppola, DePina, Mirkin, Pia, and Zelinsky. Absent or excused was Committee Member Rep. C. Martin. Also present was Board President Martin.

Chair Lyons thanked the members of his Committee. It was, at times, a challenging Committee, but many good items came to fruition through its work. Both sides of the aisle and all members of the Committee were passionate, deliberate and focused, and for that, Chair Lyons stated that the City is a better place. It was his pleasure to chair the Committee and his pleasure to serve on the 27th Board.

Rep. White stated that he was not on the Committee, but as his district-mate, he

thanked Mr. Lyons for all the times they worked together on issues. He stated that Rep. Lyons certainly had the district's best interests and certainly gave a lot of time representing the first district. Everyone should recognize the efforts that he has put in over the last 10-12 years on the Board of Representatives.

Rep. Coppola commended Rep. Lyons for his efforts as Chair of Public Safety. Rep. Coppola served on the Committee for the last six years, and upon Rep. Lyons' leaving, Rep. Coppola wanted the record to reflect his comments on Rep. Lyons' service. "It would be an understatement to say that he and I have had some real differences over the past several years, but ultimately, he has always respected my deep feelings, and never refused to bring my concerns to the committee meetings. For that, I am really grateful. This past year and a half, the big issue was the issue of the cameras, and Mr. Lyons has endured a great deal of unfair criticism, in my opinion, for his handling of some very contentious meetings on this issue. I attended all of them, and I believe he handled these meetings professionally and with a lot more patience and sensitivity than he has ever been given credit for. In closing, I think Rich did a very good job for our city, and for the public safety and health of our city, and I for one, will miss him dearly. Thank you."

PARKS & RECREATION

COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Linda Cannady, Co-Chair

Joseph Coppola, Co-Chair

Meeting: Tuesday, October 20, 2009

7:00 p.m. – Democratic Caucus Room

Co-Chair Coppola stated that the Parks & Recreation Committee met as indicated above. Present were Co-Chairs Coppola and Cannady and Committee Member Reps. Lyons, Mallozzi, McGarry, Heaphy, Pia and White. Also present was Lou Ursone, Curtain Call Director.

1. [PR27.047](#) APPROVAL; proposed amended and restated management agreement between the City and Curtain Call, Inc. for Curtain Call's operation of the Ethel KweSkin Sterling Barn Theater
09/21/09 – Submitted by Mayor Dannel P. Malloy
10/08/09 – Approved by Board of Finance
10/20/09 – Committee approved 6-0-0

**APPROVED ON
CONSENT
AGENDA**

A motion to approve the Consent Agenda, consisting of Item No. PR27.047, was made, seconded and approved by unanimous voice vote.

Co-Chair Coppola thanked and commended his co-chair, Linda Cannady, and all the members of the Committee for their diligence and for bearing with him. Some of the meetings were rather passionate, and some of the issues taken up were pretty serious issues, dealing with the artificial turf, etc., but everybody did a real good job, and

everybody hung in there and a lot of work was done. There is a lot more that he would have liked to have accomplished this year, but maybe if he has the opportunity to serve once again on Parks & Recreation, more will be accomplished. Co-Chair Coppola thanked everybody, and he stated it was a great pleasure to serve under President Martin and to lead the Parks & Recreation Committee, and Linda Cannady was a great co-chair. She was certainly very kind to him, and never left him out of the loop, and he appreciates it.

Co-Chair Cannady thanked her co-chair, Joe Coppola. They had a good time, and she thinks it is a good team when co-chairs can look out for the other. The Committee Members were very accommodating during discussions of contentious items on the Committee. She thanked all committee members.

EDUCATION COMMITTEE: Polly Rauh, Chair

Chair Rauh stated that there was no meeting and no report. Chair Rauh thanked her committee members. They served on a unique committee where they represented the taxpayers and their concerns on a number of important educational issues without having the authority to do anything more than raise the question and hold feet to the fire. She thanked her committee for doing just that for the children of Stamford.

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

Chair Mitchell stated there were no items on the Agenda. She thanked her committee members for their support and for making sure there was a quorum at her meetings. She wished Rep. Aposporos well, and she enjoyed working with her. Chair Mitchell recognized a past member, Mr. Molgano, for his work on the Committee. Chair Mitchell welcomed her Vice Chair, Phil Giordano, back this evening.

**TRANSPORTATION COMMITTEE: Robert "Gabe" DeLuca, Chair
(Attendance) Terry Adams, Vice Chair
(Report) Meeting: Thursday, October 15, 2009
7:00 p.m. – Democratic Caucus Room**

Chair DeLuca reported that the Transportation Committee met as indicated above. Present were Chair DeLuca and Committee Member Reps. Franzetti, McNeil, Raduazzo, Young & Zelinsky. Absent/excused were Committee Member Reps. Adams, Giordano and Lombardo. Also present were Ben Barnes, Director of Operations; Stuart

Popper, David Chase and Stephen Gazillo of URS; Josh Lecar of the City of Stamford; Jack Condlin of the Stamford Chamber of Commerce; Marty Levine; and Maddie Shapiro.

1. [T27.061](#) REVIEW; Light Rail Study (formerly Item No. T27.052). **REPORT MADE**
09/04/09 – Submitted by Rep. DeLuca
10/15/09 – Report Made

Chair DeLuca thanked his committee members. They got through all of the items on the Committee. In addition to the committee members, he remembers Ruby Blackwell. He can remember her pleasant smile, sitting down at our hectic board meetings, and sometimes when his temper flared, he would look at Ruby's smile and try to calm down and that helped him. Ruby was a good member of the committee and is sorely missed.

STATE & COMMERCE COMMITTEE: Eileen Heaphy, Chair

President Martin stated that there is no report. Certainly, Chair Heaphy would thank the members of her committee, and he does that in her stead.

MINUTES

1. [October 5, 2009 Regular Board Meeting](#) **APPROVED BY UNANIMOUS VOICE VOTE**

OLD BUSINESS

NEW BUSINESS

President Martin thanked the leadership of the Board: Annie, Gabe, John, Mary, Scott, Rich and Gloria. They started having meetings somewhere along the 8 years, and they made a lot of progress. President Martin thanked the committee chairs. We have strengthened the committees over the past 8 years, and we did it because of the chairs. He thanked each and every chair and thanked the members who participated in those committee meetings. We have pushed the decisions into the committees. The board meetings take less time than they used to because the committees have produced better results.

President Martin stated that, finally, he wished to thank the "Vals." From all of us, he thanked the two Valeries for all they have done.

Clerk Summerville extended her gratitude and the gratitude of the Board to Angie, who while often unseen during the evenings, works very hard all day with the both Valeries to make all the meetings run smoothly. President Martin concurred.

ADJOURNMENT

The meeting was adjourned at 9:55 p.m.

*An audiotape of these proceedings is available at the
Offices of the Board of Representatives.*

A videotape of these proceedings is available at www.boardofreps.org.