

*The Regular Meeting of the 28<sup>th</sup> Board of Representatives of the City of Stamford was held on **Monday, May 3, 2010** at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4<sup>th</sup> Floor, Stamford, Connecticut.*

# MINUTES

The meeting was called to order at 9:10 p.m.

**INVOCATION:** Given by Rep. Michael Molgano.

“As we come together this evening to carry out our elective obligations for the City of Stamford, we ask for the wisdom to guide our decisions, Your counsel to direct our actions, and Your strength in guiding our consciences in deciding what is best for all those we so humbly serve. May Your blessings always be upon us and all Your children, especially those in military and civic duty who put themselves in harm’s way to protect our safety and our lives, both here at home and abroad. In Your name, we pray. Amen.”

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by President Randall M. Skigen

**ROLL CALL:** Conducted by Clerk of the Board Annie M. Summerville. There were 39 members present and 1 member excused (Rep. Giordano).

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

**MOMENTS OF SILENCE:** For the late: Carolyn V. Darenzo by Majority Leader Boccuzzi; Margot E. Violette, by Reps. Giordano and Young; Paul A. Verses by Reps. Giordano and White; Frank V. Gerardi, Sr., Anthony A. Covino, Daniel A. Lucia, Mary Amelia, Conetta, Mafaloe V. DiBona and Lydia R. Genovese by Rep. Giordano; George S. Lombardo, Jr., James A. Massos, Rose Marzullo, Polish President Lech Kaczynski, Benjamin Franklin Tyson, George DeLeo and Matthew H. Kenealy, Jr. by Rep. Zelinsky.

**COMMUNICATIONS:** President Skigen announced:

1. Gloria DePina is celebrating a May birthday.
2. The Special Budget Meeting will be held tomorrow, May 4, 2010.
3. The Steering Committee meeting will be held on Tuesday, May 11, 2010. The deadline for submissions is this Thursday at 9:00 a.m.
4. The Board picture is posted for those interested in ordering one.
5. The budget resolutions have been distributed to all members.
6. Majority Leader Boccuzzi announced that the democratic caucus will meet tomorrow night at 7:00 p.m.
7. The following committee changes are effective immediately: Shella Merritt will be on Legislative & Rules in addition to Operations; Marion McGarry is on Land Use and no longer on Legislative & Rules; Pat White is on Parks & Recreation as Vice Chair and off Land Use.
8. Eileen Heaphy is organizing a team to walk in Stamford Health System's Hope in Motion fund-raising event to be held on June 6, 2010. The cost of \$15 includes a t-shirt. The deadline is 5/17/10.

**HONORARY RESOLUTIONS:**

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| 1. | <u><a href="#">SENSE OF THE BOARD RESOLUTION;</a></u><br>congratulating Father Joseph J. Malloy on his 40 <sup>th</sup><br>anniversary in the priesthood.<br>04/12/10 – Submitted by Reps. Boccuzzi & Fedeli   | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
| 2. | <u><a href="#">SENSE OF THE BOARD RESOLUTION;</a></u><br>congratulating Representative James Caterbone on<br>being honored for his military service at this year's<br>65 <sup>th</sup> Annual Citizen of the Year Award dinner.<br>04/15/10 – Submitted by Rep. DeLuca | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
| 3. | <u><a href="#">SENSE OF THE BOARD RESOLUTION;</a></u><br>remembering the late John T. Brown, Jr. on the<br>occasion of the CTE Community Room Dedication.<br>04/26/10 – Submitted by Clerk Summerville   | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |

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.

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| 4. | <u><a href="#">SENSE OF THE BOARD RESOLUTION;</a></u><br>congratulating the South End Branch of the<br>Ferguson Library on its 40 <sup>th</sup> Anniversary.<br>05/04/10 – Submitted by Rep. Zelinsky | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
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A motion to approve Item No. 4 was made, seconded and approved by unanimous voice vote.

President Skigen read the resolution. President Skigen stated that the Board recognizes the difficult time the library is experiencing, and the Board is very hopeful that the 40<sup>th</sup> Anniversary of the South End Branch won't be its last.

Josephine Anderson was present from the Library and thanked the Board for the resolution on behalf of its Trustees.

## STANDING COMMITTEES

**STEERING COMMITTEE:** Meeting: Monday, April 12, 2010  
([Attendance](#)) 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 Summerville, Chair**  
([Attendance](#)) **John Boccuzzi, Vice Chair**  
([Votes](#)) Meeting: Tuesday, April 27, 2010  
([Report](#)) 6:45 p.m. – Democratic Caucus Room

Chair Summerville reported that the Appointments Committee met as indicated above. Present were: Chair Summerville and Vice Chair Boccuzzi and Committee Member Reps. Caterbone, Cerasoli, Franzetti and Savage. Excused was Committee Member Rep. McGarry.

1. <a href="#">A28.027</a>	<b><u>Board of Ethics</u></b> Sebastian D'Acunto (R) 105 Willowbrook Avenue Stamford, CT 06902 Term Expires 6/30/12 03/04/10 - Submitted by Mayor Michael A. Pavia 03/23/10 – Held in Committee 04/06/10 – Held in Committee 04/27/10 – Committee approved 6-0-0	Repl. Lois Anderson ( <i>exp. 06/30/07</i> )	<b>APPROVED ON CONSENT AGENDA</b>
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*Secondary Committee: Legislative & Rules*

*Waived*

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

2. [A28.031](#) **Parks & Recreation Commission**  
 Dave Winston (R) Repl. Thomas Lombardo  
 1128 Cove Road (exp. 12/01/04)  
 Stamford, CT 06902  
 Term Expires 12/01/10  
 03/04/10 - Submitted by Mayor Michael A. Pavia  
 03/23/10 – Held in Committee  
 04/06/10 – Held in Committee  
 04/27/10 – Committee approved 6-0-0

**APPROVED  
 ON CONSENT  
 AGENDA**

*Secondary Committee: Parks & Recreation*

*Waived*

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

3. [A28.042](#) **Zoning Board**  
 Audrey Cosentini (R) Reappointment  
 105 Wyndover Lane (exp. 12/01/02)  
 Stamford, CT 06902  
 Term Expires 12/01/12  
 03/04/10 - Submitted by Mayor Michael A. Pavia  
 03/23/10 – Committee approved 6-0-1  
 04/06/10 – Held by Machine Vote 20-18-0  
 04/27/10 – Committee approved 6-0-0

**APPROVED BY  
 MACHINE  
 VOTE 23-9-7**

A motion to approve the appointment of Ms. Cosentini to the Zoning Board was made and seconded.

Chair Summerville stated that this item was held last month. Ms. Cosentini met with Rep. Mitchell since last month.

Rep. Mitchell stated that she and Majority Leader Boccuzzi met with Ms. Cosentini. The meeting was productive, and they discussed the 1-1 ordinance and the Westchester County decision and the availability of land in Stamford for low-income housing. Rep. Mitchell stated she got her points across, but after the meeting, she decided she is not 100% comfortable with this appointment.

Chair Summerville stated that the Committee met a second time with Ms. Cosentini. The Committee voted 6-0-0 in favor of appointment.

Rep. Zelinsky stated that Ms. Cosentini has been on the Zoning Board for 14 years as a volunteer. He found Ms. Cosentini acts in a manner that she believes is best for the City of Stamford. She voted against Trump Tower, and while everyone may not agree with her voting record, she does volunteer her time and does the best job she can. He will vote in favor of her appointment.

The motion was approved by a machine vote of 23-9-7 (Reps. Boccuzzi, Caterbone, Cerasoli, Coppola, Day, DeLuca, Fedeli, Franzetti, Gabriele, Heaphy, Layton, Lombardo, McGarry, Mirkin, Molgano, Pia, Raduazzo, Rauh, Savage, Taylor, Uva, White and Zelinsky in favor; Reps. DePina, Figueroa, Giraldo, Martin, McNeil, Merritt, Mitchell, Wallace and Young opposed; Reps. Adams, Cannady, Kaufman, Mallozzi, Skigen, Sklover and Summerville abstaining) (See [Vote Record No. 1080](#)).

4. [A28.043](#)      **Social Services Commission**      **APPROVED ON  
CONSENT  
AGENDA**  
Kathleen Lombardo (R)      Repl. Flannery  
65 Hickory Road  
Stamford, CT 06903  
Term Expires 05/03/2012  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

5. [A28.044](#)      **Environmental Protection Board**      **APPROVED ON  
CONSENT  
AGENDA**  
Louis Levine (R)      Repl. Morris  
10 Carroll Street      (*Term Exp. 12/01/09*)  
Stamford, CT 06907  
Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

*Secondary Committee on Items 3-5 above: Land Use*      *Waived*

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

6. [A28.045](#)      **Harbor Management Commission**      **APPROVED ON  
CONSENT  
AGENDA**  
Jeff Saunders (U)      Repl. Esposito  
195 Long Ridge Road      (*Term Exp. 08/02/10*)  
Stamford, CT 06903  
Term Expires 08/02/10  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

*Secondary Committee: Operations*      *Waived*

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

7. [A28.046](#)      **Health Commission**      **APPROVED ON  
CONSENT  
AGENDA**  
Cathy Catrini Freccia (R)      Repl. Cutler  
62 Middle Ridge Road      (*Term Exp. 12/01/09*)  
Stamford, CT 06903

Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

8. [A28.047](#)      **Health Commission**      **APPROVED ON  
CONSENT  
AGENDA**  
Patricia D. Parry, RN (R)      Reappointment  
66 Emery Drive      (Term Exp. 12/01/08)  
Stamford, CT 06902  
Term Expires 12/01/11  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

*Secondary Committee on Items 7-8 above: Public Safety & Health*      *Waived*

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

9. [A28.048](#)      **Personnel Commission**      **APPROVED ON  
CONSENT  
AGENDA**  
Julie Granser (R)      Repl. PontBriant  
1872 Newfield Avenue      (Term Exp. 12/01/08)  
Stamford, CT 06903  
Term Expires 12/01/11  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

*Secondary Committee: Personnel*      *Waived*

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

10. [A28.049](#)      **Planning Board**      **APPROVED BY  
MACHINE VOTE  
20-16-2**  
Roger Quick (R)      Repl. Grosso  
72 Saddle Hill Road      (Term Exp. 12/01/09)  
Stamford, CT 06903  
Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

Chair Summerville moved to approve Mr. Quick for appointment to the Planning Board. Said motion was seconded.

Rep. White stated that he has always held that active builders or contractors should not be on any land use board, and he will not vote in favor of this appointment. There is at least the appearance of a conflict of interest.

Rep. Rauh stated that she agrees with Mr. White's statement, and she will not vote for this appointment.

The motion was approved by a machine vote of 20-16-2 (Reps. Boccuzzi, Caterbone, Cerasoli, Coppola, Day, DeLuca, Fedeli, Franzetti, Layton, Lombardo, Mallozzi, Mirkin, Mitchell, Molgano, Pia, Raduazzo, Summerville, Taylor, Uva and Zelinsky in favor; Reps. Adams, Cannady, DePina, Figueroa, Giraldo, Kaufman, Martin, McGarry, McNeil, Merritt, Rauh, Skigen, Sklover, Wallace, White and Young opposed; Reps. Heaphy and Savage abstained) (See [Vote Record No. 1081](#)).

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| 11. <a href="#">A28.050</a> | <b><u>SWRPA</u></b><br>Phyllis Puglisi (R)<br>81 Knickerbocker Avenue<br>Stamford, CT 06907<br>Term Expires 03/15/12<br>04/08/10 – Submitted by Mayor Michael A. Pavia<br>04/27/10 – Committee approved 6-0-0 | Repl. Silver<br>(Term Exp. 03/15/07)   | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b> |
| 12. <a href="#">A28.051</a> | <b><u>SWRPA</u></b><br>Thomas Lombardo (R)<br>65 Hickory Road<br>Stamford, CT 06907<br>Term Expires 03/15/2011<br>04/08/10 – Submitted by Mayor Michael A. Pavia<br>04/27/10 – Committee approved 6-0-0       | Repl. Williams<br>(Term Exp. 03/15/11) | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b> |
| 13. <a href="#">A28.052</a> | <b><u>SWRPA</u></b><br>Jack Halpert (R)<br>77 Cricket Lane<br>Stamford, CT 05905<br>Term Expires: 11/30/13<br>04/08/10 – Submitted by Mayor Michael A. Pavia<br>04/27/10 – Committee approved 6-0-0           | New appt.<br>(Term Exp. 03/15/10)      | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b> |

Secondary Committee on Item Nos. 10-13 above : Land Use Waived

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

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| 14. <a href="#">A28.053</a> | <b><u>Transit District</u></b><br>Kieran Ryan (R)<br>345 Stamford Avenue<br>Stamford, CT 06902<br>Term Expires 12/01/13<br>04/08/10 – Submitted by Mayor Michael A. Pavia | Repl. DeVito<br>(Term Exp. 12/01/09) | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b> |
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04/27/10 – Committee approved 6-0-0

*Secondary Committee: Transportation*

*Waived*

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

15. [A28.054](#) **Zoning Board of Appeals** **APPROVED ON  
CONSENT  
AGENDA**  
Gary Lipman (R) Repl. Nemec  
62 Hastings Lane (Term Exp. 12/01/09)  
Stamford, CT 06905  
Term Expires 12/01/11  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0
16. A28.055 **Zoning Board of Appeals** **HELD IN  
COMMITTEE**  
Bill Ippolito (R) Repl. Hoch  
54 Lanark Road (Term Exp. 12/01/05)  
Stamford, CT 06902  
Term Expires 12/01/11  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Held in Committee

*Secondary Committee on Items 15-16 above: Land Use*

*Waived*

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

17. [A28.056](#) **Golf Commission** **APPROVED ON  
CONSENT  
AGENDA**  
Thomas Pia (R) Reappointment  
18 Windell Place (Term Exp. 12/01/03)  
Stamford, CT 06906  
Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0
18. [A28.057](#) **Patriotic & Special Events Commission** **APPROVED ON  
CONSENT  
AGENDA**  
Pat Battinelli (R) Reappointment  
81 Cowing Place (Term Exp. 12/01/08)  
Stamford, CT 06906  
Term Expires 12/01/10  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0
19. [A28.058](#) **Patriotic & Special Events Commission** **APPROVED ON  
CONSENT**  
Martha M. Dombroski (R) Reappointment



204 Cascade Road (Term Exp. 12/01/06) **AGENDA**  
Stamford, CT 06903  
Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

20. [A28.059](#) **Patriotic & Special Events Commission** **APPROVED ON  
CONSENT  
AGENDA**  
Marc A. Lorenti (D) Reappointment  
102 Fawn Drive (Term Exp. 12/01/02)  
Stamford, CT 06905  
Term Expires 12/01/11  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

21. [A28.060](#) **Patriotic & Special Events Commission** **APPROVED ON  
CONSENT  
AGENDA**  
Penny J. Mazzucco (D) Reappointment  
17 Ledge Terrace (Term Exp. 12/01/09)  
Stamford, CT 06905  
Term Expires 12/01/12  
04/08/10 – Submitted by Mayor Michael A. Pavia  
04/27/10 – Committee approved 6-0-0

Secondary Committee on Items 17-22 above: Parks & Recreation Waived

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

Chair Summerville moved the Consent Agenda, consisting of Item Nos. 1-2, 4-9, 11-15 and 17-21. Said motion was seconded and approved by unanimous voice vote.

**FISCAL COMMITTEE:** **John Mallozzi, Chair**  
(Attendance) **Linda Cannady, Vice Chair**  
(Votes) Meeting: Monday, April 26, 2010  
(Report) 7:00 p.m. – Democratic Caucus Room

Chair Mallozzi reported that the Fiscal Committee met on April 26, 2010. Present were Chair Mallozzi and Vice Chair Cannady and Committee Member Reps. DeLuca, Fedeli, Figueroa, Kaufman, Mirkin, Rauh and Sklover. Excused were Committee Member Reps. Day and Mitchell. Also present were Clerk Summerville; Karen Cammarota, Grants; Jim Hricay, Agnes Cawai and Peter Privitera, OPM; Peter Brown, Fire Department; and Robert Nivakoff, Police Department.

1. [F28.047](#) **ADDITIONAL APPROPRIATION (Grants Budget);** **APPROVED  
ON CONSENT  
AGENDA**  
\$18,078.00 **Lead Poisoning Prevention Program.**  
03/29/10 – Submitted by Mayor Michael A. Pavia

04/08/10 – Approved by Board of Finance  
04/26/10 – Committee approved 9-0-0

2. [F28.048](#) ADDITIONAL APPROPRIATION (Capital Budget); **APPROVED  
ON CONSENT  
AGENDA**  
\$1,186,300.00 Engineering; EECBG-ARRA; “green” street lighting,  
municipal energy efficiency, vehicle charging  
stations.  
03/29/10 – Submitted by Mayor Michael A. Pavia  
04/06/10 – Approved by Planning Board  
04/08/10 – Approved by Board of Finance  
04/27/10 – Committee approved 8-0-1
3. [F28.049](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED  
ON CONSENT  
AGENDA (Rep.  
Franzetti  
abstaining)**  
~~\$667,689.00~~ Stamford Police Overtime; 25 vacancies; necessary  
\$350,000.00 to cover expenditures through end of fiscal year.  
04/06/10 – Submitted by Mayor Michael A. Pavia  
04/08/10 – Approved by Board of Finance  
04/27/10 – Committee approved 9-0-0
4. [F28.050](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED  
ON CONSENT  
AGENDA**  
~~\$343,800.00~~ Stamford Fire & Rescue Overtime; 17 vacancies;  
\$125,000.00 necessary to cover expenditures through end of  
fiscal year.  
04/06/10 – Submitted by Mayor Michael A. Pavia  
04/08/10 – Approved by Board of Finance  
04/27/10 – Committee approved 9-0-0

Chair Mallozzi moved the Consent Agenda, consisting of Item Nos. 1-4. Said motion was seconded and approved by unanimous voice vote (Rep. Franzetti abstaining on Item No. 3).

### **Suspension of the Rules**

A motion to suspend the rules to take up an item not appearing on the agenda was made, seconded and approved by a machine vote of 29-10-0 (Reps. Adams, Boccuzzi, Cannady, Caterbone, Cerasoli, DeLuca, DePina, Fedeli, Figueroa, Gabriele, Giraldo, Heaphy, Kaufman, Layton, Mallozzi, Martin, McGarry, McNeil, Merritt, Mitchell, Raduazzo, Rauh, Savage, Skigen, Summerville, Uva, Wallace, White and Young in favor; Reps. Coppola, Day, Franzetti, Lombardo, Mirkin, Molgano, Pia, Sklover, Taylor and Zelinsky opposed) (See [Vote Record No. 1082](#)).

5. [F28.052](#) RESOLUTION; supporting providing for \$1.2 million **APPROVED  
BY MACHINE  
VOTE 24-13-2**  
in the contingency funds for the benefit of the  
Ferguson Library.  
04/23/10 – Submitted by Rep. DeLuca  
04/27/10 – Committee approved 8-1-0

Chair Mallozzi moved to approve Item No. F28.052. Said motion was seconded. Chair Mallozzi stated that the resolution is not binding, but is similar to a sense of the board resolution.

Rep. Mirkin stated that he voted against this resolution. In a very difficult economic climate, the Library, in spite of budget warnings from the Mayor's office, thought it best to present a 4.9% increase from the prior year. The resolution is unprecedented. It is not restoring a cut that the Board of Finance made similar to Smith House. The Mayor never submitted this increase. We could issue resolutions for anything else we think should be funded.

Rep. Mirkin stated that the library needs to get more active in fund-raising. There were 32 agencies that were cut by the Mayor. Some agencies that received small \$5,000 reductions could represent a bigger problem for an agency with a \$25,000 budget.

Rep. Mirkin stated that everyone needs to feel the pain this year, and the Library Board should consider additional fund-raising efforts.

Rep. Zelinsky stated he has always supported the Library and was disappointed in the cut. However, he understands there is a question of legality in that the Board of Finance cannot put funds in the contingency fund ..that were cut out of the budget. Rep. Zelinsky stated that it might send a message to the public that the \$1.2 million might be reinstated, so he will not support this.

Rep. Gabriele stated that this should never have been brought to this Board in that it cannot put \$1.2 million into the library. It is up to the Mayor. He will abstain on the item.

Rep. Day stated that he is a supporter of the Library, but what we are doing here is encouraging the Board of Finance to do an end-run around the Charter.

Rep. DeLuca stated that in the past the Board of Finance has put monies in the contingency fund for cuts, and it is not relevant whether they replace cuts by the Mayor or cuts by the Board of Finance itself. The Board received a lot of emails and a lot of communications from the public in favor of reinstating the funds to the Library. He will vote in favor of this.

Rep. Adams stated that he is in favor of the resolution. Residents have stated they would rather pay more taxes to maintain the library services. The neighborhoods that have library branches really need these branches, especially in this economy.

Rep. Molgano stated that all other departments are being asked to do more with less.

Rep. Taylor stated that this resolution is a conundrum. We are forced to decide between political expediency and trying to do the right thing. It is easy to vote yes because everybody supports the library. But, we are in a difficult fiscal situation; this resolution is bridges to nowhere if the Library does not follow the examples set by many

of their peers and begin to develop funding sources outside the municipal government. She added that the Board's efforts would be better utilized helping the Library develop a plan to ensure its longevity.

The motion was approved by a machine vote of 24-13-2 (Reps. Adams, Boccuzzi, Cannady, DeLuca, DePina, Fedeli, Figueroa, Giraldo, Heaphy, Kaufman, Layton, Mallozzi, Martin, McNeil, Merritt, Mitchell, Raduazzo, Rauh, Skigen, Summerville, Wallace, White and Young in favor; Reps. Caterbone, Cerasoli, Coppola, Day, Franzetti, Lombardo, McGarry, Mirkin, Molgano, Pia, Savage, Sklover, Taylor and Uva opposed; Reps. Gabriele and Zelinsky abstaining) (See [Vote Record No. 1083](#)).

## LEGISLATIVE & RULES

### COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

**Eileen Heaphy, Chair**

**Arthur Layton, Vice Chair**

Meeting: Monday, April 19, 2010

7:00 p.m. – Republican Caucus Room

Chair Heaphy reported that the Legislative & Rules Committee met on April 19, 2010. Present were: Chair Heaphy and Vice Chair Layton and Committee Member Reps. Day, Martin, Mitchell, Rauh, Uva and Zelinsky. Absent/excused was Rep. McGarry. Also present were Reps. McNeil, Merritt and Summerville; John Gottlieb of Charter Oak Communities; Rick Redniss of Redniss & Mead and Sybil Richards, Esq., Office of Legal Affairs.

- [LR28.002](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; proposed ordinance prohibiting the unsolicited distribution of bulky printed materials. **HELD IN COMMITTEE**

12/10/09 – Submitted by Rep. Day  
12/21/09, 01/04/10, 01/19/10, 02/01/10 – Held in Committee  
02/22/10 – Held in Committee 7-0-0  
03/01/10 – Held in Committee  
03/31/10 – Committee approved 7-0-0 (*as amended*)  
04/06/10 – Approved for publication  
04/19/10 – Held in Committee
- [LR28.013](#) PROPOSED ORDINANCE; **for publication**; amending Ordinance No. 1111, Tax Abatement for Palmer Square, to amend the total number of units. **APPROVED ON CONSENT AGENDA**

04/08/10 – Submitted by Sybil Richards, Esq.  
04/19/10 – Committee approved 8-0-0

A motion to approve the Consent Agenda, consisting of Item No. 2, was made, seconded and approved by unanimous voice vote.

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

**Mary Fedeli, Chair**  
**Polly Rauh, Vice Chair**  
Meeting: Wednesday, April 28, 2010  
6:30 p.m. – Republican Caucus Room

Chair Fedeli reported that the Personnel Committee met on April 28, 2010. Present were Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Figueroa, Gabriele and Layton. Also present were Clerk Summerville; Sybil Richards, Esq., Asst. Corporation Counsel; and Emmet P. Hibson, candidate for Director of Human Resources.

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| 1. <a href="#">P28.011</a> | APPROVAL; of a contract with The Hartford for life insurance for eligible employees.<br>03/26/10 – Submitted by Mayor Michael A. Pavia<br>04/08/10 – Approved by Board of Finance<br>04/28/10 – Committee approved 7-0-0 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> ( <i>Rep. Franzetti abstaining</i> ) |
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A motion to approve the Consent Agenda was made, seconded and approved by unanimous voice vote.

### **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.

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| 2. P28.012 | APPROVAL; of a contract for employment with Emmet P. Hibson as Director of Human Resources.<br>04/15/10 – Submitted by Mayor Michael A. Pavia<br>04/28/10 – Committee approved 7-0-0 | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |
|------------|--|---|

A motion to approve Item No. 2 was made, seconded and approved by unanimous voice vote.

### **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 a machine vote of 36-2-1 (Reps. Adams, Boccuzzi, Cannady, Caterbone, Cerasoli, Day, DeLuca, DePina, Fedeli, Figueroa, Gabriele, Giraldo, Heaphy, Kaufman, Layton, Lombardo, Mallozzi, Martin, McGarry, McNeil, Merritt, Mirkin, Mitchell, Molgano, Pia, Rauh, Savage, Skigen, Sklover, Summerville, Taylor, Uva, Wallace, White, Young and Zelinsky in favor; Reps. Coppola and Raduazzo opposed; Rep. Franzetti abstaining) (See [Vote Record No. 1084](#)).

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| 3. <a href="#">P28.013</a> | RESOLUTION; waiving the residency requirement for Emmet P. Hibson as Director of Human | <b>APPROVED BY<br/>MACHINE</b> |
|----------------------------|--|--------------------------------|

Resources.  
04/15/10 – Submitted by President Skigen  
04/28/10 – Committee approved 7-0-0

**VOTE 31-6-2**

Chair Fedeli moved to approve Item No. P28.013; said motion was seconded.

Rep. Coppola stated that we just seem to waive the residency requirement required by the Charter. Apparently, this is a great place to work but not a great place to live. He would like to see more employees that work here actually live here. Rep. Coppola stated he will oppose this resolution.

The motion was approved by a machine vote of 31-6-2 (Reps. Boccuzzi, Cannady, Cerasoli, Day, DeLuca, DePina, Fedeli, Figueroa, Gabriele, Giraldo, Heaphy, Kaufman, Layton, Lombardo, Mallozzi, Martin, McGarry, McNeil, Merritt, Mirkin, Mitchell, Molgano, Rauh, Skigen, Sklover, Summerville, Taylor, Uva, Wallace, White and Zelinsky in favor; Reps. Adams, Caterbone, Coppola, Pia, Raduazzo and Young opposed; Reps. Franzetti and Savage abstaining) (See [Vote Record No. 1085](#)).

## **LAND USE/URBAN**

### **REDEVELOPMENT COMMITTEE:**

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

**Harry Day, Chair**

**Patrick White, Vice Chair**

Meeting: Wednesday, April 21, 2010

7:30 p.m. – Republican Caucus Room

Chair Day reported that the Land Use-Urban Redevelopment Committee met on April 21, 2010. Present were Chair Day and Committee Member Reps. Boccuzzi, Lombardo, Summerville and White. Absent/excused were Committee Member Reps. Kaufman and Raduazzo. Also present were Reps. Cannady, Merritt, Adams and Uva; Rachel Goldberg of the URC; and Laura Labosky and Ann Brown of Engineering.

1. LU28.006 REVIEW; Stillwater Corridor Implementation Strategy.  
03/24/10 – Submitted by Charter Oak Communities  
04/21/10 – Held in Committee

**HELD IN  
COMMITTEE**

*Co-Committee: HCD/SS Committee*

*No action*

2. [LU28.007](#) RESOLUTION & **public hearing**; approving the acquisition by negotiation or eminent domain of rights of way for Group A (6 full takings) and Group B (18 partial takings) for the Stamford Urban Transitway Project.  
04/07/10 – Submitted by Mayor Michael A. Pavia  
04/21/10 – Committee approved 3-1-0

**FAILED BY  
MACHINE  
VOTE 15-20-3**

Chair Day moved Item No. LU28.007; said motion was seconded. Chair Day stated an exhaustive committee report has been provided. This has to do with Phase II (Elm Street to East Main Street). The 6 Group A takings involve full takings, and the 18 Group B takings are partial takings. This is the culmination of the process that the Board approved a couple of years ago, which is to authorize the entire process. This is an approval of the Director of Administration's report as to the value, benefit and detriment of the project. It does authorize the use of eminent domain. There are 5 term sheets on the 6 full takings, and most of the Group B partial takings have been negotiated. Most of the property owners involved are amenable to the project.

Rep. Adams stated that there is a \$40 million shortfall to complete this project. Rep. Adams wants to see a greater percentage of agreements before the Board uses the ultimate choice of eminent domain. By giving the power of eminent domain, it does not allow negotiations to go forward fairly. He is in favor of voting this down until such time as a higher percentage of property owners have come to agreement with the City. Also, funding is questionable, so there is no immediate need to provide this authority to the City.

Rep. Zelinsky stated that he would be more comfortable if all the property owners have come to agreement with the City before granting the City eminent domain. The local small businesses are the backbone of our community.

Rep. Day stated that the vast majority of the property owners have agreed or are near agreement. There will not be unanimous agreement, but so far none of these property owners has expressed any opposition to the project. They want the project as it will benefit their businesses immensely. Failure to pass this would interrupt a lot of assumptions and planning of businesses that are looking forward to this project. This project is not being done at the expense of small businesses. Further, we don't have an option as to how the laws read for this process. This is what needs to be done at this stage of this process. To not pass this would be to put at risk potentially tens of millions of dollars of Federal funding and would be severely disruptive of the property owners who have been cooperative.

Rep. Day also stated that in response to the alleged fiscal shortfall, right now we have all the money in hand to consummate these settlements and we will come in at 4.5 to \$6 or \$7 million under the original appraisal amount. That has made some of the property owners even more anxious to consummate the settlements. The worst thing we can do from a standpoint from getting the federal dollars is to send a signal that there is any amount of reticence about this project. The Atlantic Street Bridge is a different pool of money. This is a FTA project, and the FTA is encouraging us to spend the money that is already appropriating. The FTA has promised to support this project.

Rep. White stated that he endorses Rep. Adams' concerns expressed earlier. He also stated that despite the assertions that there is no opposition, renters probably did not appear at public hearings, and at best, we don't know their position on this project. This project is changing the entire character of these neighborhoods. He also thinks it is

wrong to run this high-volume road through a residential neighborhood. This is meant to move traffic through the South End and has grown from the Dock Street Connector to this huge project.

A motion to move the question was made, seconded and FAILED by a machine vote of 22-16-1 (Reps. Boccuzzi, Cannady, Caterbone, Coppola, Day, DeLuca, DePina, Fedeli, Gabriele, Heaphy, Kaufman, Layton, Lombardo, Mallozzi, Martin, McGarry, Mirkin, Molgano, Raduazzo, Rauh, Skigen and Sklover in favor; Reps. Adams, Figueroa, Franzetti, Giraldo, McNeil, Merritt, Mitchell, Pia, Savage, Summerville, Taylor, Uva, Wallace, White, Young and Zelinsky opposed; Rep. Cerasoli abstaining) (See [Vote Record No. 1086](#)).

Rep. Adams stated that the City had money for Phases I and II, but they ran into contamination issues that required reducing the funds for Phase II to pay for the contamination. So, there are not adequate funds for Phase II. And, we are now taking property for a project that we don't have all of the funds for. They can come back next month with a list of those that they have reached agreement with. They should come back with firm agreements with no further negotiations necessary. To represent our residents, we should stand and make sure that our residents get the best deal possible and that can only happen with fair negotiations across the table. Residents don't have the right of eminent domain – only the City does. If they are very close to negotiations, as they claim, then they should come back with a list of completed agreements.

Rep. Uva stated that she has talked to property owners who do object to the scope of the project. They don't necessarily disagree with some expansion on Myrtle Avenue, but they do object to the extensiveness of it. At a public hearing last summer, some expressed objections. They do not feel they will be heard if they appear at a public hearing.

Eminent domain is a very strong power to turn over to the City, especially for a project that is not funded. Engineering has revised the plans to complete only another 2 blocks, and the administration has not made this project a top priority – they state the Atlantic Street overpass is the top priority.

Rep. Boccuzzi confirmed through Mr. Day that the East Side Coalition supports this project.

Rep. Heaphy stated that she is on the Board of the East Side partnership, and they have supported this since its inception. The Board has to respect the way the Federal government operates, and if they are requiring certain steps to make the money reality, we must follow that process.

Rep. Day stated that people do not get treated unfairly in this process. There is an overlay of protections here that give property owners abundant avenues for agreement. The standard here includes appraisals based on the highest and best use of the property – not the existing use.



Rep. Zelinsky stated that even though these people will receive funds, will they find another location in the City to operate their businesses?

The item FAILED by a machine vote of 15-20-3 (Reps. Boccuzzi, Caterbone, Day, DeLuca, Fedeli, Heaphy, Kaufman, Layton, Lombardo, McGarry, Mirkin, Molgano, Raduazzo, Rauh and Skigen in favor; Reps. Adams, Cerasoli, Coppola, DePina, Figueroa, Franzetti, Gabriele, Giraldo, Martin, McNeil, Merritt, Mitchell, Pia, Savage, Taylor, Uva, Wallace, White, Young and Zelinsky opposed; Reps. Cannady, Sklover and Summerville abstaining) (See [Vote Record No. 1087](#)).

**OPERATIONS COMMITTEE:**     **Joseph Coppola, Jr., Co-Chair**  
  **John R. Zelinsky, Co-Chair**  
  Meeting Cancelled

1. [O28.001](#)     **PROPOSED ORDINANCE; for public hearing & final adoption**; regarding construction and demolition material recycling.     **NO ACTION**  
  10/19/09 – Submitted by Mayor Dannel P. Malloy and President Skigen  
  01/11/10 – Placed on Pending Agenda  
  02/17/10 – Held in Committee 6-0-0  
  03/01/10 – Held in Committee  
  03/17/10 – Committee approved 4-1-1  
  04/06/10 – Approved for publication
  
2. O28.004     **REVIEW**; CL&P's response to Stamford's power outages, "state of emergency" and storm resulting in one-week school closure; discuss occurrence, repairs and remedies, measures to protect Stamford in future.     **NO ACTION**  
  04/07/10 – Submitted by Reps. Coppola, Pia and Zelinsky

**PUBLIC SAFETY & HEALTH COMMITTEE:**     **Gloria G. DePina, Co-Chair**  
[\(Attendance\)](#)                         **Scott Mirkin, Co-Chair**  
[\(Votes\)](#)                                 Meeting: Thursday, April 29, 2010  
[\(Report\)](#)                                 7:00 p.m. – Democratic Caucus Room

Co-Chair Mirkin reported that the Public Safety & Health Committee met on April 29, 2010. Present were Co-Chair Mirkin, Co-Chair DePina, and Committee Member Reps. Adams, Caterbone, Coppola, Figueroa and Pia. Excused were Committee Member

Reps. Giraldo and Martin. Also present were Representative Kaufman; Jim Hricay, OPM; and Vin Freccia, Esq.

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| 1. <a href="#">PS28.001</a> PROPOSED ORDINANCE; <b>for final adoption</b> ;<br>providing for restrictions on open burning on<br>residential property.<br>12/10/09 – Submitted by Rep. Day<br>01/21/10 – Committee approved 6-1-0<br>02/01/10 – Approved for publication<br>02/18/10 – Public Hearing/Held in Committee 6-2-0<br>03/01/10 – Held in Committee<br>04/29/10 – Committee approved 5-1-1 | <b>APPROVED BY<br/>MACHINE<br/>VOTE 31-2-5</b> |
|---|--|

Co-Chair Mirkin moved Item No. PS28.001; said motion was seconded.

Rep. Adams moved to hold this item; said motion was seconded.

The motion FAILED by a vote of 13-24-1 (Reps. Adams, Cannady, Figueroa, Franzetti, Giraldo, Martin, McNeil, Merritt, Mitchell, Rauh, Wallace, Young and Zelinsky in favor; Reps. Boccuzzi, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Gabriele, Heaphy, Kaufman, Layton, Lombardo, McGarry, Mirkin, Molgano, Pia, Raduazzo, Savage, Skigen, Sklover, Taylor, Uva and White opposed; Rep. Summerville abstaining) (See [Vote Record No. 1088](#)).

The item was approved by a machine vote of 31-2-5 (Reps. Boccuzzi, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Gabriele, Heaphy, Kaufman, Layton, Lombardo, McGarry, McNeil, Merritt, Mirkin, Molgano, Pia, Raduazzo, Savage, Skigen, Sklover, Summerville, Taylor, Uva, Wallace, White and Young in favor; Reps. Giraldo and Rauh opposed; Reps. Adams, Cannady, Martin, Mitchell and Zelinsky abstaining) (See [Vote Record No. 1089](#)).

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| 2. PS28.006 REVIEW; status of Scofieldtown Park area well<br>contamination; update from Co-Chair of Task Force,<br>Mitchell Kaufman.<br>01/21/10 – Submitted by Rep. Pia<br>02/18/10 – Held in Committee<br>03/01/10 – Held in Committee<br>04/29/10 – Report Made | <b>REPORT<br/>MADE</b> |
| 3. <a href="#">PS28.007</a> REVIEW; status of blighted properties with regard to<br>demolition, foreclosure, fines collected.<br>02/18/10 – Submitted by PS&H Committee<br>04/29/10 – Report Made  | <b>REPORT<br/>MADE</b> |

## **PARKS & RECREATION**

**COMMITTEE:**[\(Attendance\)](#)[\(Votes\)](#)[\(Report\)](#)**Linda Cannady, Chair**

Meeting: Tuesday, April 20, 2010

7:00 p.m. – Republican Caucus Room

Chair Cannady reported that the Parks & Recreation Committee met on April 20, 2010. Present were Chair Cannady and Committee Member Reps. DePina, Fedeli, Franzetti, Heaphy, Pia and Taylor. Also present were Clerk Summerville and Reps. Adams, White and Zelinsky. Also present were Jim Bartley of the Stamford Harbor Commission; Frank Fedeli of Citizens Service Bureau; Julius Magyari of Halloween Yacht Club, James Ryan of Stamford Yacht Club and Doug Hamilton, City of Stamford Marine Operations Supervisor.

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| 1. <a href="#">PR28.005</a> | REVIEW; update on Mill River Park and Greenway<br>03/04/10 – Submitted Rep. Day<br>03/16/10 – Held in Committee<br>04/06/10 – Held in Committee<br>04/20/10 – Held in Committee 6-0-0  | <b>HELD IN<br/>COMMITTEE</b>                    |
| 2. <a href="#">PR28.007</a> | APPROVAL of public hearing to approve a resolution implementing a fee schedule for boat moorings.<br>04/05/10 – Submitted by Mike Pensiero, Harbor Commission<br>02/02/10 – Approved by the Harbor Commission<br>04/20/10 – Committee approved 7-0-0 | <b>APPROVED BY<br/>UNANIMOUS<br/>VOICE VOTE</b> |

Chair Cannady moved to approve Item No. PR28.007; said motion was seconded and approved by unanimous voice vote.

**EDUCATION COMMITTEE:**[\(Attendance\)](#)[\(Report\)](#)**Michael Molgano, Co-Chair****Andy Sklover, Co-Chair****Mary Savage, Vice Chair**

Meeting: Monday, April 19, 2010

5:30 p.m. – Democratic Caucus Room

Co-Chair Molgano reported that the Education Committee met on April 19, 2010. Present were Co-Chairs Molgano and Sklover and Vice Chair Savage and Committee Member Reps. Cerasoli, Layton, Wallace and Young. Also present was Clerk of the Board Summerville and Rep. Rauh; Jackie Heftman of the Board of Education; Josh Starr, Superintendent of Schools; and Damaris Rau and Amy Karwan of Stamford Public Schools.

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| 1. <a href="#">E28.003<br/>Survey</a> | REVIEW; actions taken after 1 year since the key findings of the independent study on SPS were reported by the Cambridge Group.<br>01/21/10 – Submitted by Reps. Molgano, Sklover & | <b>REPORT<br/>MADE</b> |
|---------------------------------------|---|------------------------|

Savage  
03/08/10 – Placed on Pending Agenda  
04/19/10 – Report Made

President Skigen noted that he heard many remarks as to how well-prepared Rep. Molgano was for his meeting.

## **HOUSING/COMMUNITY DEVELOPMENT/**

### **SOCIAL SERVICES COMMITTEE:**

**Elaine Mitchell, Chair**

[\(Attendance\)](#)

**Philip Giordano, Vice Chair**

[\(Votes\)](#)

Meeting: Tuesday, April 20, 2010

[\(Report\)](#)

6:30 p.m. – Legislative Chambers

Chair Mitchell reported that the Housing/Community Development/Social Services Committee meeting will meet as described above. Present were Chair Mitchell, and Vice Chair Giordano, and Committee Member Reps. Cerasoli, McNeil, Wallace and Young. Also present were Tim Beeble, Community Development; and Frank Brown.

1. [HCD28.06](#) SECOND PUBLIC HEARING; Proposed Annual Action Plan (Budget) for use of HUD Funds.  
04/07/10 – Submitted by Tim Beeble  
04/20/10 – Report Made **REPORT MADE**
  
2. [HCD28.10](#) AMENDMENT; to the Proposed Annual Action Plan to include the actual HUD allocation and current CDBG funding available for re-programming.  
04/07/10 – Submitted by Tim Beeble  
04/20/10 – Committee approved 7-0-0 **REPORT MADE**
  
3. HCD28.11 REVIEW; underwriting standards for HOME downpayment loans.  
04/07/10 – Submitted by Tim Beeble  
04/20/10 – Report Made & Held in Committee **HELD IN COMMITTEE**
  
4. [HCD28.08](#) RESOLUTION & PUBLIC HEARING (5/18/10); approving the 2010 Neighborhood Assistance Act.  
03/11/10 – Submitted by Mayor Michael A. Pavia  
04/20/10 – Held in Committee **HELD IN COMMITTEE**

### **TRANSPORTATION COMMITTEE:**

**Robert “Gabe” DeLuca, Chair**

**Terry Adams, Vice Chair**

Meeting Cancelled

1. [T28.004](#) RESOLUTION & **public hearing**; approving a lease agreement with UCONN to lease 650 parking spaces in Stamford's three garages. **ITEM WITHDRAWN**  
02/03/10 – Submitted by Ernie Orgera  
04/07/10 – Submitted by Mayor Michael A. Pavia  
03/08/10 – Placed on Pending Agenda  
\_\_\_\_\_ - To be considered by Planning Board  
04/08/10 – Approved by Board of Finance (*as amended*)  
04/15/10 – Item withdrawn

**STATE & COMMERCE COMMITTEE: Mitchell Kaufman, Chair  
Salvatore Gabriele, Vice Chair  
Meeting Cancelled**

1. SC28.002 REVIEW; update on Stamford census by the Stamford Census Coordinator and review of budget and expenses. **NO ACTION**  
04/08/10 – Submitted by Rep. Zelinsky

## **MINUTES**

1. [April 6, 2010 Regular Board Meeting](#) **APPROVED BY UNANIMOUS VOICE VOTE**

## **OLD BUSINESS**

## **NEW BUSINESS**

## **ADJOURNMENT**

The meeting was adjourned at 10:40 p.m.