

*The Regular Meeting of the 28th Board of Representatives of the City of Stamford was held on **Tuesday, July 6, 2010** at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

MINUTES

INVOCATION: Delivered by Rep. John Zelinsky

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 thirty-six members present and four members excused (Reps. Figueroa, Heaphy, Martin and Uva).

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

MOMENTS OF SILENCE: For the late: Katherine Fontneau by the 28th Board of Representatives; Gladstone Cameron, Nezzie P. Cobb and Akiem Raye by the Black Latino Caucus; Bernard Peskin by Rep. Rauh; Philomena Gruner by Rep. Giordano; Lucy Loglisci by Reps. Giordano and Zelinsky; Kevin P. Sutton, Joseph Frank Jablonsky, Marie Gentile, Catherine Cunningham, Peter Carlucci, Herbert Meyer and Mario Cerbone by Rep. Zelinsky; and Privates First Class Bryant J. Haynes, Epps, LA; Robert K. L. Repkie, Knoxville, TN; Russell E. Madden, Dayton, KY; Anthony T. Justesen, Wilsonville, OR; Benjamin J. Park, Fairfax Station, VA; Gunnar R. Hotchkin, Naperville, IL; Francisco J. Guardado-Ramirez, Sunland Park, NM. Staff Sergeants Eric B. Shaw, Exter, ME; Edwardo Loreda, Houston, TX; Brandon M. Sil, Orono, ME; James P. Hunter, South Amherst, OH; Bryan A. Hoover, West Elizabeth, PA; David C. Smith, Eight Mile, AL; Michael P Flores, San Antonio, TX; Steve M. Theobald, Goose Creek, SC. Specialists Matthew R. Hennigan, Las Vegas, NV; David W. Thomas, St. Petersburg, FL; David A. Holmes, Tennille, GA; Jared C. Plunk, Stillwater, OK; Blair D. Thompson, Rome, NY; Andrew R. Looney, Owasso, OK; David T. Miller, Wilton, NY; Scott A. Andrews, Fall River, MA; Jacob P. Dohrenwend, Milford, OH; Joseph D. Johnson, Flint, MI; Benjamin D. Osborn, Queensbury, NY; Christopher W. Opat, Spencer, IA; Nathan W. Cox, Fremont, CA; Brian M. Anderson, Harrisonburg, VA; Christian M. Adams, Sierra Vista, AZ; William C. Yauch, Batesville, AR Brendan P. Nennan, Enterprise, AL; Blaine E. Redding, Plattsburgh, NY; Charles S. Jirtle, Lawton, OK; Matthew R. Catlett, Houston TX; Joshua A. Lukeala, Yigo, GU. Lance Corporals William T. Richards, Trenton, GA; Timothy G. Serwinowski, North Tonawanda, NY;

Michael C. Bailey, Park Hills, MO; Gaven R. Brummund, Arnold, CA; Michael G. Plank, Cameron Mills, NY; Derek Hernandez, Edinburg, TX. First Lieutenants Joel C. Gentz, Grass Lake, MI and Joseph J. Theinert, Sag Harbor, NY. Sergeants First Class Robert J. Fike, Conneautville, PA and Robert N. Barton, Roxie, MI. Corporals Duane A. Deboer, Ludington, MI; Joshua R. Dunaw, Spokane Valley, WA; Keven A. Cueto, San Jose, CA; Claudio Patino IV, Yorba Linda, CA; Jeffrey R. Standfest, St. Clair, MI and Donald M. Marler, St. Louis, MO. Second Lieutenant Michael E. McGahan, Orlando, FL. Senior Airman Benjamin D. White, Erwin, TN.

COMMUNICATIONS: President Skigen announced:

1. There is a new page on our website dedicated to the Mayor's Proposed Fire Plan. President Skigen asked that all inquiries regarding the Plan be sent through the Board Office. This will prevent the need for the Mayor to answer the same question numerous times as well as allow all members access to the same information.
2. There is also a page on our website for the Scofieldtown issue. Questions and answers are being posted on this page.
3. Linda Cannady, John Zelinsky and Andy Sklover are celebrating July birthdays.

MAYOR'S STATE OF THE CITY ADDRESS:

Please see attached [powerpoint presentation](#) and [video](#) for the Mayor's State of the City Address.

HONORARY RESOLUTIONS:

- | | | |
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| 1. | SENSE OF THE BOARD RESOLUTION ;
congratulating Jon Petrini and Flash Hoyos of Westhill High on winning the State Open Boys Tennis Finals.
06/14/10 – Submitted by Steering Committee | HELD |
| 2. | SENSE OF THE BOARD RESOLUTION ;
congratulating the Westhill Softball Team on winning the State Championship.
06/14/10 – Submitted by President Skigen | APPROVED BY
UNANIMOUS
VOICE VOTE |
| 3. | SENSE OF THE BOARD RESOLUTION ;
congratulating Dante Terenzio on his back-to-back State Open singles championship win.
06/16/10 – Submitted by President Skigen | APPROVED BY
UNANIMOUS
VOICE VOTE |

4. [SENSE OF THE BOARD RESOLUTION](#);
 congratulating Thomas A. Pia on the occasion of his
 90th birthday.
 06/28/10 – Submitted by Reps. Pia and Rauh
- APPROVED BY
 UNANIMOUS
 VOICE VOTE**

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, May 11, 2010
[Report](#) 7:00 p.m. – Democratic Caucus Room

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

APPOINTMENTS COMMITTEE: **Annie Summerville, Chair**
[Attendance](#) **John Boccuzzi, Vice Chair**
[Votes](#) Meeting: Tuesday, June 29, 2010
[Report](#) 6:45 p.m. – Democratic Caucus Room

Chair Summerville reported that the Appointments Committee met on June 29, 2010. Present were Chair Summerville, Vice Chair Boccuzzi and Committee Member Reps. Franzetti and Savage. Excused were Committee Member Reps. Caterbone, Cerasoli and McGarry. Also present were Reps. Canady, McNeill, Merritt and Molgano.

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|----------------------------|---|---|---|
| 1. A28.061 | <u>Board of Ethics</u>
Paul R. Steed (R)
173 Farms Road
Stamford, CT 06903
Term Expires: 06/30/11
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0 | Repl. Livolsi-resigned
(Term Exp. 6/30/11) | APPROVED ON
 CONSENT
 AGENDA |
| 2. A28.068 | <u>Board of Ethics</u>
Sheldon A. Levine (R)
29 Cricket Lane
Stamford, CT 06903
Term Expires: 06/30/11
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0 | Reappointment
(Term Exp. 6/30/06) | APPROVED ON
 CONSENT
 AGENDA |

Secondary Committee on Nos. 1 and 2 above: Legislative & Rules *Concur*

- | | | |
|----------------------------|--|--------------------|
| 3. A28.062 | <u>Economic Development Commission</u> | APPROVED ON |
|----------------------------|--|--------------------|

Francis J. Browne, Esq. (R) Repl. Haines
1700 Bedford Street #204 (Term Exp. 12/1/07)
Stamford, CT 06905
Term Expires: 12/01/10
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

**CONSENT
AGENDA**

Secondary Committee: State & Commerce

Concur 4-0-0

4. A28.069 Patriotic & Special Events
Ralph Battinelli (D) Reappointment
24 Pepper Ridge Place (Term Exp. 12/1/08)
Stamford, CT 06905
Term Expires: 12/01/11
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Rejected by committee 4-0-0

**REJECTED
WITHOUT
PREJUDICE BY
UNANIMOUS
VOICE VOTE**

Secondary Committee: Parks & Recreation

Chair Summerville stated that Mr. Battinelli's appointment was rejected because he did not respond to repeated requests to contact the office and provide the proper paper work. Upon motion duly made and seconded, the nomination was rejected without prejudice by unanimous voice vote.

5. [A28.070](#) Social Services Commission
Gloria Blick (R) Reappointment
11 North Street #9G (Term Exp. 12/1/05)
Stamford, CT 06902
Term Expires: 12/01/11
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – No action taken/withdrawn

**ITEM
WITHDRAWN**

6. [A28.063](#) Social Services Commission
Eva A. Maldonado (R) Repl. Teichman
639 Summer St., #15 (Term Exp. 12/1/09)
Stamford, CT 06903
Term Expires: 12/01/12
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

**APPROVED ON
CONSENT
AGENDA**

Secondary Committee on Nos. 5-6 above: HCD-SS

Waived

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

7. A28.064 Tax Assessment Board of Appeals
Shawn Costello (R) Repl. Diamond

**APPROVED ON
CONSENT**

57 Belltown Road (Term Exp. 12/1/09) **AGENDA**
Stamford, CT 06905
Term Expires: 12/01/12
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

Secondary Committee: Fiscal

Waived

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

8. [A28.065](#) URC **NO ACTION TAKEN**
Christopher D. Meek (R) Repl. Robins
20 Middle Ridge Road (Term Exp. 12/1/08)
Stamford, CT 06903
Term Expires: 12/01/13
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – No action taken
9. [A28.066](#) Zoning Board **APPROVED BY MACHINE VOTE 22-10-0**
Barry S. Michelson (R) Repl. Aivalis
111 Idlewood Drive (Term Exp. 12/1/00)
Stamford, CT 06905
Term Expires: 12/01/12
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

Rep. Mitchell asked that Item No. A28.066 be removed from the Consent Agenda. Chair Summerville stated that the Committee found the candidate well-qualified, and voted 4-0-0 for confirmation. Rep. Mitchell stated she was unable to attend the meeting, and she had heard some things that made her uncomfortable with Mr. Michelson.

Chair Summerville moved to approve Item No. A28.066; said motion was seconded and approved by a machine vote of 22-10-0 (Reps. Boccuzzi, Caterbone, Cerasoli, Coppola, Day, Fedeli, Gabriele, Kaufman, Layton, Lombardo, Mallozzi, McGarry, Molgano, Pia, Rauh, Savage, Skigen, Sklover, Summerville, Taylor, White and Zelinsky in favor; Reps. Adams, Cannady, DePina, Giordano, Giraldo, McNeil, Merritt, Mitchell, Wallace and Young opposed) (See [RCS Vote Record No. 1104](#)).

10. [A28.067](#) Zoning Board - Alternate **HELD BY UNANIMOUS VOICE VOTE**
Jeff Jonas (R) Repl. Silver
77 Havemeyer Lane #4 (Term Exp. 12/1/09)
Stamford, CT 06902
Term Expires: 12/01/14
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Held in Committee 3-0-1

Chair Summerville asked that Mr. Jonas' appointment be held as the Committee wanted to bring him back to answer further questions. Upon motion duly made and seconded, the appointment of Mr. Jonas was held by unanimous voice vote.

11. [A28.071](#) Zoning Board of Appeals – Alternate **APPROVED ON
CONSENT
AGENDA**
Alfonso C. Sgritta (R) Reappointment
103 Midland Avenue (Term Exp. 12/1/04)
Stamford, CT 06906
Term Expires: 12/01/11
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

12. [A28.072](#) Zoning Board of Appeals **APPROVED ON
CONSENT
AGENDA**
John A. Sedlak (R) Reappointment
83 Courtland Avenue (Term Exp. 12/1/09)
Stamford, CT 06902
Term Expires: 12/01/12
06/10/10 – Submitted by Mayor Michael A. Pavia
06/29/10 – Committee approved 4-0-0

Secondary Committee on Nos. 8-12 above: Land Use

Waived

A motion to waive the Secondary Committee Report on Nos. 9, 11 and 12 above was made, seconded and approved by unanimous voice vote.

A motion to approve the Consent Agenda, consisting of Item Nos. 1-3, 6-7, and 11-12 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 30-1-1 (Reps. Adams, Boccuzzi, Cannady, Caterbone, Cerasoli, Day, DeLuca, Fedeli, Franzetti, Gabriele, Giordano, Giraldo, Kaufman, Layton, Lombardo, Mallozzi, McNeil, Molgano, Pia, Raduazzo, Rauh, Savage, Skigen, Sklover, Summerville, Taylor, Wallace, White, Young and Zelinsky in favor; Rep. Coppola opposed; Rep. Merritt abstaining) (See [Vote Record No. 1105](#)).

A motion to take up an item out of order was made, seconded and approved by unanimous voice vote.

3. [O28.009](#) SENSE OF THE BOARD RESOLUTION;
encouraging a reduction in the width of sidewalks
on Vine Road in order to preserve existing trees.
06/20/10 – Submitted by Rep. Molgano **APPROVED BY
UNANIMOUS
VOICE VOTE**
(Rep. Adams

Rep. Molgano stated that this is a simple matter regarding the Vine Road sidewalk project. The Engineering Department proposed installing 5’ sidewalks on the road, which would result in the loss of 51 trees. They reviewed each tree with the Tree Warden, and found that if they narrow the sidewalks from 5’ to 3.5’, they can save 12-13 trees. Because a 3.5’ sidewalk is sufficient on Vine Road, he moves for approval. Said motion was seconded and approved by voice vote (Rep. Adams abstaining).

Rep. Coppola stated that Mr. Casolo attended the meeting and listed his reasons for opposing the narrowing of the sidewalk. The Committee generally felt its request was reasonable, especially considering the width of some of the sidewalks at the new Transitway project. This narrowing will not compromise ADA compliance. Mr. Coppola stated that the Federal and State government agencies have no problem with the narrowing of the sidewalk. The City’s Law Department has no problems, and the residents would prefer the City save as many trees as possible.

Rep. Zelinsky stated he strongly supports this because the neighborhood was quite distressed that 51 trees would be removed. There are no requirements for sidewalk width in Stamford’s Code. The 5’ width are engineering guidelines. Residents’ only recourse is to go to Superior Court and sue the City. He asked his colleagues to support this resolution.

Rep. White hopes that the City takes the preservation of trees a lot more seriously in the future than they did in this situation.

Upon motion duly made and seconded, the item was approved by a voice vote (Rep. Adams abstaining).

FISCAL COMMITTEE:	John Mallozzi, Chair
<u>Attendance</u>	Linda Cannady, Vice Chair
<u>Votes</u>	Meeting: Monday, June 28, 2010
<u>Report</u>	7:00 p.m. – Democratic Caucus Room

Chair Mallozzi reported that the Fiscal Committee met on June 28, 2010. Present were Chair Mallozzi and Vice Chair Cannady and Committee Member Reps. DeLuca, Fedeli, Figueroa, Kaufman, Mirkin, Rauh, Day and Sklover. Excused was Committee Member Rep. Mitchell. Also present were Karen Cammarota, Grants; Peter Privitera, OPM; Chief Robert McGrath, Fire Department; Jon Fontneau, Police Department; and Pat McGrath.

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|-----------------------------------|---|---|
| 1. <u>F28.057</u> | <u>GRANTS RESOLUTION</u> ; approving a contract with the CT Dept. of Environmental Protection for the City’s purchase of 4 West Park Place; amount of grant: \$520,000.
05/19/10 – Submitted by Mayor Michael A. Pavia | APPROVED
ON CONSENT
AGENDA |
|-----------------------------------|---|---|

06/28/10 – Committee approved 9-0-0

2. [F28.058](#) [GRANTS RESOLUTION](#); authorizing an application to the CT Commission on Culture & Tourism to recognize Stamford as a Certified Local Government.
05/19/10 – Submitted by Mayor Michael A. Pavia
06/28/10 – Committee approved 9-0-0 **APPROVED
ON CONSENT
AGENDA**

3. [F28.059](#) [GRANTS RESOLUTION](#); authorizing an application with the State Department of Education for school construction grants to fund approximately 28% of the cost of fire sprinklers at Davenport Ridge Elementary School.
06/02/10 – Submitted by Mayor Michael A. Pavia
06/28/10 – Committee approved 10-0-0 **APPROVED
ON CONSENT
AGENDA**

4. [F28.061](#) [ADDITIONAL APPROPRIATION \(Grants Budget\);](#) \$5,000.00 Medical Reserve Corp.; to appropriate additional funds received from State to be used for training, supplies, etc.
06/04/10 – Submitted by Mayor Michael A. Pavia
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0 **APPROVED
ON CONSENT
AGENDA**

5. [F28.055](#) [ADDITIONAL APPROPRIATION \(Operating Budget\);](#) \$114,666.00 Police Department; Overtime; to fund through end of fiscal year (25 vacancies).
(balance of \$289,666 request)
05/05/10 – Submitted by Mayor Michael A. Pavia
05/13/10 – \$175,000 approved by Board of Finance
05/24/10 – Committee approved \$175,000 8-0-0
06/07/10 - \$175,000 approved on Consent Agenda
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0 **APPROVED
ON CONSENT
AGENDA (Rep. Franzetti abstaining)**

6. [F28.063](#) [ADDITIONAL APPROPRIATION \(Operating Budget\);](#) \$654,050.00 Fire Department; Salary Settlement; to fund Salary and cover projected end of year shortfalls.
06/10/10 – Submitted by Mayor Michael A. Pavia
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0 **APPROVED
ON CONSENT
AGENDA**

7. [F28.064](#) [ADDITIONAL APPROPRIATION \(Operating Budget\);](#) \$699,118.00 Police Department; Salary Settlement; to fund Salary and cover projected end of year shortfalls. **APPROVED
ON CONSENT
AGENDA**

06/10/10 – Submitted by Mayor Michael A. Pavia
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0

AGENDA (*Rep. Franzetti abstaining*)

8. [F28.065](#) ADDITIONAL APPROPRIATION (Operating Budget);
\$1,000,000.00 Transfers; Transfer to Risk Management, Internal Service Fund.
06/10/10 – Submitted by Mayor Michael A. Pavia
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0

**APPROVED
ON CONSENT
AGENDA**

9. [F28.038](#) APPROVAL; of a contract with W.B. Mason Company, Inc. for the purchase of office supplies.
04/30/10 – Submitted by Mayor Michael A. Pavia
06/10/10 – Approved by Board of Finance
06/28/10 – Committee approved 10-0-0

**APPROVED
ON CONSENT
AGENDA**

10. F28.062 REVIEW; administration's planning related to staff reductions in the Tax Assessor's Office.
06/07/10 – Submitted by President Skigen
06/28/10 – No action taken

**NO ACTION
TAKEN**

A motion to approve the Consent Agenda, consisting of Item Nos. 1-9, was made, seconded and approved by unanimous voice vote (Rep. Franzetti abstaining on Item Nos.

LEGISLATIVE & RULES

COMMITTEE:

[Attendance](#)
[Votes](#)
[Report](#)

Eileen Heaphy, Chair

Arthur Layton, Vice Chair

Meeting: Monday, June 21, 2010

7:00 p.m. – Democratic Caucus Room

Vice Chair Layton reported that the Legislative & Rules Committee met on June 21, 2010. Present were Chair Heaphy and Vice Chair Layton and Committee Member Reps. Merritt, Rauh, Uva and Zelinsky. Absent or excused were Committee Member Reps. Day, Martin and Mitchell. Also present Reps. Summerville, Adams, Boccuzzi, Caterbone and Kaufman; Robert DeMarco, Building Official; Joseph Tarzia, WPCA Chair; Bill Napolitano, Revenue Services Manager; and Bill Forker, Director of Assessment and Collections.

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

**APPROVED
ON CONSENT**

12/10/09 – Submitted by Rep. Day
12/21/09, 01/04/10, 01/19/10, 02/01/10, 02/22/10,
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, 05/03/10 – Held in Committee
05/17/10 – Committee approved 5-0-0
06/07/10 – Approved for public hearing
06/21/10 – Committee approved 6-0-0

AGENDA

2. [LR28.016](#) PROPOSED ORDINANCE; **for publication**;
amending Section 200-28, Rates and Charges, to
ensure that billing is tied to the exact amount of
water usage rather than on estimated usage.
06/01/10 – Submitted by Rep. DeLuca
06/21/10 – Held in Committee 6-0-0
**HELD IN
COMMITTEE**

3. [LR28.005](#) REVIEW; amending Section 123-5 Fees Assessed,
to provide for fines/penalties for violations of
regulations related to certificate of occupancy
certificates and certain building permits.
01/05/10 – Submitted by Rep. DeLuca
01/11/10, 02/22/10, 03/01/10 – Held by Steering
Committee
03/08/10 – Placed on Pending Agenda
06/21/10 – Report Made
**REPORT
MADE**

4. [LR28.014](#) PROPOSED ORDINANCE; **for publication**;
amending the noise ordinance to clarify the hours of
enforcement.
05/06/10 – Submitted by Reps. Caterbone &
Zelinsky
05/11/10 – Placed on Pending Agenda
06/21/10 – Committee approved 6-0-0 to waive
publication & for final adoption
**HELD IN
COMMITTEE
20-14-1 BY
MACHINE
VOTE**

Rep. Day moved to return Item No. LR28,014 to Committee. Said motion was seconded.

Rep. Zelinsky stated that Rep. Caterbone's constituents are greatly concerned about this matter, and Rep. Zelinsky feels it would be a disservice to Rep. Caterbone to hold it.

Rep. Day stated he wanted the item held based on procedural reasoning. Under our Charter, the Board cannot waive publication of an amendment to an ordinance unless there is an emergency. The ordinance was not published, and this is not an

emergency. Our Charter requires, and the Board has no choice, to hold a public hearing.

Rep. Caterbone stated this was approved by the Committee 6-0-0. Secondly, it is not an amendment, it is a clarification of an existing ordinance that is mandated by the State of Connecticut, that is followed by Norwalk, Greenwich, Darien, Westport, New London, Hartford – just about every city and town in the State of Connecticut. This is a quality of life issue. If this goes back to Committee, it is not going to help his constituents. Further, he challenges the issue of whether this is a change. If you look at the State's rules and regulations, this is the exact wording. This was put forward as a clarification, not as an amendment.

Rep. Cannady asked whether there were changes actually made to the ordinance. She was under the impression there were no changes made to it.

President Skigen stated that there is a clarification that leads to new language, and includes language being eliminated. Clerk Summerville stated that as long as she has served on this Board, it has waived publication if there are not substantive changes. She asked that the previous language be read along with the new language so each member can decide whether or not there is a change to this ordinance.

President Skigen stated that the definition used to read: "Night time hours. The hours between 8:00 p.m. and 8:00 a.m. Monday evening through Saturday morning except Saturday night shall mean the hours between 5:00 p.m. Saturday and 10:00 a.m. Sunday and federal and state holidays." The new language reads: "The hours between 8:00 p.m. and 8:00 a.m. Monday evening through Saturday morning, between 8:00 p.m. and 10:00 a.m. Saturday evening through Sunday morning and between 5:00 p.m. and 8:00 a.m. Sunday evening through Monday morning and between 5:00 p.m. and 8:00 a.m. on the evening of federal and state holidays through the next morning."

Rep. Day stated that it is very bad practice to change the wording of our ordinances without going to publication, and he believes it is not consistent with the Charter. This is not a situation where the Board proposes a new ordinance, publishes it and a change is made and determined to be not material for purposes of republication. That is an entirely different situation. This is an existing ordinance, we are actually changing the wording of it, and unless there is an emergency, he does not believe it is appropriate to waive publication. That is his feeling and the spirit of what is in the Charter.

Rep. Caterbone stated we are not changing anything. The words are staying the same: 8:00 p.m. to 8:00 a.m. This was a clarification in the language. This went through corporation counsel, and they are in complete agreement with it. We are just interpreting and clarifying what is there. The hours remain the same.

Rep. Zelinsky stated he concurs with Rep. Caterbone.

Rep. Mirkin stated that if we are not changing anything and the problem seems to be a misunderstanding on the part of the police department as to what the hours of enforcement are, couldn't we accomplish what Mr. Caterbone is trying to do by the Board President sending a letter to the chief explaining the hours that are enforceable?

Rep. Layton moved the question; said motion was seconded and approved by unanimous voice vote.

The motion to return to committee was approved by a machine vote of 20-14-1 (Reps. Boccuzzi, Cerasoli, Coppola, Day, DeLuca, Fedeli, Franzetti, Giraldo, Layton, Lombardo, Mallozzi, Mirkin, Mitchell, Molgano, Pia, Skigen, Sklover, Taylor, Wallace and White in favor; Reps. Adams, Caterbone, DePina, Gabriele, Giordano, McGarry, McNeil, Merritt, Raduazzo, Rauh, Savage, Summerville, Young and Zelinsky opposed; Rep. Cannady abstaining) (See [Vote Record No. 1106](#)).

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| 5. LR28.015 | PROPOSED ORDINANCE; for publication ;
amending the Graffiti Ordinance to include
enforcement for residential properties.
05/03/10 – Submitted by Rep. Kaufman
05/11/10 – Placed on Pending Agenda
06/21/10 – Held in Committee 5-0-0 | HELD IN
COMMITTEE |
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A motion to approve the Consent Agenda, consisting of Item No. 1, was made, seconded and approved by unanimous voice vote.

PERSONNEL COMMITTEE: Attendance Votes Report	Mary Fedeli, Chair Polly Rauh, Vice Chair Meeting: Wednesday, June 30, 2010 6:30 p.m. – Democratic Caucus Room
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Chair Fedeli reported that the Personnel Committee met on June 30, 2010. Present were Chair Fedeli, Vice Chair Rauh, and committee member Reps. Boccuzzi, Cannady, Gabriele and Layton. Absent or excused was committee member Rep. Figueroa. Also present were Emmet Hibson, Director of Human Resources; Ernie Orgera, Director of Operations, and Lou Casolo, City Engineer.

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| 1. P28.018 | APPROVAL; of a contract with Vanessa Valadares
as a Clerk of the Works.
05/14/10 – Submitted by Mayor Michael A. Pavia
06/30/10 –Committee approved 5-0-1 | APPROVED
ON CONSENT
AGENDA |
| 2. P28.019 | APPROVAL; of a contract with Paul Ginotti as a
Clerk of the Works II.
06/10/10 – Submitted by Mayor Michael A. Pavia | APPROVED
ON CONSENT |

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| | 06/30/10 –Committee approved 5-0-1 | AGENDA (<i>Rep. Gabriele abstaining</i>) |
| 3. P28.020 | APPROVAL; of a contract with Nancy M. Ormsby-Flynn as a Clerk of the Works II.
06/10/10 – Submitted by Mayor Michael A. Pavia
06/30/10 –Committee approved 5-0-1 | APPROVED ON CONSENT AGENDA
(<i>Reps. Pia and Gabriele abstaining</i>) |
| 4. P28.021 | APPROVAL; of a contract with Frank M. Smeriglio as a Clerk of the Works II.
06/10/10 – Submitted by Mayor Michael A. Pavia
06/30/10 –Committee approved 5-0-1 | APPROVED ON CONSENT AGENDA
(<i>Reps. Gabriele & DeLuca abstaining</i>) |
| 5. P28.022 | APPROVAL; of a contract with Jonathan M. Zurkowski as a Clerk of the Works II.
06/10/10 – Submitted by Mayor Michael A. Pavia
06/30/10 –Committee approved 5-0-1 | APPROVED ON CONSENT AGENDA |

A motion to approve the Consent Agenda, consisting of Item Nos. 1-5, was made, seconded and approved by unanimous voice vote (Rep. Gabriele abstaining on Items No. 2-4, Rep. Pia abstaining on Item No. 3; Rep. DeLuca abstaining on Item No. 4).

LAND USE/URBAN

REDEVELOPMENT COMMITTEE:

Harry Day, Chair

[Attendance](#)

Meeting: Wednesday, June 30, 2010

[Votes](#)

7:30 p.m. – Republican Caucus Room

[Report](#)

Rep. Day reported that the Land Use/Urban Redevelopment Committee met on June 30, 2010. Present were Chair Day and Committee Member Reps. Boccuzzi, Kaufman, Lombardo, McGarry, Raduazzo and Summerville. Also present were Reps. Cannady, Fedeli, Gabriele, Layton, Savage and Zelinsky; Rachel Goldberg, Esq., URC; Rick Redniss; Bill Hennessey, Esq.; Michael Cacace, Esq.; Laure Aubuchon, Director of Economic Development; and Fred Flynn, Director of Administration.

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| 1. LU28.005 | RESOLUTION; for public hearing & final adoption ; approving the Director of Administration’s Final Report dated 6/3/10 Concerning the discontinuance of a portion of Henry Street and directing that such partial discontinuance be carried out.
06/03/10 – Submitted by Mayor Michael A. Pavia
06/15/10 – Approved by Planning Board
07/08/10 – To be considered by Board of Finance | HELD IN COMMITTEE |
|-----------------------------|---|--------------------------|

06/30/10 – Held in Committee 7-0-0

Chair Day reported that the public hearing lasted about 2.5 hours. This is an extremely important project – the Mayor referred to the Gateway project in his address. After considerable deliberations by the Committee and unable to act on directing the partial discontinuance, the Committee elected to hold it for one month. A transcript will be available on the website, and he asked members to review it and the attachments.

2. [LU28.010](#) RESOLUTION; **for public hearing & final adoption**; initiating the process to relocate and realign Wright and Spruce Streets. **APPROVED BY UNANIMOUS VOICE VOTE**
06/08/10 – Submitted by Mayor Michael A. Pavia
06/30/10 – Committee approved 6-0-0

In response to Rep. Mallozzi's question as to who would be paying for this work, Chair Day advised that the Stamford Hospital will be paying for this. This is a quid pro quo for the street closings that the Hospital has proposed in connection with its expansion plan. A motion to approve Item No. LU28.010 was made, seconded and approved by unanimous voice vote.

3. [LU28.011](#) RESOLUTION; (and approval of a public hearing); approving amendments to the Mill River Corridor Plan to: 1) recategorize 75 Tresser Blvd. from Commercial to Hotel/Residential/ Commercial; and 2) modify §402(d) "Below Market Rate Dwelling Unit Standards." **PUBLIC HEARING APPROVED BY UNANIMOUS VOICE VOTE**
06/09/10 – Submitted by W. Hennessey, Esq.
06/30/10 – Committee approved public hearing 6-0-0

The Committee approved the holding of a public hearing in concert with the Urban Redevelopment Commission, which also has to hold a public hearing on this item.

A motion to approve the holding of a public hearing on Item No. LU28,011 was made, seconded and approved by unanimous voice vote.

OPERATIONS COMMITTEE: **Joseph Coppola, Jr., Co-Chair**
[Attendance](#) **John R. Zelinsky, Co-Chair**
[Votes](#) Meeting: Wednesday, June 23, 2010
[Report](#) 7:00 p.m. – Democratic Caucus Room

Co-Chair Coppola reported that the Operations Committee met on June 23, 2010. Present were Co-Chairs Zelinsky and Coppola and Committee Member Reps. Adams, Gabriele, Merritt, Raduazzo, Taylor and White; absent/excused was Committee

Member Rep. Mallozzi. Also present were Ernie Orgera, Director of Operations; Lou Casolo, City Engineer; and Dan Colleluori, Solid Waste; Philip Damico and Ron Markey of the Parks Department; Gillian Ivory and James Santagorola members of the public.

1. [O28.006](#) RESOLUTION; for **public hearing & final adoption**, **APPROVED ON CONSENT AGENDA**
establishing a recycling tipping fee of \$15 per ton.
05/10/10 – Submitted by Ernie Orgera
05/19/10 – Committee approved 6-0-0
06/07/10 – Approved for publication
06/23/10 – Committee approved 8-0-0

2. O28.008 REVIEW; administration’s planning related to staff reductions in the Engineering Department. **REPORT MADE**
06/07/10 – Submitted by President Skigen
06/23/10 – Report Made

Co-Chair Coppola stated that the City’s Engineer, Lou Casolo, spoke at the meeting, and the Committee was satisfied with the planning.

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

Suspension of Rules

3. [O28.009](#) SENSE OF THE BOARD RESOLUTION; **ITEM HANDLED AT END OF APPOINTMENTS COMMITTEE REPORT**
encouraging a reduction in the width of sidewalks on Vine Road in order to preserve existing trees.
06/20/10 – Submitted by Rep. Molgano
06/23/10 – Committee approved 5-0-3

PUBLIC SAFETY &

HEALTH COMMITTEE:

[Attendance](#)
[Votes](#)
[Report](#)

Gloria G. DePina, Co-Chair
Scott Mirkin, Co-Chair
Meeting: Thursday, July 1, 2010
7:00 p.m. – Republican Caucus Room

Co-Chair Mirkin reported that the Public Safety & Health Committee met on July 1, 2010. Present were: Co-Chairs Mirkin and DePina, Vice Chair Figueroa and Committee Member Reps. Adams, Caterbone, Coppola and Pia. Excused were Committee Member Reps. Giraldo and Martin. Also present were Reps. Cerasoli, Savage and Taylor; Mani Poola, Traffic; Trevor Roach, Matt Palmer, Chief Robert McGrath, Timothy Conroy and Matt Palmer of Stamford Fire & Rescue; Shawn Fahan, Springdale Chief; Bob Bennett, Long Ridge Chief; Frank Jacobellis, TOR Chief; Matthew Maounis, Asst. Chief TOR; John Didelot, Belltown Chief; Lou Casolo, City Engineer and Gary

O'Connor, attorney for the City; and Capital Brian J. McElligott, Stamford Police Department, along with several dozen City and Volunteer fire department personnel.

1. PS28.008 REVIEW; Fire Departments' response to fire on 5/10/10 Deep Valley Road. **REPORT MADE**
05/12/10 – Submitted by Co-Chair Mirkin
07/01/10 – Report Made

Co-Chair Mirkin stated that it was determined that you do not turn away back up assistance until there are eyes on the scene to make that determination. More detail is included in the Committee Report.

2. PS28.009 REVIEW; fatal accident on Hope Street. **REPORT MADE & HELD IN COMMITTEE**
05/27/10 – Submitted by Rep. Coppola & Cerasoli
07/01/10 – Report Made & Held in Committee

Co-Chair Mirkin reported that the Captain who attended the meeting could not testify on the recent fatality due to the ongoing nature of the investigation. Mani Poola attended and he is going to gather some information and report back in September.

3. [PS28.011](#) PRESENTATION; of Fire Protection Plan. **HELD IN COMMITTEE**
06/09/10 – Submitted by Co-Chairs DePina & Mirkin
07/01/10 – Held in Committee

Co-Chair Mirkin reported that the Mayor will attend next month's meeting to present the Plan.

4. [PS28.012](#) APPROVAL; of an agreement with University of Connecticut re: Research of Contamination in Scofieldtown Area. **HELD IN COMMITTEE 33-0-0 BY MACHINE VOTE**
06/14/10 – Submitted by Mayor Pavia
06/28/10 – Approved by Board of Finance
07/01/10 – Committee approved 2-0-4

Co-Chair Mirkin moved for approval of the agreement. Co-Chair DePina moved to hold the item; said motion was seconded.

Co-Chair Mirkin stated that this was not a public hearing, but as Chair, he showed great latitude in allowing all members of the public to not just speak but to have a dialog, so it turned out to be productive from that standpoint. He will support holding this for 30 days and no longer, and he will support holding it because he has been informed that Dr. Robbins does not feel that a 30-day delay will not have any adverse impact on the study.

President Skigen noted that Professor Robbins' did say that the 30 days would not have

an impact, but he now believes the study will last longer than 12 months because of the delay in starting.

Rep. Kaufman stated that Dr. Robbins will be at the July 14, 2010 fair that the Mayor referenced in his State of the City address for further discussion and conversation.

A motion to hold Item No. PS28.012 was made, seconded and approved by a machine vote of 33-0-0 (Reps. Adams, Cannady, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Franzetti, Gabriele, Giraldo, Kaufman, Lombardo, Mallozzi, McGarry, McNeil, Merritt, Mirkin, Mitchell, Molgano, Pia, Raduazzo, Rauh, Savage, Skigen, Sklover, Summerville, Taylor, Wallace, White, Young and Zelinsky in favor) (See [Vote Record No. 1107](#)).

**PARKS & RECREATION
COMMITTEE:**

**Linda Cannady, Chair
Pat White, Vice Chair**

No meeting. No report.

EDUCATION COMMITTEE:
[Attendance](#)
[Report](#)

**Michael Molgano, Co-Chair
Andy Sklover, Co-Chair
Mary Savage, Vice Chair**
Meeting: Thursday, June 24, 2010
7:00 p.m. – Democratic Caucus Room

Vice Chair Savage reported that the Education Committee met on June 24, 2010. Present were Co-Chairs Sklover and Molgano, Vice Chair Savage and Committee Member Reps. Cerasoli and Layton. Excused were Committee Member Reps. Wallace and Young. Also present was Clerk Summerville, Jennifer Hallissey, United Way; Bridget Fox, School Readiness Liaison; and Michele Sabia, Stamford Public Schools.

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| 1. E28.005 | REVIEW & UPDATE; Stamford's early childhood education blueprint (document collaborated on by BOE and CLC).
06/07/10 – Submitted by Education Committee
06/24/10 – Report Made | REPORT
MADE |
|----------------------------|---|------------------------|

**HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE:**

[Attendance](#)
**Elaine Mitchell, Chair
Philip Giordano, Vice Chair**

[Votes](#)
[Report](#)

Meeting: Tuesday, July 6, 2010
6:45 p.m. – Conference Room #1

Chair Mitchell reported that the HCD-SS Committee met on July 6, 2010. Present were Chair Mitchell, Vice Chair Giordano and Committee Member Reps. Cerasoli, McNeil and Young; excused were Committee Member Reps. Uva and Wallace.

1. [HCD28.07](#) APPROVAL of Year 36 Annual Budget for the CDBG.
06/07/10 – Submitted by Tim Beeble
07/06/10 – Committee approved 5-0-0 **APPROVED
ON CONSENT
AGENDA**

2. [HCD28.12](#) [RESOLUTION](#); authorizing the Mayor to submit the Year 36 Annual Action Plan for the Community Development Program of the City of Stamford, CT in the amount of \$1,263,819 in CDBG funds; and \$671,435.00 in HOME Investment Partnership Program funds.
05/06/10 – Submitted by Tim Beeble
06/10/10 – Approved by Board of Finance
07/06/10 – Committee approved 5-0-0 **APPROVED
ON CONSENT
AGENDA**

3. HCD28.11 REVIEW; underwriting standards for HOME down payment loans.
04/07/10 – Submitted by Tim Beeble
04/20/10, 05/03/10 – Report Made & Held in Committee
05/18/10 – Report Made & Held in Committee
06/07/10 – Report Made & Held in Committee
07/06/10 – Held in Committee **HELD IN
COMMITTEE**

4. HCD28.13 REVIEW; administration’s planning related to staff reductions in the Social Services Department.
06/07/10 – Submitted by President Skigen
07/06/10 – Held in Committee **HELD IN
COMMITTEE**

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 2, was made, seconded and approved by unanimous voice vote.

TRANSPORTATION COMMITTEE:
[Attendance](#)
[Report](#)

Robert “Gabe” DeLuca, Chair
Terry Adams, Vice Chair
Meeting: Thursday, June 24, 2010
7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on June 24, 2010. Present were Chair DeLuca, Vice Chair Adams, and Committee Member Reps. McNeil, Raduazzo and Young. Also present were Clerk of the Board Summerville; Robin Stein, Land Use; Josh LeCar; Transportation Planner, Stephen Gazillo of URS; and approximately 15 members of the public.

1. [T28.005](#) PUBLIC HEARING; to review the final Light Rail Plan. **REPORT MADE**
02/11/10 – Submitted by Chair DeLuca
03/08/10 – Placed on Pending Agenda
06/24/10 – Report Made

Chair DeLuca stated there were many speakers in favor of the study. The final consensus of the committee is that while it realizes this is something that will take years, it recommends that the City continue to pursue this.

Rep. Zelinsky stated that there was no committee vote recommending this be pursued. Chair DeLuca responded that there was no vote, but it was the consensus of the Committee that the City pursue it. This is something the Committee feels is useful for the City, this may be 10-20 years away, but it is something that we shouldn't drop. Rep. Zelinsky stated that while he was not at the meeting, the Advocate reported the meeting under the headline, "Critics Steamed About Streetcar Concept," and it seems to him that the consensus of most of the speakers were adamantly against this, so he is surprised that the Committee would have a consensus to continue this very expensive project.

Rep. DeLuca stated that you cannot always believe what you read in the paper. His recollection was that there were 4 more people in favor of continuing the study than were against it.

Rep. Zelinsky stated that he spoke to one of the residents who testified, and this person mentioned that most of the people there were against the concept due to the great expense.

Vice Chair Adams stated that many were totally against the project as presented, but the consensus was to go forward and try to get grant funding and perhaps look into hybrid cars or buses or creating dedicated lines before considering rail cars embedded in the roadways. So, the consensus was to go forward with the grant application but for the City to keep its options open.

STATE & COMMERCE COMMITTEE: **Mitchell Kaufman, Chair**
[Attendance](#) **Salvatore Gabriele, Vice Chair**
[Votes](#) Meeting: Thursday, July 1, 2010
[Report](#) 7:00 p.m. – Democratic Caucus Room

Vice Chair Gabriele reported that the State & Commerce Committee met on July 1, 2010. Present were Vice Chair Sal Gabriele and Committee member Reps. Heaphy, Lombardo and Molgano. Absent or excused were Committee member Reps. Kaufman, Sklover and Summerville. Also present were Laure Aubuchon, Director of Economic Development; Jeanette Brown, WPCA; and State Representative Carlo Leone.

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| 1. SC28.004 | REVIEW; economic development plan for small businesses; annual reports?
04/13/10 – Submitted by Chair Kaufman
07/01/10 – Report Made | REPORT
MADE |
| 2. SC28.005 | REVIEW; status on South End economic development progress.
04/13/10 – Submitted by Chair Kaufman
07/01/10 – Report Made | REPORT
MADE |
| 3. SC28.010 | REVIEW; status of dredging of Holly Pond.
06/10/10 – Submitted by Rep. Heaphy
07/01/10 – Report Made | REPORT
MADE |

MINUTES

- | | | |
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| 1. | June 7, 2010 Regular Board Meeting | APPROVED BY
UNANIMOUS
VOICE VOTE |
|----|--|---|

OLD BUSINESS

NEW BUSINESS

1. Rep. DeLuca reminded everyone of the Friday, July 30, 2010 Annual Softball Game.

ADJOURNMENT

Upon motion duly made and seconded, the meeting was adjourned at 10:30 p.m.

Audio & video recordings of these proceedings are available at www.boardofreps.org or through the Offices of the Board of Representatives, City of Stamford, CT