

31ST BOARD OF REPRESENTATIVES CITY OF STAMFORD

President
JEFF CURTIS

Clerk of the Board
MEGAN COTTRELL

Majority Leader
NINA SHERWOOD

Minority Leader
MARY L. FEDELI

DRAFT MINUTES

Representative Sherwood called the meeting to order at 8:03 p.m.

I, Jeff Curtis, President of the 31st Board of Representatives of the City of Stamford, Connecticut, and pursuant to Section C2-10-4 of the Stamford Charter, hereby call a Special Meeting of said Board of Representatives at the following time and place:

Monday, March 10, 2025

8:00 p.m.

by computer, tablet, or smartphone at:

<https://us02web.zoom.us/j/85879486885> or www.zoom.com – Webinar ID - 858 7948 6885

or by phone 1-646-558-8656 – Webinar ID - 858 7948 6885

to consider and act upon the following:

1. [A31.187](#) **APPROVING;** the overriding of the Mayor's Veto of Ordinance 1314: To Add Chapter 6a, Article 1 Concerning Appointments For Vacancies And Holdover Appointees On Appointive Boards And Commissions Established In Chapter 6.
03/03/2025 – Submitted by President Curtis

AGENDA

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by acting Chair Sherwood.

ROLL CALL: Conducted by Clerk of the Board Megan Cottrell.

Present were: Reps. Adams, Baines, Berns, Blank, Boeger, Campbell, Camporeale, Cottrell, Curtis, de la Cruz, Fedeli, Figueroa, Gilbride, Graham, Grunberger, Kuczynski, Ley, Matheny, Mays, Moore, Morson, Patterson, Pavia, Pierre-Louis, Pollack, Roqueta, Saftic, Sherwood, Stella, Strain, Summerville, Tomas, Vandervoort, Watkins, Weinberg, and Williams.

Absent/excused were: Reps. Goldberg, Sandford and Shaw.

*Anyone requiring an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in this meeting, should contact the City's ADA Coordinator as soon as possible:
Carmen Hughes, Director of Diversity, Equity & Inclusion, (203) 977-7993,
Email: CHughes1@StamfordCT.gov.*

A quorum was declared.

Under Board rules 285, a motion to elect a chairperson to preside over the meeting was made and seconded. Rep. Sherwood opened the floor to nominations for a chairperson to preside over the balance of the meeting. Rep. Cottrell nominated Rep. Fedeli to be the meeting chairperson. The nomination was moved and seconded (Rep. Boeger). There were no other nominations from the floor. Rep. Sherwood declared nominations closed. There was no discussion on the nomination.

The nomination was approved unanimously by voice vote of 36-0-1 (Rep. Fedeli abstained).

Chair Fedeli read the notice of the special meeting into the record.

COMMUNICATION: Read by Clerk of the Board Megan Cottrell.

- The next regular Board meeting will be on Monday, April 7th at 8:00 p.m.
- All votes at tonight's meeting will be conducted by roll call. We will no longer be using the TownVote voting software due to significant issues experienced during recent meetings.
- If you need assistance with Zoom you can call IT at [REDACTED]. Please do not call other members of the Board or the Board office staff. If you are having problems with speaking or hearing with your computer, you can always access the meeting through a telephone by dialing the phone number on the Agenda - [REDACTED], [REDACTED], and using the Webinar ID on the agenda: [REDACTED]. Please call or text IT at [REDACTED] or text the Clerk at [REDACTED] to let us know you are coming on, with the phone number you are using, and we will make sure you are able to speak during the meeting.
- If you decide to leave the meeting, you must text the Clerk when you leave. If you need to leave the meeting for a short period, text the Clerk when you leave and return. Members who do not text the Clerk when they leave the meeting will be presumed to be present for all consent items.
- If you do not respond during a roll call vote, your name will be called 2 more times after the conclusion of the vote. If you do not respond, you will be assumed to have left the meeting and your name will not be called on the next roll call vote.

PRESENTATION: by President Curtis and Majority Leader Sherwood (video timestamp 10:52)

Rep. Sherwood read into the record the words of Mayor Simmons regarding this veto: "The Law Department deemed this Ordinance illegal due to its stark inconsistencies with the city Charter. Therefore I will be issuing my first veto to protect the integrity of our Charter, our democratic process, and the will of Stamford residents." (quote is paraphrased from Mayor's Memo RE: Veto of Ordinance No. 1314 dated February 10, 2025) to explain the Mayor's rationale for her veto of the legislation approved by the majority of the Board of Representatives.

Rep. Sherwood followed with background information regarding how this Ordinance came to be proposed:

- This ordinance attempts to end the decades of abuse that allow holdover members to remain on Boards and Commissions indefinitely.
- This legislation simply recognizes and restores the plain language of our city Charter (referring to Section C6-00-4(a) – Expiration of Terms of Office): "The term of each appointive Board or Commission member or relevant position shall expire on December

first of the final year of the term, subject to continuance in office for a period of six (6) months or until a successor has been approved by the Board of Representatives, whichever occurs first.”

- This language was effectively shut down by a Law Department opinion in 2015.
- For the record, the Law Department is not a court of law & does not have the ability to overturn or invalidate provisions of our Charter. The Law Department has no authority to repeal the will of the voters, yet that is what has effectively been happening.
- In 2023, the Charter Revision Commission tried in vain to negotiate a resolution with the Mayor. This was to no avail.
- The 2015 opinion was raised again recently when a minority of the Board of Representatives stood in the way of 25 members of our body who wanted to hire an attorney, not to sue the Mayor or get an alternative legal opinion, but to sit down at the table with the Mayor and try to negotiate a compromise.
- The Mayor’s veto message continues to reuse the 2015 opinion. It simply allows a system where one person gets to choose members of boards and commissions whenever they believe the time is right. That is not what our Charter says is legal, and that is not democracy.
- We are at the disposal of the Mayor and her legal department. I have never questioned the integrity of those lawyers, many of whom are fine, outstanding civil servants. On the other hand, some of us have come to recognize that politics do exist in Stamford and so does political pressure.
- The 2015 legal opinion has been allowed to eviscerate the clear and plain language of Charter section C6-00-4 which the voters actually adopted in 2014 election. One year later, a new Mayor and his legal department negated the actions of the voters.
- Many of us on the Board have been trying to address this action for almost two (2) full terms. The Board offered to delay this legislation (this Ordinance No. 1314) in front of us this evening if we could have had an independent lawyer represent us and sit at the table to try to come to compromise. We could not get the 31 votes required to hire that lawyer.
- Juris prudis, precedence, the integrity of the Charter is repeatedly brought up in reference to the 2015 opinion. The 2015 opinion, however, is based on a flimsy interpretation of a 1913 Connecticut Supreme Court case (presided over by Justice Thayer). 1913 was 44 years before the Home Rule Act was passed in the state of Connecticut which granted municipalities the right to choose their own government and 52 years prior to the 1962 State Constitution.
- Agrees with the notion that there is a need for holdover members on boards and commissions; that the wheels of government should not come to a halt if there are not holdover members are not permitted, and that holdovers should continue to exercise their duties until a successor is appointed and qualified. Rep. Sherwood cannot see a rationale in the words of Justice Thayer in the opinion of the 1913 case that a municipal government cannot create a definitive end to a term, which is what we’re doing here. In Stamford, a 1913 court case is being used to invalidate a section of our city Charter, our law, the law that all the members on the Board of Representatives have taken an oath to follow.

- Does not expect that a 1913 Connecticut Supreme Court case is going to be able to analyze what home rule means to the State of Connecticut and to municipalities in the State of Connecticut.
- Does expect that a 21st century law department might give home rule some attention, yet there was no such attention to detail in the 2015 opinion.
- Please keep in mind that the six-month time frame does not commence until there is a vacancy or December 1st or whenever a member leaves a Board or Commission. The 6 month provision is designed to let the Mayor know that he or she and the political parties who pitch candidates can gear up far enough in advance so that the 6-month rule does not become a problem.
- The 1913 case simply holds that public officials in appointed offices shall remain a legal holder of office until he or she is replaced by a qualified successor. There is nothing that suggests a duly adopted Charter provision placing a reasonable limit on holdover statuses would be invalidated, yet that is what the Law Department of the City of Stamford is suggesting and the Board of Representatives has been allowing to occur even though the Law Department does not have the authority to disqualify a section of our Charter. Only a judge in the State of Connecticut can do that.
- Local charters provide rules of governance; when you are elected to office you are obliged to understand and follow the rules of the road (rules of governance). This notion that the 6-month rule is not legal is not backed by anything with the legal authority to disqualify it.
- This notion that the Ordinance (No. 1314) that we have adopted violates the Charter is simply not true. Our own Corporation Counsel (Law Department) said we can do this in August 2024.

She urged an override of this veto “so that we can repopulate these critical Boards and Commissions of the City because, in truth, the only violation of the Charter is the willful disregard for the plain language in our Charter” by being told to ignore this language. Rep. Sherwood stated she has a meeting set with the Mayor for Monday, March 24th, 2025 because “we need to come to some compromise on this issue”. She reminded the members of the Board of Representatives that:

- The majority of this Board has been consistent with its message;
- The majority of this Board voted in 2023 for the Charter Revision to fix a section of our charter that would address this issue”.
- The majority of this Board sent a letter to the Mayor in January 2024 sent a letter to the Mayor to ask the Mayor to speak with us to come to a compromise on this issue.
- In January 2025 the Board of Representatives passed this Ordinance (No. 1314) for public hearing
- After the public hearing, the Board of Representatives attempted to hire a lawyer in order to affect compromise but did not have the 31 votes needed for that action.
- The month after (February 2025), the Board of Representatives passed this Ordinance (No. 1314). Now the Mayor has vetoed it.
- There will be a meeting between the Mayor and Majority Leader Sherwood on March 24th, 2025 to discuss this further.
- It would be an incredible show of this Board to say that we want to fix this issue if we can override this veto.

Chair Fedeli opened the floor to questions from the Board members (video timestamp 21.27). During the discussion, the following points were made:

1. Even though the original ruling was 112 years ago, the ruling was reaffirmed in 1949 and the holdover doctrine in §20-1-68 this century. These principles and legal reasons have not changed. (*Does not support overriding veto*)
2. Court case referred (the 1913 case) to spoke to a deference to ensure that committees (Boards and Commissions) have quorums. This is not fundamentally a legal opinion. Provisions that could lead to committees not having a quorum would be of great difficulty. Where we are right now is not somewhere the courts or Charter would have thought we would be. (*Supports overriding veto*)
3. The will of the people voted in 2015 (*should be 2014) and they did their best at the time, as did Corporation Counsel with their opinion (2015). Six months is an extension to help the city as it reads "or when/until they find someone to replace/fill the vacancy, whichever comes first". The excuse of "we can't find someone" to let someone stay past the six-grace period: would a judge agree with a system of leaving expired seats remain and take new applicants into other spots on Boards & Commissions while claiming they still cannot find someone to fill an expired position? We could all agree this is a problem but no one has done anything to even attempt to satisfy people with a good amendment to the ordinance to make some sort of compromise. (*Supports overriding veto*)
4. This Charter loophole has been flagrantly exploited and used to promote Boards and Commissions members with regards to cases sited in the courts; those are only when there are no ready candidates to take the place for holdovers. The holdover provision is only to fill spots when there are no candidates; it was never intended to seat people in perpetuity. (*Supports overriding veto*)
5. We (Board of Representatives) should still work to fix this, but within the Charter, State law precedent as set by law. We have to work within the framework of the law. (*Does not support overriding veto*)
6. Mayor feels she is right, but on a national level, we are seeing an oligarchy try to take hold. (*Supports overriding veto*)
7. We're not elected as lawyers. Tonight we are being asked to represent our constituents using our logic, lived experience and reason about this process. The law is for the lawyers and courts to decide. If in the future it turns out there's a legal issue with this ordinance (No. 1314), they will adjudicate it. (*Supports overriding veto*)
8. Noted the Mayor's never come into the Board of Representatives Legislative Chamber and addressed the people who are doing the work. Mention of last minute change to the most recent Charter revision. Reference to how the zoning and development of the City currently alienates the seniors and others who need deeply affordable housing. (*Supports overriding veto*)
9. "It's hard to appoint someone to holdover seat if no one is submitted to replace that expired seat". (*Supports overriding veto*)

Discussion session closed and the item (Item A31.187) was moved, seconded and failed by a roll call vote of 25-12-0. (Reps. Baines, Berns, Boeger, Campbell, Camporeale, Cottrell, Curtis, de la Cruz, Figueroa, Graham, Kuczynski, Matheny, Moore, Patterson, Pavia, Pierre-Louis, Roqueta, Saftic, Sherwood, Stella, Strain, Tomas, Walston, Watkins and Williams in

favor. Reps. Adams, Blank, Fedeli, Gilbride, Grunberger, Ley, Mays, Morson, Pollack, Summerville, Vandervoort and Weinberg voted against)

ADJOURNMENT: Chair Fedeli adjourned the meeting at 8:50 p.m.

This meeting is on [Video](#)