



Legislative & Rules Committee – Board of Representatives

Eileen Heaphy, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, July 26, 2016

Time: 7:00 p.m.

Place: Republican Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Heaphy and Committee Member Reps. Mitchell, Nabel, Okun, Silver and Zelinsky. Absent or excused were Committee Member Reps. Coleman, Day and Ryan. Also present were Reps. Di Costanzo and McMullen; Tilford Cobb, Animal Control Officer; Ellen Bromley, Social Services Coordinator; Michael Toma, Law Department; Greg Stackpole, Assessor; Bill Jessa, Deputy Assessor; Michael Hander, Director of Administration; and Donald Corbo, New England Properties Real Estate LLC.

Chair Heaphy called the meeting to order at 7:09 p.m.

Item No.	Description	Committee Action
1. LR29.068	RESOLUTION, <u>and public hearing</u> ; Approving a Real Estate Sales Agreement between the City of Stamford and Atlantic Garden Transit Group for Sale of City-owned Properties at 578 & 590 Atlantic Street and 18 & 19 Garden Street, Stamford, CT. 06/15/16 – Submitted by Mayor Martin 06/21/16 – Approved by Planning Board 07/14/16 – Approved by Board of Finance	Approved 6-0-0

Chair Heaphy opened the public hearing.

Mr. Corbo stated that he represented the group purchasing the properties and described the history of the transaction. He noted that:

- They conducted an appraisal of the properties, which came in at \$1.2 million; the City's appraisal was slightly lower
- There were 2 bidders for the properties and they were the successful bidder and are paying more than the appraised price
- They have received approvals from the Planning Board and the Zoning Board for a text change which increases the value of the properties
- They are purchasing the property as is

There being no other members of the public wishing to speak, Chair Heaphy closed the public hearing.

Mr. Hander discussed this item with the Committee as follows:

- Mr. Corbo had accurately summarized the transaction.

- The City has been looking at selling City-owned properties for the last 6 months
- The second appraisal was for \$990,000; the City went out to bid using the higher appraisal as the minimum price
- The price is \$1.365 million
- The City doesn't technically own this property, part of it is owned by the federal government, therefore 80% of the proceeds go back to the federal government
- \$31,464.80 will be going back to federal government, but will go to the SUT into an account for use by the City during the SUT, so that 100% of the sale postings will stay with the City
- This takes land that has no value to the City and places it on the tax roles once it is developed.
- It is currently zoned as MG, but was appraised at best and highest use and is being bought by the adjacent property owners

A motion to approve this resolution was made, seconded and approved by a vote of 6-0-0 (Reps. Heaphy, Mitchell, Nabel, Okun, Silver and Zelinsky in favor).

2. [LR29.052](#) ORDINANCE, for final adoption; Amending [Chapter 111. Public Safety and Animal Welfare](#). **Approved 4-2-0, as amended**
- 06/02/15 – Submitted by Mayor Martin and Rep. Heaphy
- 06/15/15 – Held in Committee
- 07/21/15 – Held in Committee
- 08/31/15 – Held in Committee
- 09/21/15 – Held in Committee
- 10/29/15 – Held in Committee
- 11/16/15 – Approved by Committee for publication
- 12/14/15 – Held at Steering
- 01/19/16 – Public Hearing Held & Held in Committee
- 03/21/16 – Held in Committee
- 04/18/16 – Approved by Committee, as amended, for public hearing
- 05/02/16 – Approved for republication and public hearing
- 06/20/16 – Public Hearing Held
- 06/20/16 – No Quorum; No Action taken

Secondary Committee: Public Safety & Health

Chair Heaphy noted that there was a public hearing on this item last month and that Rep. McMullen had asked about the ability of the City to impose the requirement of the parvo vaccination on the issuance of a license.

Mr. Toma explained that the wording of the State licensing statute does not permit the City to impose additional requirements beyond the rabies vaccine and fee required under the State statute in order to obtain a license. The parvo virus vaccination could be required in other parts of the ordinance. A motion to strike the last sentence of §111-11.A relating to the parvo virus vaccination was made, seconded and approved by a vote of 6-0-0 (Reps. Heaphy, Mitchell, Nabel, Okun, Silver and Zelinsky in favor).

Rep. Nabel expressed concerns about the language in §111-1.B permitting the riding of horses on roads without sidewalks, as that would include Long Ridge & High Ridge Road and made a motion to amend the last sentence of §111-1.B. as follows: "Horses may be ridden by owners

or their authorized riders may use the public roads in the rural areas of the city where there are no sidewalks or on private property.” The motion was seconded. Committee members discussed whether the ordinance should restrict riding to private property or whether the ordinance could regulate riding on State roads. The motion failed by a vote of 2-4-0 (Reps. Nabel and Zelinsky in favor; Reps. Heaphy, Mitchell, Okun and Silver opposed).

Committee members discussed whether the Risk Manager needs to approve the language of §111-11.E (2).

A motion to approve this Ordinance was made, seconded and approved by a vote of 4-2-0 (Reps. Heaphy, Mitchell, Silver and Zelinsky in favor; Reps. Nabel and Okun opposed).

3. [LR29.067](#) RESOLUTION; Approving a Prototype Lease for Tenants at the Lathon Wider Center pursuant to [Sec. 9-7.C \(2\) of the Code of Ordinances](#). **Held 6-0-0**
06/08/16 – Submitted by Mayor Martin
06/14/16 - Approved by [Planning Board](#)
06/13/16 – Held at Steering
07/14/16 – Held by Board of Finance

Ms. Bromley explained that

- This prototype was approved by the Planning Board and held by the Board of Finance
- It is being proposed under Code §9-7.C(2), which has never been used
- The City took over the management of the building from CTE, and it currently has many non-profit tenants, none of whom have current leases
- The prototype lease is for convenience and the variables would be the amount of space and the rent calculation

Committee members discussed the idea of having a template lease, but expressed concerns about the lack of Board approval of individual tenants and leases.

A motion to hold this resolution was made, seconded and approved by a vote of 6-0-0 (Reps. Heaphy, Mitchell, Nabel, Okun, Silver and Zelinsky in favor).

4. [LR29.069](#) ORDINANCE for publication; Granting a Previously Denied Tax Exemption to A&E Television Networks for the 2015 Grand List pursuant to [CGS §12-94e](#). **Failed 1-5-0**
07/06/16 – Submitted by President Skigen

Secondary Committees: Fiscal and State & Commerce

Mr. Stackpole explained that

- businesses are a schedule of personal property business assets with the City by November 1st
- The City sends out declaration forms in September
- AETV has been a taxpayer for many years and did not file
- The City reached out to their corporate headquarters by email on November 5th, but did not get a response
- There is a penalty for late filing
- They did receive a filing from AETV at the end of January
- In his conversation with Ms. Gimmett

- She explained that the person the original notification to was no longer with the company and got bounced back to the City
- She requested a waiver of the penalty and requested that the exemption be applied
- He reviewed the statute and then spoke to Ms. Gimmett and explained to her that he did not have the authority to grant the exemption or waive the penalty and that they would be entitled to the exemption next year
- AETV then filed an appeal with the Board of Assessment Appeals, which denied its request.

Mr. Handler stated that this is not about AETV; the City is happy to have them as a corporate citizen, but the City has no affirmative obligation to make sure that an entity receives its bill; a property owner has an affirmative obligation to pay taxes. Waiving the exemption would set a bad precedent.

Mr. Stackpole stated that

- AETV has filed late in the past and has not always filed for an exemption
- The declaration was filed on 5 pm on the Friday on which the Assessor's Office was required to file the Grand List with the Town Clerk
- After November 1st a business can apply for a 45 day extension to file
- The State statute does not authorize the waiver of the penalty
- The deadline is posted in The Advocate.

It was noted that Ms. Gimmett was invited to attend this meeting by email. Mr. Handler stated that he also reached out to her.

Committee members discussed whether this item should be held for Ms. Gimmett to be given a chance to attend and whether a tax exemption should be granted.

A motion to approve this ordinance was made, seconded and failed by a vote of 1-5-0 (Rep. Heaphy in favor; Reps. Mitchell, Nabel, Okun, Silver and Zelinsky opposed).

Rep. Di Costanzo noted that the Fiscal Committee is secondary on this item but that there was no quorum of the Fiscal Committee present.

Chair Heaphy adjourned the meeting at 8:53 p.m.

Respectfully submitted,
Eileen Heaphy, Chair

This meeting is on [video](#).