

The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Monday, February 4, 2002 at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

Minutes

The meeting was called to order at 9:03 p.m.

INVOCATION: Led by Clerk of the Board Annie M. Summerville

“Be ye all so ready, you know not the time nor the hour. Let us bow our heads. Dear Lord, we thank you for a wonderful, wonderful evening. We thank you for giving us the wisdom and strength to lead our caucus and to try to come out with a positive attitude for the City of Stamford. We thank you, dear God, and we are grateful for having our previous board members here with us tonight, along with other constituents. We ask that you will guide us, give us the right direction as you always have, and we will be forever grateful to give you all the glory and all the praise. In your name, amen.

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

ROLL CALL: There were thirty-four members present and six members absent/excused. Absent/excused were Reps. Fortunato, DePina, Esposito, White, Biancardi and Spadow.

MACHINE TEST VOTE: The machine was in good working order.

PAGES:

MOMENTS OF SILENCE: For the late: Donald J. Berets, by Reps. Day and Mirkin; Eugene W. Bilik by Rep. Day; Robert D. Moran, by Reps. Giordano and Zelinsky; Helen M. Tolla, Kathryn Sabia and Carl Pribanic by Rep. Giordano; Anthony F. Calderone, by Reps. Giordano, Loglisci and Zelinsky; Joseph Evans, Jr., Theresa M. Zboras, Jean M. Mancini and Brian G. Keen by Rep. Loglisci; Joseph B. Filardo, Sr. by Reps. Loglisci and Zelinsky; and Joseph N. Floreno, Margaret Scareno, Ida Witkowski and Alfredo G. Martino and Richard V. White by Rep. Zelinsky.

RESIGNATION: President Martin read a letter of resignation from Representative Alice Fortunato.

FILLING OF VACANCY: Rep. Boccuzzi nominated Gail Clear to fill the vacancy in the 17th District; said motion was seconded. A motion to close the nominations was made by Rep. Lyons and seconded. Clerk of the Board Annie M. Summerville cast one vote for Ms. Clear's appointment to the seat formerly occupied by Alice Fortunato (Rep. Skigen abstained).

PRESENTATION: President Martin, Clerk of the Board Summerville, Majority Leader John Boccuzzi and Minority Leader Ralph Loglisci presented plaques to former members of the 25th Board of Representatives: Former President Carmen Domonkos, Vincent Mobilio, Peter Nanos, Ellen Mellis, Joseph Gasparrini, and Alice Fortunato.

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, January 14, 2001
[\(Report\)](#) 7:00 p.m. - Democratic Caucus Room

Upon motion duly made and seconded, the Steering Committee Report was waived by unanimous voice vote.

APPOINTMENTS COMMITTEE: **Paul A. Esposito, Chair**
[\(Committee Report\)](#) **Gloria G. DePina, Vice Chair**
[\(Votes\)](#) Meeting: Tuesday, January 22, 2002
[\(Attendance\)](#) 7:00 p.m. – Democratic Caucus Room

In the absence of both the Chair and the Co-Chair, Clerk of the Board Annie M. Summerville gave the Appointments Committee Report. Clerk Summerville stated that the Appointments Committee met on January 22, 2002. Present were all Committee Member except Reps. DePina and Lyons.

1. A26.006	<u>Board of Ethics</u>		NO ACTION
	Amy J. LiVolsi (D)	Reappointment	TAKEN

Stamford, CT 06902
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0

7. [A26.011](#) Golf Commission
Alice Lyons (D) Reappointment
38 Van Rensselaer Avenue *Term Exp. 12/01/01*
Stamford, CT 06902
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
**APPROVED
ON CONSENT
AGENDA**
8. [A26.012](#) Health Commission
Bert Ballin (D) Reappointment
50 Stone Hill Drive *Term Exp. 12/01/01*
Stamford, CT 06903
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – No action taken
**NO ACTION
TAKEN**
9. [A26.028](#) Personnel Commission
William M. Tong (D) Repl. Kapiloff
2132 Long Ridge Road *Term Exp. 12/01/99*
Stamford, CT 06903
Term Expires 12/01/02
01/04/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
**APPROVED
ON CONSENT
AGENDA**
10. [A26.013](#) Planning Board
Marggie Laurie (D) Reappointment
62 HomeCourt *Term Exp. 12/01/01*
Stamford, CT 06902
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – No action taken
**NO ACTION
TAKEN**
11. A26.014 Social Services Commission
Ann Sadowsky (D) Reappointment
64 Sweet Briar Road *Term Exp. 12/01/01*
Stamford, CT 06905
Term Expires: 12/01/04
**NO ACTION
TAKEN**

01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – No action taken

12. [A26.015](#) Stamford Golf Authority
Brien E. Malloy (D) Reappointment
20 Ralsey Road South *Term Exp. 01/01/02*
Stamford, CT 06902
Term Expires: 01/01/05
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
- APPROVED
ON CONSENT
AGENDA**

13. [A26.016](#) Transit District
Stephen DeVito (D) Reappointment
330 Riverbank Road *Term Exp. 12/01/01*
Stamford, CT 06903
Term Expires: 12/01/05
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
- APPROVED
ON CONSENT
AGENDA**

Clerk of the Board Summerville noted that the attendance now stood at 35 present and 5 absent/excused.

14. [A26.017](#) Transit District
Jon T. Gallup (D) Reappointment
21 Dartley Street *Term Exp. 12/01/01*
Stamford, CT 06905
Term Expires: 12/01/05
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 7-2-0
- APPROVED BY
MACHINE VOTE
(31-2-1)**

Upon motion duly made and seconded, ItemNo. A26.017 was approved by machine vote (31-2-1); Reps. Coppola and Mirkin opposed; Rep. Day abstained.

15. [A26.018](#) Urban Redevelopment Commission
Stephen Osman (D) Reappointment
57 West Hill Road *Term Exp. 12/01/01*
Stamford, CT 06902
Term Expires: 12/01/06
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
- APPROVED
ON CONSENT
AGENDA**

16. A26.019 Water Pollution Control Authority **NO ACTION
TAKEN**
Donald J. Berets (D) Reappointment
47 East Ridge Road *Term Exp. 01/01/02*
Stamford, CT 06903
Term Expires: 01/01/05
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Held in Committee
17. [A26.024](#) Smith House Board of Directors **APPROVED
ON CONSENT
AGENDA**
Arthur P. Mostel, MD (D) Repl. Feinland
300 Quarry Road *Term Exp. 12/01/02*
Stamford, CT 06903
Term Expires: 12/01/05
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
18. [A26.029](#) Smith House Board of Directors **APPROVED
ON CONSENT
AGENDA**
Mary Ann Murtha (D) Repl. Laukkanen
73 Harbor Drive #408 *Term Exp. 12/01/01*
Stamford, CT 06902
Term Expires 12/01/04
01/04/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0
19. A26.025 Social Services Commission **NO ACTION
TAKEN**
Roxana Greene Kelly (D) Repl. Garcia
6 Avon Lane *Term Exp. 12/01/01*
Stamford, CT 06907
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – No action taken
20. [A26.020](#) Zoning Board **APPROVED BY
MACHINE VOTE
(19-15-1)**
Jackie Heftman (D) Reappointment
97 Acre View Drive *Term Exp. 12/01/01*
Stamford, CT 06903
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 4-3-2

Clerk Summerville moved Item No. A26.020; said motion was seconded.

Rep. Mirkin stated he voted against this appointment in Committee and will vote against her this evening. Rep. Mirkin stated he asked Ms. Heftman about her feelings on the

Board of Representatives having the right under the Charter to entertain a decision made by the Zoning Board. Ms. Heftman felt that the Board of Representatives should not have that option and that in most cities and towns, the next redress was to go to court. Upon further questioning, Ms. Heftman stated that she thought the Board of Representatives was too political, that it was not capable of being impartial and perhaps didn't know what was in the best interest of its constituents.

Rep. Mirkin stated that everyone in the room was elected by his/her constituents to represent their district and city-wide interests. Rep. Mirkin stated that the road to being on the Zoning Board involves going through the Mayor's Office, so one could argue that any appointment is somewhat political in nature. Rep. Mirkin asked everyone to take his comments under consideration, especially the two representatives who abstained during the committee vote.

Rep. Boccuzzi stated that during the night of the meeting, he was in doubt as to how he would vote due to the explanation of Ms. Heftman at the committee meeting. He stated that he will not abstain tonight during the vote.

Rep. Hunter stated he served on the Zoning Board as an alternate under Ms. Heftman. He found Ms. Heftman to be extremely knowledgeable about zoning laws and regulations, she is a careful listener to all parties; she was impartial and had very good judgment. Mr. Hunter stated she should be reappointed.

Upon motion duly made and seconded, Item No. A26.020 was approved by machine vote (19-15-1); Reps. Benyus, Browne, Coppola, Day, DeLeo, DeLuca, Fedeli, Greenberg, Imbrogno, Loglisci, McDermott, Mirkin, Crowley, Sherer and Morrow opposed; Rep. Skigen abstaining.

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| 21. A26.021 | <u>Zoning Board</u>
Phyllis P. Kapiloff (D)
200 Quarry Road
Stamford, CT 06903
Term Expires: 12/01/04
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Committee approved 9-0-0 | Reappointment
<i>Term Exp. 12/01/01</i> | APPROVED
ON CONSENT
AGENDA |
| 22. A26.026 | <u>Zoning Board (Alternate)</u>
James P. Bartley (D)
93 Downs Avenue
Stamford, CT 06902
Term Expires: 12/01/06
01/03/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Held in Committee | Repl. Rich
<i>Term Exp. 12/0/101</i> | HELD IN
COMMITTEE |

23. [A26.022](#) Zoning Board of Appeals
 Claire D. Friedlander (D) Reappointment **HELD IN**
 33 Lolly Lane *Term Exp. 12/01/01* **COMMITTEE**
 Stamford, CT 06903
 Term Expires: 12/01/04
 01/03/02 – Submitted by Mayor Dannel P. Malloy
 01/22/02 – Held in Committee
24. [A26.027](#) Zoning Board of Appeals (Alternate)
 Zachary Weinberger (D) Repl. Bartley **APPROVED**
 25 Chester Street *Term Exp. 12/01/01* **ON CONSENT**
 Stamford, CT 06905 **AGENDA**
 Term Expires: 12/01/06
 01/03/02 – Submitted by Mayor Dannel P. Malloy
 01/22/02 - Committee approved 9-0-0

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 2, 6, 7, 9, 12, 13, 15, 17, 18, 21 and 24 was approved by unanimous voice vote.

FISCAL COMMITTEE: **Randall Skigen, Chair**
(Committee Report) **Bobby E. Owens, Vice Chair**
(Votes) Meeting: Monday, January 28, 2002
(Attendance) 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on January 28, 2002. Present were Committee Member Reps. Cannady, DeLuca, Fedeli, Figueroa, Giordano, Loglisci, Sherer and Skigen. Reps. Hunter, Owens and Lyons were excused. Also present were Director of Administration Tom Hamilton; Grants Director Sandra Dennies; Dena Diorio, Director of Policy and Management; Jane Norgren, Executive Director of the Child Care Center; Bob Rusczkowski, Administration; William Forkner, Tax Collector and others representing interests involved in the bond refunding. Other representatives present were Reps. Mirkin, Martin and Coppola.

1. RESOLUTION; authorizing the Mayor to enter into **APPROVED**
[F26.019](#) agreements with the State of Connecticut for funding **ON CONSENT**
 assistance regarding operation of the Stamford Day **AGENDA**
 Care Program.
 01/02/02 – Submitted by Mayor Dannel P. Malloy
 01/28/02 – Committee approved 8-0-0
2. APPROVAL; of bond refunding authorization of \$16 **APPROVED BY**
[F26.016](#) million in general obligation bonds (call date of **MACHINE VOTE**

2/15/2005) and \$42 million in general obligation bonds (28-4-2)
(call date of 8/1/2008) for a total of \$58 million.
01/02/02 – Submitted by Mayor Dannel P. Malloy
01/22/02 – Approved by Board of Finance 4-2-0
01/28/02 – Committee approved 5-3-0

Chair Skigen moved Item No. F26.016; said motion was seconded. Chair Skigen stated this is a very complex transaction. The bottom line is that a traditional refunding of our municipal bonds at this time would not yield any financial gain for the City. By entering into a swap option with UBS, it is anticipated that the City will receive approximately \$900,000 at the time of closing. The transaction will give UBS the opportunity to call our bonds and have the bonds changed from fixed rate to variable rate at two dates in the future, one in February 2007 and the other in 2008. There are some risks associated with this, and Chair Skigen believes the City has worked with an outside consultant to reduce those risks to a point where the administration believes they are acceptable, and which Chair Skigen finds acceptable.

Rep. Loglisci stated right now we have our bonds with the State of Connecticut Treasurer's Income Fund, and unless the State of Connecticut collapses, Rep. Loglisci asked if it was in fact true that we have no risk with our bonds right now.

Chair Skigen stated that no, if the city was in serious financial trouble, it may have difficulty paying the interest that is due on the bonds.

Rep. Loglisci asked about the location of the money. Chair Skigen stated the location doesn't change.

Rep. Loglisci stated that this is a very large effort to get \$900,000 this year to offset anticipated revenue shortages. Rep. Loglisci asked Chair Skigen to confirm this, and Chair Skigen replied that it is difficult for him to answer what the ultimate motivation was for this, but certainly there was a motivation to look at the market, as the City did in 1998, for an opportunity for the City to save money by refunding bonds.

Rep. Loglisci stated that he considers this more speculation than we currently have with these funds. The City is betting on future rates and the state of the economy several years into the future. Rep. Loglisci stated that forecasting six years out is harder. Chair Skigen stated that if the question is whether it is easier to fortune tell for three years than six years, he cannot answer that question. He added that an economist cannot probably give more definitive answers as to where the economy is going to be three years or six years from now. Rep. Loglisci stated that economists would consider three years an acceptable limit, but they would not consider six or seven years.

Rep. Loglisci stated that basically, the City will give up its right to call our own bonds, and we give that right to UBS, and for giving this right up, they are rewarding us with \$900,000 up front. Chair Skigen stated that is correct.

Rep. Loglisci stated that when playing with the money of the Stamford taxpayers, risk as close to zero as possible is an acceptable member, and he will err on the part of safety, and while the return is slightly less, he feels the money is safer where it is sitting now and he will vote no on this.

Rep. Boccuzzi asked if during the budget process the Board has the right to determine when these funds are spent. Chair Skigen responded that in that it is a revenue item, he is not sure we have control. However, the Board has control ultimately over the entire budget, and should the Board want to make certain these funds are not used totally this year, it can take some actions.

Rep. Mirkin stated that he feels there should be a resolution or some mechanism to make sure that \$900,000 does not go into a budget shortfall for this year, and to spread the funds over a period of time consistent with the concept of giving a right away in the future. Rep. Mirkin stated we owe this to the taxpayers of the City.

Rep. Lyons stated it is his understanding that the City was encouraged to pursue this type of refinancing at the urging of the outside credit rating agencies. Chair Skigen stated he has not heard that, but he has heard that it is becoming much more standard for state and municipal governments to use variable rate bonds in their portfolio. Over the last forty years, there has been no time in history, according to UBS or the consultants, where we would have been paying a higher rate if we use variable rates vs. fixed rates. Chair Skigen stated that it creates somewhat of an accounting problem, because the debt service amount is not fixed, however, history has shown that variable rate bonds will yield a smaller payment by government.

Chair Skigen stated that there was a list provided to the committee of other municipalities, including Philadelphia, a community in Delaware, the State of Connecticut, New Britain, that have used this mechanism.

Rep. Mirkin inquired as to how the Board could indicate its preferences for the disbursement of the \$900,000.

President Martin responded that the Board of Finance sets the mill rate at the conclusion of the budget process, and the Board of Finance reviews all revenue sources, including this revenue. President Martin agreed with Rep. Skigen that there may not be a perfect way to assure this, but through the Fiscal Committee's actions and recommendations, it is hopeful that we could assure the disposition of the funds at that time. The item before us this evening is not how this revenue will be applied but whether to approve the revenue or not.

Upon motion duly made and seconded, Item No. F26.016 above was approved by machine vote (28-4-2); Reps. DeLuca, Imbrogno, Loglisci and McDermott opposed; Reps. Blackwell and Coppola abstaining.

3. F26.021 REVIEW ~~RESOLUTION~~; ~~for publication~~; amending **REPORT
MADE**
and establishing fees for functions of Assessor's Office
including aerial maps, field card requests, return check
fee and interscholastic-adults and children; for phase out
of personal property tax district extension; and police
extra duty fee.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Report Made

Chair Skigen stated that the Committee broke this into three separate resolutions, the first dealing with aerial maps, field card requests and return check fees. The Committee voted to publish that resolution and hold a public hearing by a vote of 8-0. Chair Skigen moved the resolution. President Martin ruled the motion out of order for the sake of consistency. It is not necessary for the full Board to vote to publish resolutions, and the Steering Committee will take action upon the Committee's vote.

Rep. Zelinsky stated he did not want homeowners to have to pay for their field cards. Chair Skigen stated this would be looked at in committee.

Chair Skigen stated the other two resolutions will be dealt with at Steering.

4. F26.024 REVIEW; of administration's fee requests. **REPORT
MADE**
[Summary 1](#) 01/10/02 – Submitted by President Martin
[Summary 2](#)

***Secondary Committees: Parks & Recreation,
Operations, Public Safety, Land Use***

Chair Skigen stated that a report was provided to each representative. He added that everyone should have received a breakdown of the budget summary that shows that with the Department requests and the loss of interest income that is anticipated, a tax increase of approximately 10.97% would occur. It is anticipated this number will decrease due to reductions in the various departments as well as the early retirement package the City is offering to five of the CERF unions.

Upon motion duly made and seconded and approved by unanimous voice vote, the Secondary Committee report was waived.

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

5. [F26.025](#) RESOLUTION; authorizing an application for school **APPROVED BY
UNANIMOUS
VOICE VOTE**
construction grants for technology infrastructure at
Turn of River Middle School and Davneport
Elementary School.

01/24/02 – Submitted by President Martin
01/28/02 – Committee approved 8-0-0

Chair Skigen moved Item No. F26.025; said motion was seconded and approved by unanimous voice vote.

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

LEGISLATIVE & RULES COMMITTEE: Maria C. Nakian, Chair

[\(Committee Report\)](#)

[\(Votes\)](#)

[\(Attendance\)](#)

Jim Shapiro, Vice Chair

Meeting: Wednesday, January 23, 2002

7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on Wednesday, January 23, 2002. Present were Committee Member Reps. Nakian, Shapiro, Fahan, Mitchell, Spadow, Zelinsky, Benyus, Browne and DeLeo present. Also present were President Martin and Rep. Loglisci, the two board parliamentarians Rep. Skigen and Rep. Sherer, and Corporation Counsel Andrew McDonald.

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| 1. LR26.001 | APPROVAL; of modifications to the Rules of the 26 th Board of Representatives.
12/04/01 – Submitted by President Martin
12/17/01 – Committee approved 6-0-0
01/07/02 – Held in Committee
01/23/02 – Committee approved 7-0-1 | APPROVED
ON CONSENT
AGENDA |
| 2. <u>LR26.002</u> | RESOLUTION; REVIEW ; of establishing a Charter Revision Commission.
12/05/01 – Submitted by Rep. DeLuca
01/23/02 – Committee approved 9-0-0 | DEFEATED BY
<u>MACHINE VOTE</u>
(1-32-0) |

Chair Nakian moved Item LR26.002; said motion was seconded.

Chair Nakian stated that the Stamford Charter mandates a review of the entire Charter at ten-year intervals, undertaken by a Charter Revision Commission, which is appointed in accordance with provisions of Home Rule Law. The Charter says that this Commission must be appointed not later than the February 2002 board meeting and each successive ten-year period. The Home Rule Law provides that the process is initiated by a resolution, which must be adopted by a two-thirds of the entire membership of the Board, or a 27-member vote. It also provides that within thirty days after approving the resolution, the Board has to appoint the Charter Revision Commission, which is not fewer than five members nor more than fifteen.

Chair Nakian stated that the last time the City had Charter Revision, the first meeting that the Board Committee had was in May and the Commission itself was appointed in August, a span three months, and there were 70 applicants to be on the Commission, all of whom were interviewed. Obviously, the Board thought it very important to pick appropriate members for the Charter Revision Commission. If the Board were to begin the process this evening of passing a resolution, there would only be four weeks to put the Commission together.

Chair Nakian added that this matter was discussed in Committee, and the Committee felt a great obligation to adhere to the mandates of the Charter, even when it places the Board in a difficult position. But, it also felt that the process of Charter Revision was so important that the Board should give it all the time it takes to appoint an appropriate commission and give it a charge, which reflects the items in the Charter which the Board feels should be reviewed. Chair Nakian stated that she recommends that the Board this evening not approve the resolution, but that the President appoint a Committee of the Board to begin the process of interviewing people. Over the next several months, the Board will initiate the process of charter revision and empanel a charter revision commission.

Chair Nakian stated that the Board will not be following the letter of the law in the Charter.

Rep. Skigen stated that the Home Rule law does provide that the Board has to initiate the commission with a two-thirds vote of the Body. He feels that it would be an incredible dereliction of the Board's duty if the Board actually voted to set this Commission up because tomorrow the Board would have to start advertising for people who would be interested in serving on Charter Revision, review the applications, interview the candidates, select the members, come up with a charge and a time table – all within the next 27 days.

Rep. Skigen stated that the last time, the Commission was named in April of 1994, it was not until August when the Commission was established. Rep. Skigen urged all members to vote no on this item.

Rep. Lyons motioned to move the question. The item was defeated by a machine vote of 1-32-0 (Rep. Blackwell opposed).

3. LR26.004 REVIEW; of disposition of Daum et al v. City of **REPORT**
Stamford and other pending litigation against the City. **MADE**
01/08/02 – Submitted by President Martin
01/23/02 – Report Made (executive session)

Chair Nakian reported that this item was taken up in executive session.

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

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Co-Chair
(Committee Report)
(Attendance)
Sanchia Spadow, Co-Chair
Meeting: Wednesday, January 30, 2002
7:00 p.m. – Democratic Caucus Room

Co-Chair Fedeli reported that the Personnel Committee met on Wednesday, January 30, 2002. Present were Committee Member Reps. Boccuzzi, Browne, Cannady, Fedeli, Figueroa, Loglisci, McCullen and Skigen.

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| 1. P26.006 | APPROVAL; of 2002 Early Retirement Plan.
01/07/02 – Submitted by Mayor Dannel P. Malloy
02/14/02 – To be considered by Board of Finance
01/30/02 – Held in Committee | HELD IN
COMMITTEE |
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Co-Chair Fedeli stated that the city workers are eligible to accept this up to February 22, 2002. Two unions, the UAW and 1199 have not yet accepted the plan, and this will affect the number who take the offer. Mr. Stover asked the Committee to hold the item for one month pending the final numbers.

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| 2. P26.005 | PROPOSED ORDINANCE; <u>for public hearing and final adoption</u> ; concerning residency points for the 2002 entry level firefighter written examination.
12/07/01 – Submitted by Fire Chief Robert McGrath
01/02/02 – Committee approved 7-1-1 (pub)
01/30/01 – Committee approved 7-1-0 (final adopt.) | APPROVED BY
<u>MACHINE</u>
<u>VOTE (32-1-2)</u> |
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Co-Chair Fedeli reported that a public hearing was held, and no members of the public attended. This ordinance will give five extra points to a passing grade to those who reside in Stamford. This ordinance is only good for this year's test.

Upon motion duly made, Item No. 2 was approved by machine vote (32-1-2); Rep. Skigen opposed; Reps. McDermott and O'Neill abstaining.

LAND USE/URBAN REDEVELOPMENT COMMITTEE:
(Committee Report)
Harry Day, Co-Chair
Patrick J. White, Co-Chair
Meeting: Monday, January 28, 2002
7:30 p.m. – Republican Caucus Room

Co-Chair Day reported that the Land Use/Urban Redevelopment Committee met on Monday,

January 28, 2002. Present were Committee Member Reps. Day, Benyus, Biancardi, Boccuzzi, Loglisci, Mitchell, Nakian, Spandow and Summerville. Co-Chair White was excused. Also present were Dena Diorio and Joyce Sun from the Office of Policy & Management; Director of Operations Tim Curtin; Norman Cole and Cynthia Barber from Land Use; and David Emerson from the Environmental Protection Board.

1. LU26.002 REVIEW; of proposed fees for Planning Division activities.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Committee approved public hearing 8-0-1 **REPORT MADE**

2. LU26.003 REVIEW; of proposed fees for Zoning Enforcement activities.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Committee approved public hearing 8-0-1 **REPORT MADE**

3. LU26.004 REVIEW; of proposed fees for Zoning Department activities.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Committee approved public hearing 8-0-1 **REPORT MADE**

4. LU26.005 REVIEW; of proposed fees for Zoning Board of Appeals functions.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Committee approved public hearing 8-0-1 **REPORT MADE**

5. LU26.006 REVIEW; of proposed fees for Environmental Protection Board functions.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Held in Committee **REPORT MADE**

6. LU26.007 REVIEW; of proposed fees for GIS functions, including zoning, ortho and tax maps; digital data; and shipping charges.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/28/02 – Committee approved public hearing 8-0-1 **REPORT MADE**

Co-Chair Day reported that the Committee reviewed various categories of proposed land use fee increases. Ms. Diorio submitted a schedule with respect to each category that set forth the current fee rate, the current year revenue projection, the proposed fee, the proposed yearly revenue; comparisons with neighboring towns and the last known date the fee was increased.

2. O26.002 REVIEW; of status of removal of illegally reconstructed sidewalk at 116 West Broad Street and illegally reconstructed stairway railing at 424 Washington Boulevard. **REPORT MADE**
01/09/02 – Submitted by Rep. DeLuca
01/23/02 – Report Made

Chair Owens reported that this matter was discussed, and a written report was provided to each representative.

3. O26.003 REVIEW; of matter of installation of parking meters on Paul's Place. **REPORT MADE**
01/09/02 – Submitted by Rep. DeLuca
01/23/02 – Report Made

Chair Owens reported that Corporation Counsel came to the Committee and advised that the Board really did not have any jurisdiction regarding the opposite side of the street, so this matter has been resolved.

4. O26.004 REVIEW; of proposed solid waste fees, including bulky waste, municipal solid waste and freon disposal fees. **HELD IN COMMITTEE**
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/23/02 – Held in Committee 5-3-0

5. O26.005 REVIEW; of proposed fees for Engineering functions, including street opening permit, street use permit, and new and renewal of traffic control training. **HELD IN COMMITTEE**
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/23/02 – Held in Committee 5-3-0

6. O26.006 REVIEW; of capital projects tracking system. **REPORT MADE**
01/10/02 – Submitted by Rep. O'Neill
01/23/02 – Report Made

Chair Owens reported that Item No. 6 will remain on the agenda for several months.

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

PUBLIC SAFETY & HEALTH COMMITTEE: Alice C. Fortunato, Chair

(Committee Report)
(Attendance)

Richard Lyons II, Vice Chair
Meeting: Wed., January 30, 2002
7:30 p.m. – Democratic Caucus Room

Vice Chair Lyons reported that the Public Safety & Health Committee met on Wednesday, January 30, 2002. There was no quorum, and present were Committee Member Reps. Lyons, Biancardi, DeLuca, Mirkin and Blackwell. Also present was Rep. Coppola. Excused were Reps. O'Neill, Fortunato, DePina and Kernan.

Vice Chair Lyons reported that the Committee reviewed the items, and a report has been provided to all representatives.

1. PS26.002 REVIEW; of use of defibrillators by Stamford Police Department.
12/06/01 – Submitted by Rep. DeLuca
01/30/02 – No quorum/Report Made **NO ACTION TAKEN**

2. PS26.003 REVIEW; of proposed Fire Department fees for false alarm fines and establishing new fees for alarm registration and late payment penalties, false alarms and registrations.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/30/02 – No Quorum/Report Made **NO ACTION TAKEN**

3. PS26.004 REVIEW; of state and local regulations regarding health spas.
01/10/02 – Submitted by Rep. Biancardi
01/30/02 – No Quorum/Report Made **NO ACTION TAKEN**

4. PS26.005 REVIEW; of status of community policing on the West Side.
01/10/02 – Submitted by Rep. Biancardi
01/30/02 – No Quorum/Report Made **NO ACTION TAKEN**

Chair Lyons stated that Item Nos. 1 and 4 will remain on the Steering Agenda.

Rep. Zelinsky stated that the Public Safety & Health Committee will be arranging a Saturday morning CPR training for representatives. Mr. Lyons advised that the date will be set some time in the next few weeks. Mr. Lyons stated that Dr. Turnbull of Stamford Hospital offered this in order for Stamford to become a Heart Healthy City, such as the model in Seattle.

PARKS & RECREATION COMMITTEE: Philip J. Giordano, Co-Chair

(Attendance)

Donald B. Sherer, Co-Chair

Meeting: Thursday, January 31, 2002

7:00 p.m. – Democratic Caucus Room

Co-Chair Sherer reported that the Parks & Recreation Committee met on Thursday, January 31, 2002. Present were Committee Member Reps. Sherer, Cannady, Coppola, Fedeli, Imbrogno, Lyons, McDermott and White. Also in attendance were Reps. DeLuca and Owens.

Co-Chair Sherer stated that the Committee met on seven items concerning an extensive list of fees. The Parks & Recreation Commission had been invited, and they will attend the public hearing.

Co-Chair Sherer stated the Committee voted to hold the items in Committee for the purpose of holding a public hearing on all of the items; no votes were taken in Committee on Item Nos. 1 through 7.

1. PR26.006 REVIEW; proposed fees and policy changes for picnic and park permit fees including: weekday and weekend picnic permits; weekend and weekday picnic permits at Cove Island; for profit park use and non-profit park use.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee **HELD IN COMMITTEE**

2. PR26.007 REVIEW; proposed fees and policy changes for miscellaneous fines and fees including: bandwagon use; solicitor permit; vendor, 1-day vendor and park vending permits; film/video permit; special events charges and rental fees; shellfish and senior shellfish licenses.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee **HELD IN COMMITTEE**

3. PR26.008 REVIEW; proposed fees and policy changes for beach pass fees, beach parking fees and establishing a 1 day vehicle access permit and a non-resident Cummings Beach permit.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee **HELD IN COMMITTEE**

4. PR26.009 REVIEW; proposed fees and policy changes for a marina fee for non-resident slip rental (after June 1). **HELD IN COMMITTEE**

01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee

- | | | |
|------------|--|------------------------------|
| 5 PR26.010 | REVIEW; proposed fees and policy changes for recreation program fees.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee | HELD IN
COMMITTEE |
| 6 PR26.011 | REVIEW; proposed fees and policy changes for self-sustaining program fees for parks & recreation programs.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee | HELD IN
COMMITTEE |
| 7 PR26.012 | REVIEW; proposed fees for various uses at Terry Connors Ice Rink.
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/31/02 – Held in Committee | HELD IN
COMMITTEE |
| 8 PR26.013 | PROPOSED ORDINANCE; <u>for publication</u> ;
amending Chapter 175, Section 175-8 regarding water skiing restrictions.
01/10/02 – Submitted by Rep. Lyons
01/31/02 – Held in Committee | HELD IN
COMMITTEE |

Co-Chair Sherer stated that Item No. 8 was also held pending receipt of additional information.

EDUCATION COMMITTEE: **Thomas Hunter, Co-Chair**
[\(Attendance\)](#) **Brian O’Neill, Co-Chair**
Meeting: Tuesday, January 22, 2002
7:00 p.m. – Republican Caucus Room

Co-Chair Hunter reported that the Education Committee did not have a quorum at its meeting.

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|------------|---|----------------------------|
| 1. E26.002 | REVIEW; of progress of auditorium at Scofield Magnet Middle School.
01/08/02 – Submitted by President Martin
01/22/02 – No quorum | NO ACTION
TAKEN |
|------------|---|----------------------------|

2. E26.003 REVIEW; of policies and practices regarding the **NO ACTION**
teaching of world religions in public schools. **TAKEN**
01/10/02 – Submitted by Rep. Biancardi
01/22/02 – No quorum

STATE AND COMMERCE COMMITTEE: Jim Shapiro, Chair

John Morrow, Vice Chair

Meeting: Tuesday, January 29, 2002

7:30 p.m. – Democratic Caucus Room

Chair Shapiro reported that the State & Commerce Committee meeting was cancelled.

1. SC26.002 REVIEW; of the effects of the 2002 State Budget on **NO ACTION**
Stamford Services, including without limitation **TAKEN**
Education, Social Services, Transportation and the
Environment
01/07/02 – Submitted by Rep. Shapiro
01/29/02 – No meeting held

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

[Attendance](#)

Elaine Mitchell, Chair

Meeting: Tuesday, January 29, 2002

5:30 p.m. – Legislative Chambers

- and – Meeting: Tuesday, January 22, 2002

6:30 p.m. – Conference Room #1

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met on Tuesday, January 29, 2002 and on Tuesday, January 22, 2002.

Chair Mitchell stated that on Wednesday, the subcommittees will begin working on the budget; at 9:30 on Saturday morning the budget process will begin. The matter is now held.

1. HCD26.03 APPROVAL; of allocation for the Year 28 (2002- **HELD IN**
2003) Community Development Block Grant. **COMMITTEE**
12/06/01 – Submitted by Tim Beeble
01/29/02 – Held in Committee

TRANSPORTATION COMMITTEE: Robert “Gabe” DeLuca, Chair

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

John R. Zelinsky, Jr., Vice Chair
Meeting: Thursday, January 24, 2002
7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on January 24, 2002. Present were Committee Member Reps. DeLuca, Zelinsky, Mirkin, Blackwell and Giordano. Also present were Tim Curtin and Dan Colleluori of Operations; Tom Hamilton, Dena Diorio and Joyce Sun of Administration; Tom Mullin of the Legal Affairs Department and Rep. Loglisci.

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|----------------------------|--|---|
| 1. T26.001 | PROPOSED ORDINANCE; <u>for final adoption & PUBLIC HEARING</u> ; amending Chapter 231-8 of the Code of Ordinances regarding towing of vehicles.
12/05/01 – Submitted by Rep. DeLuca
01/07/02 – Approved for publication
01/24/02 – Committee approved 5-0-0 | APPROVED
BY
<u>MACHINE
VOTE</u>
(29-6-0) |
|----------------------------|--|---|

Chair DeLuca stated that the people affected by the ordinance will receive ample notice prior to their vehicle being sold. The ordinance is in accordance with state statutes and DMV regulations. The Committee believes that the ordinance should be approved by the full Board.

Rep. Skigen stated that he does not disagree with the goals of the ordinance but believes there are problems with the manner in which it will be implemented. Primarily, the tower and the storage facility will receive their funds before the City receives any money for its tickets. The provisions of Section 14-150 provide that at any public auction held pursuant to this subsection, the garage owner may set a minimum bid equal to the amount of the owners charges and obligations with respect to the tow and storage of the vehicle; therefore the minimum bid on this covers the garage owner and tower but does not cover the City. It also provides that if no such bid is made, the owner can sell or dispose of such vehicle, and again the City would not see any proceeds from that. Rep. Skigen stated that the Mayor has indicated he is willing to let members of the Board sit on the RFP Committee that will take bids for the towing and storage, and Rep. Skigen urged the committee members to do whatever is possible in order to protect the City's interests.

Rep. Loglisci stated that the City will come out ahead when people start seeing cars getting towed, they will start paying the tickets. He feels that very few cars will be towed or sold at auction.

Rep. Lyons stated that several towing companies have had long-running zoning disputes and occupancy-type uses of their buildings, and he asked that the RFP committee only select towing companies that do not have pending land use violations.

Upon motion duly made, Item No.T26.001 was approved by a machine vote of 29-6-0 (Reps. Cannady, McCullen, Mitchell, Owens, Shapiro and Skigen opposed.

2. T26.002 REVIEW; of proposed fees for parking ticket late fees, parking meter fees and parking permits. **REPORT MADE**
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/24/02 – Committee approved 5-0-0

Chair DeLuca moved to suspend the rules to split Item No. T26.002 into two ordinances. Said motion was seconded and approved by unanimous voice vote.

- 2A. [T26.005](#) PROPOSED ORDINANCE; for publication; **APPROVED BY UNANIMOUS VOICE VOTE**
amending Chapter 231, Section 7, Subsection C of the Code of Ordinances to provide for new fines for delinquent parking citations.
01/24/02 – Submitted by Transportation Committee
01/24/02 – Committee approved 5-0-0

- 2B. [T26.006](#) PROPOSED ORDINANCE; for publication; **APPROVED BY UNANIMOUS VOICE VOTE**
amending Chapter 231, Section 43 of the Code of Ordinances to provide for new residential parking permit fees.
01/24/02 – Submitted by Transportation Committee
01/24/02 – Committee approved 5-0-0

3. T26.003 REVIEW; of proposed fees for parking garages. **REPORT MADE**
01/10/02 – Submitted by Mayor Dannel P. Malloy
01/24/02 – Committee approved 5-0-0

Chair DeLuca moved to suspend the rules to take up a resolution that originated as a result of the review of Item No. T26.003; said motion was seconded and approved by a [machine vote](#) of 31-2-0 (Reps. O'Neill and Owens opposed).

- 3A. [T26.007](#) RESOLUTION; for publication; ; increasing and/or revising parking garage fees. **APPROVED BY UNANIMOUS VOICE VOTE**
01/24/02 – Submitted by Mayor Dannel P. Malloy
01/24/02 – Committee approved 5-0-0

4. [T26.004](#) RESOLUTION-~~APPROVAL~~; of lease agreement with ProPark, Inc. for parking facilities at Tresser Boulevard and Bell Street owned by St. John's Roman Catholic Church; term of lease: 1/1/02 through 12/31/02; amount of lease: \$3,500 per **APPROVED BY UNANIMOUS VOICE VOTE**

month).

01/10/02 – Submitted by Mayor Dannel P. Malloy

01/24/02 – Committee approved 5-0-0

Chair DeLuca moved Item No. 4. Rep. Nakian stated that the Board needs to approve leases by resolution. Rep. Lyons read a resolution into the record; said resolution is attached hereto and made a part hereof.

RESOLUTIONS

MINUTES

1. [January 7, 2001 Regular Board Meeting](#)

**APPROVED BY
UNANIMOUS
VOICE VOTE
(with corrections)**

COMMUNICATIONS

1. President Martin announced that the Charter Review Committee will be co-chaired by Reps. DeLuca and Nakian. The Committee will consist of 9-11 members, and he asked that any representatives interested in serving contact him.
2. President Martin announced the following committee changes:
 - a. Rep. Clear will serve on Appointments, Public Health & Safety and Parks & Recreation.
 - b. Rep. Lyons will serve as Chair of Public Health & Safety.
 - c. Rep. Lyons will replace Rep. Fortunato as Teller.
 - d. Rep. Shapiro is no longer on the Education Committee.
 - e. Rep. Giordano is no longer on Parks & Recreation Committee.
 - f. Rep. Giordano will serve as Sergeant-at-Arms
 - g. Linda Cannady will serve as Co-Chair of Parks & Recreation.

3. President Martin announced that he is serving on the Pension Board as well as the Anti-Blight Committee.
4. President Martin announced that there is now an opening for the President of the Board or designee to serve on the School Building Committee. Suggestions for candidates to serve on that Board should be brought to the President's attention.
5. President Martin announced that the Committees have selected regular meeting nights, and this information is available on the web site.
6. President Martin announced that within the next thirty days there will be an official board letterhead. This will be available in electronic format, in color, and can be personalized. There will be generic stationery, not in color, available in the board office. In addition, business cards will be provided by the Board Office, and a form was distributed requesting information.
7. President Martin announced that the voting form and the attendance forms are being provided at each meeting, and chairs, co-chairs and/or vice chairs are responsible for ensuring that these forms are completed and returned to the Board Office.
8. President Martin announced that public web access computer terminals will be provided in both caucus rooms. This will allow access to the board web site, state statutes, code and charter.
9. Clerk of the Board Summerville stated that co-chairs have to keep each other apprised as to the actions of the committee.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:28 p.m.