



Operations Committee - Board of Representatives

Joseph Coppola, Jr., Chair

John Zelinsky, Jr., Vice Chair

Committee Report

Date: Tuesday, August 30, 2016

Time: 7:00 p.m.

Place: Democratic Caucus Room, 4th Floor, Government Center, 888 Washington Boulevard

The Operations Committee met as indicated above. In attendance were Chair Coppola, Vice-Chair Zelinsky and Committee Member Reps. Adams, Liebson, Mahoney and McMullen. Absent or excused were Committee Member Reps. Coleman and Giraldo. Also present were Rep. Ryan; Jeff Pardo, Engineering; Mike Pensiero, IT; and Burt Rosenberg, Law Department.

Chair Coppola called the meeting to order at 7:02 p.m.

Item No.	Description	Committee Action
¹ 1. O29.073	APPROVAL; Agreement with Frontier Communications of America, Inc. for BOE/City Communications, Installation and Maintenance Services. 08/01/16 – Submitted by Mayor Martin 08/11/16 – Approved by Board of Finance	Committee Approved 5-0-1

Mr. Pensiero stated this is a standard contract for local connection with the local telephone company. This contract is the Board of Education and City of Stamford Contract. The Board of Education goes through a rigorous E-Rate Program early in the year to get reimbursed up to 80% of their cost for telecommunication services. Frontier did give the City of Stamford the same negotiated rate given to the Board of Education.

A motion to approve this item was made, seconded and approved by a vote of 5-0-1. (Coppola, Zelinsky, Adams, Liebson and Mahoney in favor; McMullen abstained.)

² 2. O29.074	APPROVAL; Agreement with BVH Integrated Services, P.C., for Phase II Commissioning Services for City of Stamford Police Headquarters. 08/02/16 – Submitted by Mayor Martin 08/11/16 – Approved by Board of Finance	Committee Approved 6-0-0
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Mr. Pardo stated that Commissioning Services is a service provided by professional engineers that owners hire to evaluate design and contract documents; make comments for approval; inspect construction while being built; and upon completion they do a point by point inspection. The total fee is \$175,000.00.

A motion to approve this item was made, seconded and approved by a vote of 6-0-0. (Coppola, Zelinsky, Adams, Liebson, Mahoney and McMullen in favor.)

- ³3. [O29.072](#) ORDINANCE for publication; Amendment of Chapter 200, Sewers, Section 200-33, Regarding the Responsibility for the Maintenance and Repair of Sewer Laterals within the City Right of Way. 07/25/16 – Submitted by Director Handler **Committee Approved 5-1-0**

Mr. Brink said this is to formalize their long standing policy that building laterals maintenance and repairs are the residents responsibility. He stated the WPCA agreed to reimburse property owners an amount not to exceed \$5,000.00 for costs incurred restoring the roadway, sidewalk, or curb within the City right of way.

A motion to approve this item was made, seconded and approved by a vote of 5-1-0. (Coppola, Zelinsky, Adams, Liebson and Mahoney in favor; McMullen opposed.)

- ⁴4. [O29.069](#) ORDINANCE for publication; Amendment of Section 214-19 of the Code of Ordinances to Increase the permit fee and decrease the time period for such permit. 06/0816 – Submitted by Rep. Zelinsky **Item Held 6-0-0**

The Committee discussed the revised [ordinance](#) received from the law department on August 30, 2016.

Mr. Rosenberg stated the current language talks about obstructions of sidewalks and does not address the issues of closures. That is the language added in Sec. 214-14 and 214-19.

Chair Coppola stated his opposition to include section H which says;

H. The Mayor may at any time propose adjustments of the amount of the fees set forth herein up to the maximum amount provided herein as follows: The maximum adjustment of any fee shall be no more than the Consumer Price Index for Northeast Urban Consumers prepared by the United States Department of Labor, Bureau of Labor Statistics, using July 1, 2016 as the base period. The Board of Representatives shall be informed of any such adjustment at least sixty (60) days prior to the adjustment

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⁴ Video Time Stamp 01:00:50

going into effect. This provision shall not restrict the Board of Representative, at any time by ordinance, from changing any fees described herein, nor shall it restrict the Mayor, at any time, from proposing to the Board of Representatives other fees than provided herein.

A motion to eliminate 214-19 (H) was made, seconded and approved by a vote of 6-0-0. (Coppola, Zelinsky, Adams, Liebson, Mahoney and McMullen in favor.)

Rep. Ryan pointed out typographical errors that Mr. Rosenberg stated he would correct.

A motion to hold this item was made, seconded and approved by a vote of 6-0-0. (Coppola, Zelinsky, Adams, Liebson, Mahoney and McMullen in favor.)

5. [O29.053](#) ORDINANCE for final adoption; Amendment [of §214-29 of the Code of Ordinances](#); Excavation Permit Required. **Item Held 6-0-0**
11/05/15 – Submitted by Mayor Martin
11/24/15 – Approved by Committee for publication
12/07/15 – Returned to Committee at Board meeting
12/21/15 – Approved by Committee for publication, as amended
01/28/15 – Public Hearing Held and Held in Committee
02/23/16 – Held in Committee
03/30/16 – Held in Committee

A motion to hold this item was made, seconded and approved by a vote of 6-0-0. (Coppola, Zelinsky, Adams, Liebson, Mahoney and McMullen in favor.)

6. O29.068 ORDINANCE for publication; Amendment of [Chapter 214, Article II of the Code of Ordinances](#), Encroachments and Excavations, to require any person or entity opening streets and digging more than three trenches to repave the street rather than require the City to do the repaving. **Item Failed 2-3-1**
05/04/16 – Submitted by Rep. Zelinsky
05/19/16 – Held in Committee

Rep. Zelinsky states this is a simply change and said if a utility company digs up more than three trenches on a street they should be responsible for repaving the entire street. Also, the City should not have to come in years later to repave the street and he is against holding this item.

A motion to hold this item was made, seconded and failed by a vote of 3-3-0. (Coppola, Mahoney and McMullen in favor; Adams, Zelinsky and Liebson opposed)

Chair Coppola has reservations about this item. He agrees with the patchwork being done properly but to have to repave an entire street is too much.

Mr. Rosenberg stated most of the trench repairs are conducted by utility companies and the city is subject to oversight by the PURA (Public Utilities Regulatory Authorities). If an ordinance of this nature is passed then likely the utility companies will file a complaint with PURA and they will let the city know they have no authority to require utilities to repave entire streets. These are regulations that are preempted by state law and within the sole district of PURA.

A motion to approve this item was made, seconded and failed by a vote of 2-3-1. (Zelinsky and Liebson in favor; Coppola, Mahoney and McMullen opposed and Adams abstained.)

7. O29.071	REVIEW; Road Conditions, Maintenance and Repairs in the City of Stamford. 07/14/16 – Submitted by Reps. Caterbone and Zelinsky	Item Held 6-0-0
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Chair Coppola adjourned the meeting at 8:45 p.m.

Respectfully submitted,
Joe Coppola, Chair

This meeting is on [Video](#).