

The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held Monday, October 7, 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

INVOCATION: Led by Rep. Clear.

“Heavenly Father, we would serve you with righteousness, and then serve our fellow men and women with honor and integrity. Guide our deliberations; strengthen us when we are right; forgive us when we are wrong. May all of our actions be to thy greater glory as we address our duties in thy holy name. Amen.”

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

ROLL CALL: Led by Clerk of the Board Annie M. Summerville. There were thirty-two members present and eight absent-excused. Excused were Reps. Benyus, Biancardi, Cannady, Crowley, Esposito (who arrived later during the meeting), Nakian, O’Neill and Owens.

MACHINE TEST VOTE: The machine appeared to be in good working order.

MOMENTS OF SILENCE: For the late:

Terrance Corley, by Rep. DePina; Lucy D. DeMaio, Luigi Vitti, James J. Baldassare, Christina M. Pistininzi, Harry Mugmon, Msgr. Norman A. Methe, Nettie D. Ferrara, Maria Masone and Lena S. Bevino, by Reps. Loglisci and Zelinsky; Richard L. Polotaye, Joan A. Vitti and Lena T. Rutigliano by Rep. Loglisci; Joseph J. Franchina and Rosa Dolcetti, by Reps. Giordano, Loglisci and Zelinsky; Joseph M. Vitti by Reps. Giordano and Zelinsky; Susan D. W. Truitt, by Reps. Summerville, Zelinsky and Giordano; Steven D. Pagano, by Reps. Loglisci, Boccuzzi, Fedeli and Zelinsky and John C. Sabini, Sr. by the 26th Board of Representatives.

PAGES:

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, September 9, 2002
(Report) 7:00 p.m. – Democratic Caucus Room

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

APPOINTMENTS COMMITTEE: **Paul A. Esposito, Chair**
(Attendance) **Annie M. Summerville, Vice Chair**
(Votes) Meeting: Tuesday, October 1, 2002
7:00 p.m. – Democratic Caucus Room

Clerk of the Board Summerville reported that the Appointments Committee met on Tuesday, October 1, 2002. Present were Committee Member Reps. Summerville, Blackwell, Boccuzzi, Clear, Coppola, Esposito, Fahan, Kernan, Mirkin and Morrow; Rep. DePina was absent.

1. A26.063 Golf Authority **APPROVED**
Patricia McGrath Reappointment **ON CONSENT**
99 Unity Road (Term Exp. 01/01/02) **AGENDA**
Stamford, CT 06905
09/05/02 – Submitted by Mayor Dannel P. Malloy
10/01/02 – Committee approved 10-0-0

2. A26.064 Director of Legal Affairs **APPROVED**
Thomas Cassone Repl. McDonald **ON CONSENT**
81 Fernwood Drive **AGENDA**
Stamford, CT 06903
09/09/02 – Submitted by Mayor Dannel P. Malloy
10/01/02 – Committee approved 10-0-0

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 and 2, was approved by voice vote (Rep. DeLeo abstaining on Item No. 2).

FISCAL COMMITTEE: **Randall Skigen, Chair**
(Attendance) **Vacant, Vice Chair**
(Votes) Meeting: Monday, September 30, 2002
7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on September 30, 2002. Present were Committee Member Reps. Cannady, Fedeli, DeLuca, Giordano, Hunter, Loglisci, Sherer and Skigen; excused were Reps. Figueroa and Lyons.

1. [F26.135](#) ADDITIONAL APPROPRIATION (Capital Budget); Trees & Shrubs; America the Beautiful; replacement of trees lost due to disease, storms and environmental reasons.
\$3,000.00

09/04/02 – Submitted by Mayor Dannel P. Malloy
09/10/02 – Approved by Planning Board
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 7-0-0

**APPROVED
ON CONSENT
AGENDA**

2. [F26.128](#) ADDITIONAL APPROPRIATION (Grants Budget); Fire & Rescue; Education & Training; to appropriate grant funds to acquire CPR training mannequins and a Mass Casualty Training Kit.
\$3,695.00

09/04/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 7-0-0

**APPROVED
ON CONSENT
AGENDA**

3. [F26.129](#) ADDITIONAL APPROPRIATION (Operating Budget); City Contributions to Grant Funds; Other Grants; to appropriate funds for training equipment that meets current infection control and decontamination guidelines.
\$1,109.00

09/04/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 8-0-0

**APPROVED
ON CONSENT
AGENDA**

4. [F26.130](#) ADDITIONAL APPROPRIATION (Capital Budget); Stamford Fire & Rescue; Apparatus Replacement; purchase of a pumper to replace a 1988 Mack that is no longer suitable for front-line service.
\$240,000.00

08/20/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/10/02 – Approved by Planning Board
09/30/02 – Committee Approved 8-0-0

**APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Public Safety & Health

Concur

5. [F26.136](#) FUNDING RESOLUTION (formerly Exhibit A) in Connecticut with F26.130 above - \$240,000.00 for Stamford Fire & Rescue Apparatus Replacement. 08/20/02 – Submitted by Mayor Dannel P. Malloy
09/30/02 – Committee Approved 8-0-0 **APPROVED ON CONSENT AGENDA**
6. [F26.127](#) \$136,000.00 ADDITIONAL APPROPRIATION (Operating Budget); EG Brennan Golf Course; Capital Outlay – Land & Improvements; for planned improvements and acquisition of various goods and services. 08/28/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance **NO ACTION TAKEN**

Secondary Committee: Parks & Recreation

No Report

Chair Skigen reported that this item is actually a summary of Item Nos. 7 through 10; therefore, the Committee did not take the item up.

7. [F26.131](#) \$80,000.00 ADDITIONAL APPROPRIATION (Operating Budget); E.G. Brennan Golf Course; Capital Outlay; Land & Improvements; to construct 4 cart paths, tee construction, wiring from pump house to pond and installation of granite yardage markers.. 09/03/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 8-0-0 **APPROVED ON CONSENT AGENDA**

Secondary Committee: Parks & Recreation

Waived

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

8. [F26.132](#) \$20,000.00 ADDITIONAL APPROPRIATION (Operating Budget); E.G. Brennan Golf Course; Grounds Maintenance; to fund repair of fencing at 1st hole and design services for bunker reconstruction. 09/03/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 8-0-0 **APPROVED ON CONSENT AGENDA**

Secondary Committee: Parks & Recreation

Waived

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

9. [F26.133](#) \$10,000.00 ADDITIONAL APPROPRIATION (Operating Budget); E.G. Brennan Golf Course; Non Capital Computer Equipment; to purchase a computer and software.
09/03/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 8-0-0
- APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Parks & Recreation

Waived

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

10. [F26.134](#) \$26,000.00 ADDITIONAL APPROPRIATION (Operating Budget); E.G. Brennan Golf Course; Capital Outlay; Equipment; to purchase a sprayer and aerator.
09/03/02 – Submitted by Mayor Dannel P. Malloy
09/12/02 – Approved by Board of Finance
09/30/02 – Committee Approved 8-0-0
- APPROVED
ON CONSENT
AGENDA**

Secondary Committee: Parks & Recreation

Waived

A motion to waive the secondary committee report was made and seconded; said motion was approved by unanimous voice vote.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1-5, 7-10, was approved by unanimous voice vote.

Chair Skigen stated he expresses his dismay at the loss of Mr. Owens as Vice Chair of the Committee. Mr. Owens was a tremendous Vice Chair and was very helpful during the budget process. Chair Skigen stated he is confident the entire Committee will also miss Mr. Owens.

Rep. Mirkin stated that he was also in attendance at the Fiscal Committee.

LEGISLATIVE & RULES COMMITTEE: **Maria C. Nakian, Chair**
[\(Report\)](#) **Jim Shapiro, Vice Chair**
[\(Attendance\)](#) Meeting: Tuesday, September 17, 2002

(Votes)

7:00 p.m. – Democratic Caucus Room

Vice Chair Shapiro reported that the Legislative & Rules Committee met on Tuesday, September 17, 2002. Present were Committee Member Reps. Browne, Esposito, DeLuca, Fahan, Greenberg, Mitchell, Nakian, Shapiro and Zelinsky.

1. LR26.019 REVIEW; of providing additional property tax relief for veterans as a result of recent state legislation **REPORT MADE**
07/16/02 – Submitted by Reps. DeLuca and Zelinsky
08/19/02 – Held in Committee 8-0-0
09/03/02 – Held in Committee
09/17/02 – Report Made

Vice Chair Shapiro stated a report has been provided to all representatives on Item No. 1.

2. LR26.020 RESOLUTION & PUBLIC HEARING; concerning the purchase of the approximately 14.6 acres of unimproved land located on the west side of Riverbank Road and the north of the Merritt Parkway (Route 15). **APPROVED ON CONSENT AGENDA**
09/04/02 – Submitted by Sybil Richards
09/10/02 – Approved by Planning Board
09/12/02 – Approved by Board of Finance
09/17/02 – Committee Approved 7-0-0

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 2, was approved by unanimous voice vote.

**PERSONNEL COMMITTEE: Sanchia Spandow, Co-Chair
Mary Lisa Fedeli, Co-Chair**

No Report.

LAND USE/URBAN REDEVELOPMENT COMMITTEE:

(Report)

**Patrick J. White, Co-Chair
Harry Day, Co-Chair**
~~Meeting: Monday, Sept. 30, 2002~~
Wednesday, October 2, 2002
7:30 p.m. – Republican Caucus Room

Co-Chair Day reported that the Land Use/.Urban Redevelopment Committee met on Wednesday, October 2, 2002. Present were Committee Member Reps. White, Day,

Biancardi, Loglisci, Mitchell, Shapiro and Summerville. Also present was Rep. DeLuca. Rep. Boccuzzi, Nakian and Spandow were excused.

1. LU26.023 REVIEW; of enforcement of and possible amendment to Chapter 248-Zoning-Article I-Sec. 248-3 Fines. **HELD IN COMMITTEE**
09/03/02 – Submitted by Reps. Mirkin and Deluca

2. LU26.022 REVIEW; of regulations concerning gas stations and used car lots. **HELD IN COMMITTEE**
06/05/02 – Submitted by Rep. Lyons
08/12/02 – Placed on Pending Agenda

Co-Chair Day stated that none of the invitees of the City appeared, so both items were held.

OPERATIONS COMMITTEE: **Vacant, Chair**
(Attendance) **Anthony Imbrogno, Vice Chair**
(Votes) Meeting: Wednesday, September 25, 2002
7:00 p.m. – Democratic Caucus Room

Vice Chair Imbrogno reported that the Operations Committee met on September 25, 2002. Present were Committee Member Reps. Imbrogno, O'Neill, Zelinsky, McDermott, Hunter, Coppola and Owens. Rep. White was absent.

1. O26.022 ordinance PROPOSED ORDINANCE; for publication; **APPROVED ON CONSENT AGENDA**
amending Ordinance No. 988, Street Opening Permit Fees to set a new fee structure.
08/27/02 – Submitted by Law Department
09/25/02 – Committee Approved 7-0-0

2. O26.023 REVIEW; of issuance and monitoring of building permits. **HELD IN COMMITTEE**
09/03/02 – Submitted by Reps. Fedeli, Clear and Day
09/25/02 – Held in Committee

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

PUBLIC SAFETY & HEALTH COMMITTEE: **Richard Lyons II, Chair**
(Report) Meeting: Wednesday, October 2, 2002
(Votes) 7:30 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on Wednesday, October 2, 2002. Present were Committee Member Reps. Lyons, Biancardi, DeLeo, Blackwell, Clear, Coppola, DeLuca, Mirkin and Zelinsky. Reps. Kernan and DePina were absent.

1. [PS26.003](#) PROPOSED ORDINANCE; for final adoption & Public Hearing; proposed fee increases for false alarm fines and establishing new fees for alarm registration and late payment penalties. **APPROVED BY MACHINE VOTE (28-2-1)**
01/10/02 – Submitted by Mayor Dannel P. Malloy
04/01/02 – Approved for publication
05/06/02 – Held in Committee
05/30/02 – Held in Committee
06/27/02 – Committee approved 6-0 (as amended)
07/01/02 – Approved as amended
08/05/02 – Held in Committee
08/29/02 – Report Made
09/04/02 – Approved for republication
10/02/02 – Committee Approved 9-0-0 (as amended)

Chair Lyons stated that after a public hearing, the Committee amended the ordinance. Chair Lyons moved to amend the ordinance as follows: “The ordinance shall take effect upon enactment, except the alarm registration penalties and the procedures pertaining to state alarm registration regulations shall not take effect until January 1, 2003.” Said motion was seconded and approved by unanimous voice vote.

Chair Lyons moved the ordinance, as amended. Said motion was seconded and approved by a machine vote of 28-2-1. (See [Vote Record #320](#)).

2. [PS26.016](#) PROPOSED ORDINANCE; for publication; amending the Alarms Ordinance to specify departmental responsibilities for the registration program. **APPROVED ON CONSENT AGENDA**
09/05/02 – Submitted by President Martin
10/02/02 – Committee Approved 9-0-0 (as amended)
3. PS26.013 REVIEW; possibility of establishing an anti-blight ordinance that applies to commercial properties. **REPORT MADE**
08/23/02 – Submitted by Rep. DeLuca
10/02/02 – Report Made
4. PS26.014 REVIEW; of citywide Fire Department apparatus including inventory of equipment and planned **REPORT MADE**

replacement and upgrade schedules.
09/04/02 – Submitted by Rep. Lyons
10/02/02 – Report Made

5. PS26.015 REVIEW; West Nile Virus and status report on **REPORT**
 monitoring and trapping by Health Department. **MADE**
 09/04/02 – Submitted by Rep. Lyons
 10/02/02 – Report Made

Chair Lyons stated that a report on Item Nos. 3, 4 and 5 was provided to all representatives.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 2, was approved by unanimous voice vote.

PARKS & RECREATION

COMMITTEE:

(Attendance)

(Report)

Donald B. Sherer, Co-Chair

Linda Cannady, Co-Chair

Meeting: Tuesday, September 24, 2002

7:30 p.m. – Democratic Caucus Room

Chair Sherer reported that the Parks & Recreation Committee met on Tuesday, September 24, 2002. Present were Committee Member Reps. Cannady, Clear, Giordano, Imbrogno, McCullen, McDermott and White. Excused were Reps. Crowley, Fedeli and Lyons. Also in attendance was Rep. O'Neill.

1. PR26.030 REVIEW; of parks opening and closing hours. **REPORT**
 07/19/02 – Submitted by Mayor Dannel P. Malloy **MADE**
 03/26/02 - Approved by Parks & Rec Commission
 08/27/02 – Held in Committee 5-4-0
 09/04/02 – Held in Committee
 09/24/02 – Report Made
2. PR26.033 REVIEW; of Tournament Fee Policy for use of city **REPORT**
 park fields only. **MADE**
 07/19/02 – Submitted by Mayor Dannel P. Malloy
 04/30/02- Approved by Parks & Rec Commission
 08/27/01 – Committee Held 9-0-0
 09/04/02 – Held in Committee
 09/24/02 – Report Made

Co-Chair Sherer stated that a report on both items has been provided to all representatives.

EDUCATION COMMITTEE: **Thomas Hunter, Co-Chair**
 Brian O’Neill, Co-Chair
Meeting: Wednesday, September 18, 2002
7:00 p.m. – Democratic Caucus Room

Co-Chair Hunter reported that the Education Committee met on September 18, 2002. There was not a quorum, so no action was taken.

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| 1. E26.005 | REVIEW; Board of Education policies for leasing space in school buildings or on school property. 09/05/02 – Submitted by Rep. Hunter | HELD IN COMMITTEE |
| 2. E26.006 | REVIEW; of Stamford Public Schools organizational chart(s). 09/05/02 – Submitted by Rep. Hunter | HELD IN COMMITTEE |

STATE AND COMMERCE COMMITTEE: **Jim Shapiro, Chair**
 John Morrow, Vice Chair

No report.

**HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE:** **Elaine Mitchell, Chair**

No report.

TRANSPORTATION COMMITTEE: **Robert “Gabe” DeLuca, Chair**
(Attendance) **John R. Zelinsky, Jr., Vice Chair**
(Votes) Meeting: Thursday, September 19, 2002
(Report) 7:00 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on Thursday, September 19, 2002. Present were Committee Member Reps. DeLuca, Zelinsky, Giordano and Mirkin. Rep. Kernan was excused.

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| 1. T26.013 | REVIEW; of Section 231-6 of the Code of Ordinance, entitled Prohibited Stopping, Standing or Parking. 07/25/02 – Submitted by Rep. Zelinsky 08/22/02 – Held in Committee | HELD IN COMMITTEE |
|------------|--|------------------------------|

09/03/02 – Held in Committee
09/19/02 – Held in Committee

2. T26.015 REVIEW; of policies regarding weekend free parking **HELD IN
COMMITTEE**
at the Bell and Bedford Street garages.
08/28/02 – Submitted by Rep. DeLuca
09/19/02 – Committee approved 3-1

Rep. DeLuca stated the Committee voted 3-1 to reinstitute the policy of free parking. However, since it is a review item, the matter will be held for one month and will be submitted as a resolution.

Rep. DeLuca stated he hopes that Tim Curtin will heed the Board's concerns regarding this matter and reinstitute the policy prior to any vote taken next month.

3. T26.016 REVIEW; of intersection site line obstructions **REPORT
MADE**
(Adopt-A-Spot, signs, etc.)
09/06/02 – Submitted by Rep. O'Neill
09/19/02 – Report Made

Chair DeLuca stated that all problems will be corrected shortly.

4. T26.017 REVIEW; pedestrian crosswalk markings. **REPORT
MADE**
09/06/02 – Submitted by Rep. O'Neill
09/19/02 – Report Made

Chair DeLuca stated that a written report was provided to all representatives.

SPECIAL COMMITTEES

CHARTER COMMITTEE: Maria Nakian, Co-Chair
(Report) Robert "Gabe" DeLuca, Co-Chair
(Attendance) Meeting: Wed., September 18, 2002
(Votes) 7:00 p.m. – Republican Caucus Room

Co-Chair DeLuca reported that the Charter Committee met on Wednesday, September 18, 2002. Present were Committee Member Reps. DeLuca, Nakian, Summerville, Day and Benyus.

1. C26.001 RESOLUTION; establishing a Charter Review **REPORT
MADE**
Commission.
02/04/02 – Submitted by President Martin

06/17/02 – Held in Committee
07/01/02 – Held in Committee
08/12/02 – Placed on Pending Agenda
09/18/02 – Report Made

Co-Chair DeLuca stated that the Committee agreed to extend the date for acceptance of resumes to October 31, 2002. He added that posters have been put up around time encouraging people to apply.

Co-Chair DeLuca stated that a vote of 3-2 was taken that would provide for a 15 member commission, consisting of 6 Democrats, 5 Republicans and 4 unaffiliated. President Martin stated that there is no item on the agenda that would call for a vote.

Rep. Loglisci stated that since the Charter Committee is supposed to be non-political, there should be even numbers of democrats and republicans. He added that he believes it is against the spirit of what Charter Revision should be about to have uneven numbers.

SCHOOL BUDGET COMMITTEE:
(Attendance)

Randall Skigen, Chair
Meeting: Monday, September 9, 2002
8:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the School Budget Committee met on Monday, September 9, 2002. Present were Committee Member Reps. Skigen, Hunter, Fedeli, Loglisci and McCullen.

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| 1. SB26.001 | REVIEW; status of Board of Education Budget. 09/09/02 – Submitted by Rep. Skigen | REPORT MADE |
|-------------|---|------------------------|

Chair Skigen stated that this was an organizational meeting in order to establish the parameters of what the Committee wants to accomplish. No information was provided that evening. It is Chair Skigen's understanding that last week a budget summary was provided to the Board.

President Martin asked that the Fiscal Committee review the budget status of the Board of Education as well as the City budget at next month's meeting.

RESOLUTIONS

MINUTES

- | | | |
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| 1. | <u>September 9, 2002 Regular Board Meeting</u> | APPROVED BY UNANIMOUS |
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VOICE VOTE

Upon motion duly made and seconded and approved by unanimous voice vote, the minutes were approved.

COMMUNICATIONS

1. 1. President Martin reported that he had received resignations from Representative Bobby Owens and Representative Lisa Crowley.
2. 2. Rep. DeLuca announced that the Annual Holiday Party will be held at Café Morelli's on Sunday, December 1, 2002. The price is \$42 per person.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 9:37 p.m.