

*The Regular Meeting of the 27th Board of Representatives of the City of Stamford was held on **Monday, May 5, 2008** in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

MINUTES

President David Martin called the meeting to order at 9:00 p.m.

INVOCATION: Given by Rep. Blackwell

“Let us pray for this opportunity for allowing us to assemble tonight, for the grace given unto us, as we devote our time in servicing our community. We are proud to be city officials. As we communicate with ordinary citizens, grant us courage to continue as we go forward. This is my prayer. Amen.”

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

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were thirty-five members present and five members absent/excused (Reps. Larobina, Lyons, Molgano, Neary and White). Note: Rep. Lyons arrived after roll call.

VOTING MACHINE STATUS: The machine was in good working order.

MOMENTS OF SILENCE: For the late:

Frank Peter Loglisci and Ray Green by the 27th Board of Representatives; Gary D. Remling, by Reps. Coppola and Giordano; Jacquelyn King Patricelli and Yolanda F. Varricchio by Rep. Giordano; John J. Rose, Walter “Lou” Komsta and Louis Joseph Sabini by Reps. Giordano and Zelinsky; and Beverly J. Ryan, Guillermo Torres, Ralph R. Pope, Jr. and Mariano Socci by Rep. Zelinsky.

COMMUNICATIONS: President David R. Martin announced:

1. He and Randy Skigen have received subpoenas in a lawsuit against the City.
2. Ten members have petitioned to have an item placed on the Agenda – consideration of a three year phase-in of the 2007 revaluation. President

Martin has placed it on the Special Budget Meeting agenda scheduled for Tuesday, May 6, 2008.

3. Steering will be held on Tuesday, May 13, 2008.
4. June Rosenthal was named Citizen of the Year. The dinner is going to be held on May 14, 2008, and representatives can purchase tickets for \$50 by contacting the Board Office.
5. Phil Giordano will be honored as a veteran at the Citizen of the Year dinner.
6. Clerk Summerville was honored by Faith Tabernacle Missionary Baptist Church in April.
7. Majority Leader Boccuzzi is being honored by UNICO on June 4th. Tickets are \$35 each, and any member interested in attending should notify the Board Office.
8. The goal for the new website is to have it ready within one month.
9. The Land Use-Urban Redevelopment and State & Commerce Committees are considering the Harbor Point project, a major undertaking and a significant investment in Stamford's future.
10. Rep. White has been absent from a couple of meetings; he is at home recuperating.
11. Rep. Cannady is congratulated on her status as a new grandmother.
12. Birthday wishes are extended to Gloria DePina, Randy Skigen and Greg Lodato.
13. President Martin wished everyone a Happy Cinco de Mayo.
14. Caucuses will begin at 7:00 p.m. on Tuesday night for the Special Budget meeting.

Clerk Summerville stated:

1. The rent rebate program is underway and information has been forwarded to all members. For further information, members should contact Maria Mason at 977-4747.
2. Correspondence was received from Regency Towers and has been distributed to all members.

HONORARY RESOLUTIONS:

1. [Sense of the Board Resolution](#) congratulating the Yerwood Center on its 65th Anniversary.
04/07/08 – Submitted by the 27th Board **APPROVED BY UNANIMOUS VOICE VOTE**
2. [Sense of the Board Resolution](#) congratulating Lucille Holman on the May 16, 2008 celebration of her 100th Birthday.
04/14/08 – Submitted by Reps. Mitchell, DePina & Rauh **APPROVED BY UNANIMOUS VOICE VOTE**

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|----|--|---|
| 3. | Sense of the Board Resolution congratulating Majority Leader John J. Boccuzzi on receiving the prestigious Giuseppe Garibaldi Award from UNICO-Stamford Chapter.
04/28/08 – Submitted by the 27 th Board | APPROVED BY UNANIMOUS VOICE VOTE
<i>(Rep. Boccuzzi abstaining)</i> |
| 4. | Sense of the Board Resolution congratulating Polish people as they commemorate the 217 th Anniversary of the Adoption of Poland's First Constitution.
05/05/08 – Submitted by Rep. Zelinsky | APPROVED BY UNANIMOUS VOICE VOTE |
| 5. | Sense of the Board Resolution congratulating Sandra Carlton on being chosen Stamford's Teacher of the Year 2007-08.
05/05/08 – Submitted by Rep. Skigen | APPROVED BY UNANIMOUS VOICE VOTE |
| 6. | Sense of the Board Resolution congratulating Clerk of the Board Annie Summerville on being honored at Faith Tabernacle Missionary Baptist Church's <i>A Time to Remember</i> .
05/05/08 – Submitted by President David Martin | APPROVED BY UNANIMOUS VOICE VOTE
<i>(Rep. Summerville abstaining)</i> |

Upon motion duly made and seconded, Resolutions 1-6 above were approved by unanimous voice vote (Rep. Boccuzzi abstaining on Item No. 3; Rep. Summerville abstaining on Item No.6).

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, April 14, 2008
 ([Attendance](#)) 7:00 p.m. – Democratic Caucus Room
 ([Report](#))

Majority Leader Boccuzzi moved to waive the Steering Committee Report; said motion was seconded and approved by unanimous voice vote.

Rep. Lyons arrived at the meeting at 9:10 p.m.

APPOINTMENTS COMMITTEE: Annie M. Summerville, Chair

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

John J. Boccuzzi, Vice Chair

Meeting: Tuesday, April 29, 2008

7:00 p.m. – Democratic Caucus Room

Chair Summerville reported that the Appointments Committee met on Tuesday, April 29, 2008. Present were Chair Summerville and Vice Chair Boccuzzi and Committee Member Reps. Aposporos, Blackwell, DePina and Layton; absent/excused were Committee Member Reps. McGarry, Molgano and Munger.

1. [A27.157](#) **Environmental Protection Board** **APPROVED
ON CONSENT
AGENDA**
William E. Morris (D) Reappointment
8 Northwood Road (*Term exp. 12/01/06*)
Stamford, CT 06907
Term Expires: 12/01/09
03/12/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

2. [A27.158](#) **Zoning Board** **APPROVED
ON CONSENT
AGENDA**
Phyllis Kapiloff (D) Reappointment
200 Quarry Road (*Term exp. 12/01/07*)
Stamford, CT 06903
Term Expires: 12/01/10
03/12/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

3. [A27.159](#) **Zoning Board of Appeals** **APPROVED
ON CONSENT
AGENDA (Rep.
Pia abstaining)**
Claire Friedlander (D) Reappointment
33 Lolly Lane (*Term exp. 12/01/07*)
Stamford, CT 06903
Term Expires: 12/01/10
03/12/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

4. [A27.160](#) **Economic Development Commission** **APPROVED
ON CONSENT
AGENDA**
Michael S. Pansini (R) Reappointment
76 Lawrence Hill Road (*Term exp. 12/01/07*)
Stamford, CT 06903
Term Expires: 12/01/10
03/24/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

5. [A27.161](#) **Planning Board (Alternate)** **APPROVED
ON CONSENT
AGENDA**
Michael G. Raduazzo (R) Reappointment
1551 Hope Street (*Term exp. 12/01/07*)
Stamford, CT 06907

Term Expires: 12/01/10
03/24/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

6. [A27.162](#) **Southwestern Regional Planning Agency** **APPROVED
ON CONSENT
AGENDA**
Jack Halpert (R) Reappointment
77 Cricket Lane (Term exp. 03/15/04)
Stamford, CT 06903
Term Expires: 03/15/10
03/24/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0
7. [A27.163](#) **Water Pollution Control Authority** **APPROVED
ON CONSENT
AGENDA**
Alan Barnett (R) Reappointment
300 Bayberrie Drive (Term exp. 01/01/08)
Stamford, CT 06902
Term Expires: 01/01/11
03/24/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0
8. [A27.170](#) **Water Pollution Control Authority** **HELD IN
COMMITTEE**
Christopher Maggio (D) Reappointment
2029 Shippan Avenue (Term exp. 01/01/08)
Stamford, CT 06902
Term Expires: 01/01/10
04/01/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Held in Committee 6-0-0
9. [A27.164](#) **Golf Authority** **HELD IN
COMMITTEE**
Brian Malloy (D) Reappointment
20 Ralsey Road South (Term Exp. 01/01/08)
Stamford, CT 06902
Term Expires: 01/01/11
04/01/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Held in Committee 6-0-0
10. [A27.165](#) **Health Commission** **APPROVED
ON CONSENT
AGENDA**
Bert Ballin, DDS (D) Reappointment
50 Stone Hill Drive (Term Exp. 12/01/07)
Stamford, CT 06903
Term Expires: 12/01/10
04/01/08 – Submitted by Mayor Dannel P. Malloy
04/29/08 – Committee approved 6-0-0

11. [A27.166](#) **Social Services Commission** **APPROVED
ON CONSENT
AGENDA**
 Suzanne Doyle (D) Reappointment
 228 Pepper Ridge Road (Term exp. 12/01/07)
 Stamford, CT 06905
 Term Expires: 12/01/10
 04/01/08 – Submitted by Mayor Dannel P. Malloy
 04/29/08 – Committee approved 6-0-0
12. [A27.167](#) **Traffic Hearing Officer** **APPROVED
ON CONSENT
AGENDA**
 Salvatore LaDestro (D) Reappointment
 116 Mulberry Street (Term exp. 12/01/06)
 Stamford, CT 06907
 Term Expires: 12/01/08
 04/01/08 – Submitted by Mayor Dannel P. Malloy
 04/29/08 – Committee approved 6-0-0
13. [A27.168](#) **Traffic Hearing Officer** **APPROVED
ON CONSENT
AGENDA**
 Carmine V. Longo, Sr. (D) Reappointment
 830 Hope Street (Term exp. 12/01/07)
 Stamford, CT 06907
 Term Expires: 12/01/09
 04/01/08 – Submitted by Mayor Dannel P. Malloy
 04/29/08 – Committee approved 6-0-0
14. [A27.169](#) **Traffic Hearing Officer** **APPROVED
ON CONSENT
AGENDA**
 Lori Longo-Legierse (D) Reappointment
 748 Hope Street (Term exp. 12/01/07)
 Stamford, CT 06907
 Term Expires: 12/01/09
 04/01/08 – Submitted by Mayor Dannel P. Malloy
 04/29/08 – Committee approved 6-0-0

Chair Summerville moved the Consent Agenda consisting of Item Nos. 1-7 and 10-14; said motion was seconded and approved by unanimous voice vote (Rep. Pia abstaining on Item No. 3).

Chair Summerville thanked her committee members for arriving promptly at the meeting and for their cooperation in that it was a long evening.

FISCAL COMMITTEE: **Randall M. Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Votes\)](#) Meeting: Wednesday, April 30, 2008
[\(Report\)](#)
 7:00 p.m. – Democratic Caucus Room

- and -

[\(Attendance\)](#)

Meeting: Monday, May 5, 2008

[\(Report\)](#)

6:45 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on April 30, 2008. Present were Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Giordano and Rauh; absent/excused were Committee Member Reps. Figueroa, Lyons, Mirkin and Mitchell. Also present were Sandy Dennies, Director of Administration; Jim Hricay, OPM; Mike Sullivan, of Brennan Golf Course; Karen Cammarota, Grants Manager; and Peter Privitera, Director of OPM. Also present from the Personnel Committee were Reps. Boccuzzi and Lodato.

Chair Skigen also reported that the Fiscal Committee met on May 5, 2008. Present were Chair Skigen and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Giordano, Mirkin and Rauh. Also present was Rep. Layton.

1. [F27.327](#) **PROPOSED ORDINANCE; for public hearing and final adoption**; establishing contribution levels to the Post Employment Benefits Trust.
 12/07/07 – Submitted by President Martin & Reps. Skigen, Fedeli & Day
 12/17/07 – Held in Committee 8-0-0
 01/28/08 – Held in Committee 10-0-0
 02/25/08 – Report Made
 03/31/08 – Committee approved 10-0-0
 04/07/08 – Approved for publication
 04/30/08 – Held in Committee
 05/05/08 – Committee approved 7-0-1
APPROVED ON CONSENT AGENDA

2. [F27.378](#) **GRANTS RESOLUTION; with the Southwestern Connecticut Agency on Aging;**

For	Amount	City Match
Senior Health Services	\$38,017	\$43,527

 03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved 7-0-0
APPROVED ON CONSENT AGENDA

- 3a. [F27.370](#) **GRANTS RESOLUTION; with CT Dept. of Public Health;**
 3b. [F27.371](#)
 3c. [F27.374](#)
 3d. [F27.376](#)
 3e. [F27.379](#)
 3d. [F27.380](#)

For	Amount	City Match
F27.370-AIDS Education/risk reduction	\$235,194	\$207,812
F27.370-HIV mobile	\$41,855	\$13,553

APPROVED ON CONSENT AGENDA

3e. [F27.381](#)

prevention services		
F27.371-Bioterrorism Emergency Response Public Health Preparedness	\$88,879	\$36,516
F27.374-Childhood Immunization Grant	\$88,725	\$13,371
F27.376-Preventive Health Services Block Grant	\$20,913	\$0
F27.379-WIC Prog.	\$542,500	\$93,650
F27.380-Per Capita Grant	\$143,909	\$0
F27.381-TB and STD Treatment & Control Program	\$95,600	\$30,346

03/27/08 – Submitted by Mayor Dannel P. Malloy
04/30/08 – Committee approved F27.380 6-0-0; all
others approved 7-0-0

4a. [F27.366](#)

4b. [F27.367](#)

GRANTS RESOLUTION; with the CT State DEP;

For	Amount	City Match
F27.366-Mianus River Park Trail mainten- ance & restoration	\$50,000	\$0
F27.367-Playground equipment for Spring- dale Elem. School	\$100,000	\$0

03/24/08 – Submitted by Mayor Dannel P. Malloy
04/30/08 – Committee approved 7-0-0

**APPROVED
ON CONSENT
AGENDA**

5. [F27.369](#)

GRANTS RESOLUTION; with CT Dept. of Public
Safety;

For	Amount	City Match
Regional Public Safety Emergency Telecommunications Center	\$243,820	\$8,555

03/27/08 – Submitted by Mayor Dannel P. Malloy
04/30/08 – Committee approved 7-0-0

**APPROVED
ON CONSENT
AGENDA**

6a. [F27.372](#)

6b. [F27.383](#)

GRANTS RESOLUTION; with CT Dept. of Social
Services;

For	Amount	City Match
F27.372-Counseling Services to the Elderly	\$55,476	\$13,262
F27.383-Stamford	\$2,274,710	\$0

**APPROVED
ON CONSENT
AGENDA**

Day Care Program		
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03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved F27.372 6-0-1;
 F27.383 approved 7-0-0

7. [F27.373](#)

GRANTS RESOLUTION; with CT Office of
 Emergency Management;

**APPROVED
 ON CONSENT
 AGENDA**

For	Amount	City Match
Emergency Management Performance Grant	\$37,252	\$37,252

03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved 7-0-0

8. [F27.375](#)

GRANTS RESOLUTION; with State of CT Dept. of
 Mental Health & Addiction Services;

**APPROVED
 ON CONSENT
 AGENDA**

For	Amount	City Match
Local Substance Abuse Prevention Council Program	\$7,130	\$0

03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved 7-0-0

9a. [F27.377](#)
 9b. [F27.382](#)
 9c. [F27.384](#)

GRANTS RESOLUTION; with State of CT Dept. of
 Education;

**APPROVED
 ON CONSENT
 AGENDA**

For	Amount	City Match
F27.377-Quality Enhancement Program	\$82,398	\$0
F27.382-Youth Services Bureau	\$59,930	\$59,930
F27.384-School Readiness and Child Day Care	\$3,941,353	\$7,160

03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved 7-0-0

10. [F27.385](#)

GRANTS RESOLUTION; with CT State Library;

**APPROVED
 ON CONSENT
 AGENDA**

For	Amount	City Match
Historic Preservation Grant Program	\$17,000	\$0

03/27/08 – Submitted by Mayor Dannel P. Malloy
 04/30/08 – Committee approved 7-0-0

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| 11. F27.386
\$51,991.00 | <p>ADDITIONAL APPROPRIATION (Operating Budget); Registrars of Voters; Election Expenses; to reimburse for expenses during the November election for ballots, storage and phone usage; state reimbursement received of \$51,990.68.
04/01/08 – Submitted by Mayor Dannel P. Malloy
04/10/08 – Approved by Board of Finance
04/30/08 – Committee approved 7-0-0</p> | APPROVED
ON CONSENT
AGENDA |
| 12. F27.390
\$50,000.00 | <p>ADDITIONAL APPROPRIATION (Operating Budget); E. Gaynor Brennan Golf Course; Land Supplies; Ground Maintenance; request for funds from the Golf Course Fund to complete roof repairs, netting replacement, guardrail installation and paving.
03/25/08 – Submitted by Mayor Dannel P. Malloy
04/10/08 – Approved by Board of Finance
04/30/08 – Committee approved 7-0-0</p> | APPROVED
ON CONSENT
AGENDA <i>(Rep. Lyons abstaining)</i> |
| 13. F27.368
\$1,310,000.00 | <p>ADDITIONAL APPROPRIATION (Capital Budget); Engineering; Old Town Hall Renovation; for multi-year restoration of Old Town Hall.
03/25/08 – Submitted by Mayor Dannel P. Malloy
04/08/08 – Approved by Planning Board
04/10/08 – Approved by Board of Finance
04/30/08 – Committee approved 7-0-0</p> | APPROVED
ON CONSENT
AGENDA |
| 14. F27.354 | <p>REVIEW; 2007 revaluation results; implications on property tax assessments (neighborhood impact).
02/06/08 – Submitted by President Martin
03/03/08 – Report Made & Held in Committee
03/31/08 – Report Made & Held in Committee
04/07/08 – Report Made
04/30/08 – Report Made</p> | REPORT
MADE |
| 15. F27.365 | <p>REVIEW; phase-in of 2007 property revaluation.
03/10/08 – Submitted by Rep. Cannady
04/07/08 – Report Made
04/30/08 – Report Made</p> | REPORT
MADE |
| 16. F27.364 | <p>RESOLUTION; increasing the police extra duty fee from 14% to 16%.
03/05/08 – Submitted by Dennis Murphy
03/31/08 – Held in Committee 9-0-0
04/07/08 – Held in Committee</p> | HELD IN
COMMITTEE |

04/30/08 – Committee approved 4-3-0

Secondary Committee: Personnel

Failed 3-3-0

Rep. Zelinsky moved to hold Item No. 16; said motion was seconded and approved by unanimous voice vote.

Chair Skigen moved the Consent Agenda, consisting of Item Nos. 1-13; said motion was seconded and approved by unanimous voice vote (Rep. Lyons abstaining on Item No. 12).

LEGISLATIVE & RULES

COMMITTEE:

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

James D. Diamond, Chair

Arthur Layton, Vice Chair

Meeting: Monday, April 21, 2008

7:00 p.m. – Republican Caucus Room

Vice Chair Layton reported that the Legislative and Rules Committee met on April 21, 2008. Present were: Committee Vice Chair Layton and Committee Member Reps. Berns, Day, Esposito, Heaphy, Lodato, Lombardo and Zelinsky; absent/excused were Chair Diamond and Committee Member Reps. C. Martin and Mitchell. Also present were: David Martin, President; Annie Summerville, Clerk of the Board; John Kearney; Ben Levine; Steve McDermott; Ann Scheps; Leslie Bruyzk; Michelle Sotire; Bonnie Curge; Karen Wagner; David Grief; Victoria Kluzuchenko; and Brian Granskog.

1. [LR27.059](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; amending Chapter 164 of the Code of Ordinances to reduce noise pollution caused by lawn and landscaping equipment. **FAILED BY MACHINE VOTE 12-23-1**
11/07/07 – Submitted by Rep. Lodato
11/19/07, 12/17/07 & 1/28/08 – Held in Committee
9-0-0
03/24/08 – Committee Approved 6-0-0
04/07/08 – Approved for publication
04/21/08 – Committee Approved 6-0-1

A motion to approve Item No. LR27.059 was made and seconded.

Rep. Lyons stated he was unable to attend the public hearing. It is a noble issue and a nice quality of life ordinance to pass, but we have ordinances that deal with car exhaust levels and tinted windows, people rip through the parks at midnight, and they are unenforceable. For the City that we are, this is nothing more than feel-good legislation. Furthermore, it says that just the landscapers in the community – not the people who are using a cut-off saw on a 4,000 ft-long driveway – all the landscapers on the day after Christmas have to go out and buy thousands of dollars of new equipment. All

because we wish to make people use a little less noise. I understand the intent, but it is unenforceable and financially punitive on some of the hardest working companies in our City. As the economy downsizes, the day after Christmas, in order to come into compliance, you have to empty all of your trailers and work trucks of all the blowers that are 65 decibels or more and go out and spend tens of thousands on new equipment because we have an issue in maybe one or two parts of town.

Chair Diamond stated he disagrees with Rep. Lyons. He feels this is an issue across the City of Stamford. There have been noise and air pollution complaints from older, noisier machines. The Committee could have endeavored to take on all kinds of homeowner equipment, but it did not. It simply said that a commercial operator needs to have an up-to-date modern piece of equipment which measures at 65 decibels or lower. It is not unenforceable because the ordinance requires the machines to have a rating by a national organization that rates these, and the police will come out and check to see if the machines has been properly rated.

Chair Diamond also stated that the Committee also listened to machines out on the terrace and heard the difference between the machines, and it will make a measurable difference in the community. Chair Diamond asked the Board to support it.

Rep. Coppola stated that he agrees with Rep. Lyons on this issue. This is simply feel-good legislation that is not enforceable and it is another waste of energy.

Rep. Mirkin stated that noise from leaf blowers is an issue, and he works out of his home so he knows about this. But, in looking at the economic realities, he believes it would be far better if the marketplace spoke. Manufacturers did, voluntarily, bring down the decibel level of machinery, and over time, the equipment will change. With oil approaching \$4.50-\$5.00 a gallon, home heating fuel, there is no doubt that the costs will be passed down to individual consumers. He is sensitive to the right to enjoy tranquility but feels it is best served if the marketplace introduces equipment that will be used when replacing existing equipment. He will not support this tonight.

Vice Chair Layton said two landscapers spoke about the ordinance and three residents. The noise from the leaf blowers is much more intrusive than the airlines flying over North Stamford, but somehow the City has managed to find \$90,000 to fight the FAA to change the patterns of airlines flying over Stamford and to control noise. Yet, even a louder and more intrusive sound we are not concerned with. This is not a perfect ordinance, and there may be some difficulties in enforcement, but it is a step in the right direction to allow people the quiet use of their homes.

Rep. Lodato stated that this is not a useful or waste of time feel-good ordinance. Leaf blower noise is pervasive. Sometimes people are using these machines on a daily basis, it is all around. It is not something occasional, such as resurfacing a driveway or installing stone or cutting a tree. Sometimes multiple machines are used on even small plots of land. The landscapers, as much as he sympathizes with them in being able to do business, do not have a right to interfere with other people's quiet enjoyment of their

property. Going above 65 decibels is already an obscene amount of noise. An email was circulated from one of his constituents who videotaped the difference between regular background noise, airlines flying overhead vs. landscaping equipment being used 150' away. This landscaping equipment registered about 90 decibels, which is an obscene amount of noise. This is not useless and it is not unenforceable. The manufacturer's sticker can be viewed by the police department. If it doesn't comply, a fine is issued.

Rep. Lyons stated that probably 36 months ago and there was a representative from the 11th District who amended an ordinance about construction start time and noise on weekends based on a construction project. He checked with the City today, and since that ordinance has been amended, there has not been one enforceable action ever. We live in New England, and the leaves fall for maybe 90 days a year. On average a landscaper might visit a parcel of land once a week. It is an intermittent problem, not a constant problem. You don't pass legislation that is financially punitive on one segment of the community for an intermittent problem. He can hear the 4:53 Amtrak diesel train go by every morning as it goes by. He hears barges come in the harbor for O&G. And, he is not here trying to pass legislation because there is noise meandering into his district? Representatives are 100% correct – the industry will correct itself and it is time for government to leave it alone.

Rep. Fedeli stated that she will not support this because 1) we hear all the time from the police that Stamford is short on officers and she doesn't believe there is enough manpower to tie up police officers for this ordinance rather than enforcing other things like traffic calming and speeding that is more important to her district; and 2) we are asking private commercial operators to do this but our own city equipment will not be following the same standard. So, the City's leaf blowers on Hubbard Heights and Sterling Farms and city parks, which border residential areas are not going to have to be compliant.

Rep. Zelinsky stated that the reference to the amendment to the noise ordinance was his item, and in response to the fact that there were no citations issued, is probably because everyone is in compliance so the ordinance is working.

Rep. Giordano stated that in response to the idea that leaf blowers are used only 3-4 months of the year, the only time he doesn't hear a leaf blower is when there is snow on the ground, and even with snow, they are using leaf blowers to blow light snow off the sidewalk.

Rep. Pia stated he is opposed because he is tired of voting for stuff that seems unenforceable, including the blight and the graffiti ordinances. He has a problem in his district, and he is sitting down with those people that are making noise at 4:30 a.m. every day. He hears the trains all the time in Glenbrook.

Said motion failed by a machine vote of 12-23-1 (Reps. Berns, Boccuzzi, Diamond, Esposito, Giordano, Heaphy, Layton, Lodato, Lombardo, D. Martin, Skigen and Zelinsky)

in favor; Reps. Adams, Aposporos, Blackwell, Cannady, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Mallozzi, C. Martin, McGarry, Miller, Mirkin, Mitchell, Munger, Pia, Rauh, Summerville, Young and Lyons opposed; Rep. Gabriele abstaining) (See [Vote Record No. 910](#)).

2. [LR27.067](#) PROPOSED ORDINANCE; **for public hearing & final adoption**; amending Section 97-10 of the Code of Ordinances providing for Board of Representative Approval for the appointment of Civil Citation Officers.
02/06/08 – Submitted by President Martin
03/24/08 – Committee Approved 6-0-0
04/07/08 – Approved for publication
04/21/08 – Committee Approved 7-0-0
**APPROVED
ON CONSENT
AGENDA**

3. [LR27.065](#) PROPOSED ORDINANCE; for **public hearing & final adoption**; concerning a tax exemption for higher mileage vehicles and hybrid passenger cars.
01/30/08 – Submitted by Mayor Dannel P. Malloy
03/24/08 – Committee Approved 6-1-0
04/07/08 – Approved for publication 29-3-0
04/21/08 – Committee Approved 7-0-0 (*as amended*)
**FAILED BY
MACHINE VOTE
10-26-0**

A motion to approve Item No. LR27.065 was made and seconded.

Vice Chair Layton moved to amend the ordinance by providing for a doubling of the amount that is exempt from personal property taxation from \$2,000 to \$4,000 was made, seconded and failed by unanimous voice vote.

President Martin stated that the ordinance will need to be republished if it is amended. Rep. Boccuzzi stated that this would not be able to be accomplished before the Board of Finance votes on the mill rate for the cars; as such, he cannot vote for the amendment.

Rep. Heaphy stated that she proposed the amendment to raise the initial proposal from a \$2,000 reduction in the assessed value of the vehicle to a \$4,000 reduction in the assessed value of the vehicle for tax purposes because the benefit for people who would qualify under this limited list recognized by the State of CT as either high-mileage or high-mileage, hybrid, because the tax savings would only be an average of \$68. She felt that this was not enough to make it worth it or to inspire anybody to choose a hybrid vs. a non-hybrid, so by doubling it, the tax benefit is over \$130 in most cases. She understands the concerns of Majority Leader Boccuzzi that we have to look at the timing of this in terms of the mill rate setting, so she is not opposed to postponing an increase in that until after the Board of Finance makes its decision on the mill rate.

Rep. Lyons asked if this includes flex-fuel vehicles. Vice Chair Layton responded that it does not because the state legislation was specific for mileage, not fuel used. Rep. Lyons stated that this category of vehicles is emerging and he supports holding the amendment.

The amendment FAILED by a unanimous voice vote.

Rep. Day stated that he does not have to prove his credentials as a person who believes in green things, he is part of the movement, but he doesn't think this is a wise component of that effort. He thinks in general that when we pass measures like this we should look for measures that are unifying and not divisive. He feels this is divisive because it alienates people who for good reasons took the step of buying cars prior to this date that are fuel-efficient, so they are unhappy with it, and looking to the future, he believes this legislation benefits primarily wealthy people to the disadvantage of people of less means. People decide to buy these cars not only because they believe in them, but because they can afford them, and even if we passed the amendment, he doesn't believe it will influence people to buy the cars that wouldn't otherwise buy them and the burden will fall on people of less means. He also doesn't think we ought to be using our municipal tax structure to influence behavior this way. He is a strong believer in moving toward these types of vehicles, but he doesn't think this is a wise way to promote it.

Rep. Mirkin stated that he will not support this because while it is noble to do what is right environmentally, there are also economics involved, and again, market forces will ultimately dictate consumers' behavior. Consumers' behavior will change as environmental factors such as increased operating costs of a vehicle change. Where do we draw the line? Do we then start talking about tax abatement for Energy Star efficient appliances, for windows, for doors, for new light bulbs? And, even though there are modest savings, it is still a shift from the city at large paying and pushing it off on someone else. Whereas he is supportive of seniors and veterans, he doesn't think this is necessary. He knows the Committee's intention was honorable and noble, but he will not support this.

Rep. Heaphy stated that special groups have received tax benefits in the past and this is being done in a lot of municipalities around Connecticut. It is very specific about which cars are covered and more cars will be added to the list as they come on stream. This is a good way to provide an incentive to people; they can avoid the sales tax totally at the state level, and this is an added incentive at the municipal level to help people change how they shop for their cars. It is also a misperception that this is only for people who are wealthy. You can get hybrids at a low cost. The Smart car is the cheapest at \$11,000; the Toyota Prius is at \$22,000 – certainly not the highest cars on the market and much cheaper than the SUVs. It is important to realize this will not divide rich from poor because it can even apply to first-time buyers of a used car. It is a way to encourage a lot of people to switch to hybrids – not just the wealthy.

Rep. Zelinsky stated that as far as the cost for these hybrid cars: a Ford Escape hybrid is starting at \$26,640; Honda Civic Hybrid at \$22,600; Toyota Highlander, \$33,700;

Toyota Prius, \$22,475. Everyone is aware of what is happening to the economy, the price of gasoline and food and water, electricity. He doesn't believe that people in the middle income or lower income families are going to be able to afford to purchase these rather expensive automobiles. The ordinance says that any cars purchased after May 31, 2008 are eligible, and he can't see a flood of our constituents rushing out to dealerships right after May 31st to buy a hybrid car. He is also opposed because he believes purchases going back five years should be eligible, and that amendment did not pass in Committee. He said it is admirable that the Mayor sent this down. Right now, if it was passed, it will cost about \$98,000 that the other residents will have to pick up that amount, but if it goes to \$4,000, the increase will be over \$136,000, and this will be for every year and it will grow. He cannot support this ordinance.

Rep. Pia stated he agrees that previous owners, who were in the forefront of buying these cars, and they should be eligible for a tax break.

Rep. Pia inquired as to whether those who are considering purchasing a hybrid should vote on this. The President stated that everyone is equally entitled to buy a car or not, and everyone can vote on this matter.

A motion to move the question was made and seconded. Said motion was approved by a machine vote of 31-5-0 (Reps. Adams, Aposporos, Blackwell, Boccuzzi, Cannady, Coppola, Day, DeLuca, DePina, Esposito, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Layton, Lombardo, Lyons, Mallozzi, C. Martin, D. Martin, McGarry, Miller, Mirkin, Mitchell, Munger, Pia, Rauh, Summerville, Young and Zelinsky in favor; Reps. Berns, Diamond, Heaphy, Lodato and Skigen opposed) (See [Vote Record No. 911](#)).

The main motion failed by a machine vote of 10-26-0 (Reps. Berns, Boccuzzi, Diamond, Esposito, Heaphy, Layton, Lodato, Lombardo, D. Martin and Miller in favor; Reps. Adams, Aposporos, Blackwell, Cannady, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Lyons, Mallozzi, C. Martin, McGarry, Mirkin, Mitchell, Munger, Pia, Rauh, Skigen, Summerville, Young and Zelinsky opposed) (See [Vote Record No. 912](#)).

4. LR27.068 AMENDMENT; to Rules of the Board to provide for the submission of written comments by representatives at monthly board meetings. **HELD IN COMMITTEE**
04/07/08 – Submitted by Chair Diamond
04/21/08 – Held in Committee 7-0-0

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

PERSONNEL COMMITTEE: Mary Lisa Fedeli, Chair
([Attendance](#))

Pauline S. Rauh, Vice Chair

[\(Votes\)](#)

Meeting: Wednesday, April 30, 2008

[\(Report\)](#)

7:00 p.m. – Democratic Caucus Room

(in conjunction with Fiscal Committee)

Chair Fedeli reported that the Personnel Committee met on Wednesday, April 30, 2008, with the Fiscal Committee. Present were Chair Fedeli and Vice Chair Rauh and Committee Member Reps. Boccuzzi, Cannady, Lodato and Skigen. Absent/excused were Committee Member Reps. Gabriele, Layton and Figueroa.

As Secondary Committee

1. [F27.364](#)

RESOLUTION; increasing the police extra duty fee from 14% to16%.

03/05/08 – Submitted by Dennis Murphy

03/31/08 – Held in Committee 9-0-0

04/07/08 – Held in Committee

04/30/08 – Failed 3-3-0

**REPORT
MADE** (See
*Fiscal
Committee
Report*)

LAND USE/URBAN

REDEVELOPMENT COMMITTEE:

Harry Day, Chair

[\(Attendance\)](#)

Patrick J. White, Vice Chair

[\(Votes\)](#)

Meeting: Tuesday, April 22, 2008

[\(Report\)](#)

7:30 p.m. – Legislative Chambers

- and -

[\(Attend\)](#)

Meeting: Tuesday, April 29, 2008

[\(Votes\)](#)

7:30 p.m. – Republican Caucus Room

[\(Report\)](#)

Chair Day reported that the Land Use-Urban Redevelopment Committee meeting took place on two separate evenings - April 22 and April 29, 2008. Present at the April 22, 2008 meeting (held with the State & Commerce Committee meeting) were Committee Chairs Day and Esposito and Committee Member Reps. Summerville, Heaphy, Deluca, Mitchell, Lombardo, and Rauh; Absent/excused were Committee Member Reps.

Franzetti, Diamond, Fedeli, Mallozzi, Boccuzzi and Skigen. Also present were Reps. David Martin, President of the Board of Representatives, Linda Cannady and Terry Adams.

Present at the April 29, 2008 meeting were Chair Day, Vice Chair White and Committee Member Reps. Boccuzzi, Franzetti, Gabriele, Lombardo, Mitchell and Summerville. Absent/excused were Committee Member Reps. White, Diamond and Lombardo. Also

present were Reps. Layton, Fedeli, Miller, Adams and Blackwell. Also present were: Rachel Goldberg, Urban Development Commission; Edward L Gentile Jr., Engineering Bureau; Paul Ginotti, Engineering Bureau; Sadie Green-Carter, Mill River Collaborative; Milton Puryear, Mill River Collaborative; Kathleen Walsh, Stamford Partnership; Alvino Villa, WSNRZ; and Gani Barera, WSNRZ.

Meeting: Tuesday, April 22, 2008

- | | | |
|-----------------------------|---|------------------------|
| 1. LU27.046 | APPROVAL & public hearing ; of an interlocal agreement between the City of Stamford and the recently-created Harbor Point Infrastructure Improvement District.
03/05/08 – Submitted by Mayor Dannel P. Malloy
04/10/08 – To be considered by Board of Finance
03/25/08 – Report Made & Held in Committee
04/07/08 – Report Made & Held in Committee
04/29/08 – No action taken; report made | REPORT
MADE |
|-----------------------------|---|------------------------|

Secondary Committee: State & Commerce

Chair Day stated that LU27.046 was taken up jointly with the State & Commerce Committee. The Committee held a duly-noticed public hearing, which attracted a large amount of attendees, and at the closing of the public hearing, the Committee heard from four separate consultants on the project, and it is an extremely important issue for the City. He urges everybody on the Board to become as familiar as he/she can with the Agreement. Our schedule is to vote on this next month; it is of the highest importance for the future of our City that this is done right, and he urges anyone with questions to call him or any member of the Committee or to attend next month's meeting.

Meeting: Tuesday, April 29, 2008

- | | | |
|-----------------------------|--|------------------------|
| 2. LU27.045 | APPROVAL & Public Hearing ; of an URC Plan amendment allowing a pedestrian bridge at West Main Street.
02/29/08 – Submitted by Mayor Dannel P. Malloy
03/25/08 – Committee approved 5-0-0
04/07/08 – Public Hearing approved
04/29/08 – No action taken; report made | REPORT
MADE |
| 3. LU27.047 | RESOLUTION & Public Hearing ; of a Notice of Intent requesting the Mayor to prepare a report to discontinue the West Main Street Bridge as a public access vehicular traffic bridge.
03/10/08 – Submitted by Rep. Day
03/25/08 – Committee approved 5-0-0
03/25/08 – Committee approved 5-0-0
04/07/08 – Public Hearing approved
04/29/08 – No action taken; report made | REPORT
MADE |

Chair Day stated that Items 2 and 3 go together. Public hearings were held on both items together. Two representatives from the West Side community spoke in support of the item. This is another important issue for the future of the City, and representatives are urged to contact members of the Committee if they have any questions.

OPERATIONS COMMITTEE: **John R. Zelinsky, Jr., Chair**
 Scott Mirkin, Vice Chair

No meeting; no report.

**PUBLIC SAFETY &
HEALTH COMMITTEE:** **Richard Lyons, II, Chair**

~~Meeting: Thursday, May 1, 2008~~

~~7:00 p.m.—Democratic Caucus Room
Meeting Cancelled~~

No meeting; no report.

1. [PS27.024](#) REVIEW; draft policies & procedures manual for CCTV cameras.
 04/06/07 – Submitted by Director Callion
 05/31/07 – Report Made & Held in Committee
 07/09/07 – Motion to place on Agenda failed
 08/23/07, 9/27/07/ 10/01/07 – Report Made
 11/15/07 – Held in Committee 9-0-00
 01/31/08 – Report Made
 02/28/08, 03/03/08, 03/27/08, 04/07/08 – Report Made & Held in Committee

**NO ACTION
TAKEN**

**PARKS & RECREATION
COMMITTEE:** **Linda Cannady, Co-Chair**

Joseph Coppola, Co-Chair

~~Meeting: Tuesday, April 29, 2008~~

~~7:00 p.m.—Conference Room #1~~

Meeting cancelled
No meeting; no report.

1. PR27.029 REVIEW; of personal property tax implications for the carts at E. Gaynor Brennan Golf Course. **NO ACTION TAKEN**
04/09/08 – Submitted by Reps. DeLuca & Coppola

EDUCATION COMMITTEE: Polly Rauh, Chair

[\(Report\)](#)

Michael L. Molgano, Vice Chair

Meeting: Thursday, May 1, 2008

7:00 p.m. – Republican Caucus Room

Chair Rauh reported the Education Committee met on May 1, 2008. Present were Chair Rauh and Vice Chair Molgano and Committee Members Reps, Lodato, Young and Pia; absent/excused were Committee Members C. Martin and P. Miller. Also present was Evelyn Simpson.

1. E27.026 REVIEW; school capacity and space utilization. **REPORT MADE**
04/09/08 – Submitted by Chair Rauh
05/01/08 – Report Made

Chair Rauh stated that after discussion of the current scenarios regarding redistricting, the Committee sent a letter to Mr. Freedman urging that a facility study be undertaken (the last one was done ten years ago) and until that is back and analyzed, they asked that an immediate hold be placed on any redistricting action. This should be followed by the hiring of a consultant to guide and assist the Board in future endeavors. A copy of the letter is attached to the report.

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

Philip J. Giordano, Vice Chair

Meeting: Tuesday, April 22, 2008

6:30 p.m. – Democratic Caucus Room

[\(Report\)](#)

Chair Mitchell reported the Housing- Community Development- Social Services Committee met on April 22, 2008. Present were committee members reps. Chair Mitchell, Miller, Aposporos, and Molgano. Also present: Tim Beeble, Director of Community Development; and Sandy Dennies, Director of Administration; and Rachelle Kucera Mehra, Domestic Violence Crisis Center.

1. [HCD27.035](#) RESOLUTION & approval of public hearing; approving the 2008 Neighborhood Assistance Act. 04/03/08 – Submitted by Mayor Dannel P. Malloy 04/22/08 – Report Made **HELD IN COMMITTEE**

2. [HCD27.032](#) APPROVAL & **Public Hearing**; of Year 34 budget for the Community Development Block Grant, including Budget Workshop. 01/02/08 – Submitted by Tim Beeble 02/20/08 – Committee approved 6-0-0 & Held in Committee 03/03/08 – Held in Committee 04/01/08 – Committee Approved 6-0-0 & Held in Committee 04/07/08 – Held in Committee 05/08/08 – To be considered by Board of Finance 04/22/08 – Report Made **HELD IN COMMITTEE**

Chair Mitchell stated that only one person came before the Committee and a record was read into the record by Tim Beeble.

3. [HCD27.034](#) PROPOSED ORDINANCE; **for publication**; amending Section 146-67, *Generation and Calculation of Commercial Linkage Fees for inclusion in Stamford Housing Development Fund*, of the Code of Ordinances. 03/05/08 – Submitted by Sybil Richards 04/01/08 – Held in Committee 6-0-0 04/07/08 – Held in Committee 04/22/08 – Report Made **HELD IN COMMITTEE**

Chair Mitchell stated that the Committee took no action on this item.

TRANSPORTATION COMMITTEE: **Robert “Gabe” DeLuca, Chair**
Terry Adams, Vice Chair
 Meeting: Thursday, April 24, 2008
 6:30 p.m. – Republican Caucus Room
 ([Report](#))

Vice Chair Adams reported that the Transportation Committee met on April 24, 2008. Present were committee members Reps. Vice Chair Adams, Franzetti, Giordano, Larobina and Zelinsky. Excused/Absent were Chair DeLuca, Blackwell, Lombardo and Young. Also present Tom Cassone, Director of Legal Affairs.

- 1 [T27.038](#) RESOLUTION & **Public Hearing**; approving a lease agreement between the City and Saturn of **HELD IN COMMITTEE**

White Plains for the lease of parking spaces in the Bell Street and Bedford Street garages through 6/30/08 and at the Bedford Street garage from 7/1/8 through 10/31/2010.

04/01/08 – Resubmitted by Mayor Dannel Malloy

04/08/08 – Approved by Planning Board

04/10/08 – Approved by Board of Finance

04/24/08 – Held in Committee 5-0-0

Vice Chair Adams stated that a public hearing was held and a presentation was given by Tom Cassone, Esq., Director of Legal Affairs. The item was held in Committee.

STATE & COMMERCE COMMITTEE: Paul A. Esposito, Chair

(Report)

Eileen Heaphy, Vice Chair

Meeting: Tuesday, April 22, 2008

7:30 p.m. – Legislative Chambers

(in conjunction with Land Use Committee)

Chair Esposito reported that the State & Commerce Committee met with the Land Use-Urban Redevelopment Committee on April 22, 2008. Present were Committee Chairs Day and Esposito and Committee Member Reps. Summerville, Heaphy, Deluca, Mitchell, Lombardo, and Rauh; Absent/excused were Committee Member Reps. Franzetti, Diamond, Fedeli, Mallozzi, Boccuzzi and Skigen. Also present were President David Martin, and Reps. Linda Cannady and Terry Adams. Invitees and members of the public present were: Chris Rembold, Phillips, Preiss Shapiro & Associates; Bill Hennessy, Antares; Sandra Dennies, Director of Administration; Mike Freimuth, Director of Economic Development; John Freeman, Antares; Keenan Rice, President of MUNICIPAL; Ben Barnes, Director of Operations; Dave Panico, Robinson & Cole; Mike Andreana, Pullman Comley; John “Jack” Condlin, President of the Stamford Chamber of Commerce; Fritz Blau, Fritz’s Harley-Davison; Sheila Barney, President of South End NRZ; Leigh Walton, Vice-President State Government Affairs, Pitney Bowes; Cathleen Murphy; John Woten; Karen Murphy; and Bob Rimmer, St Luke’s Lifeworks.

As Secondary Committee

1. [LU27.046](#)

APPROVAL & **public hearing**; of an interlocal agreement between the City of Stamford and the recently-created Harbor Point Infrastructure Improvement District.

**REPORT
MADE**

03/05/08 – Submitted by Mayor Dannel P. Malloy

04/10/08 – Reviewed by Board of Finance

03/25/08 – Report Made & Held in Committee

04/07/08 – Report Made & Held in Committee

MINUTES

1. [April 7, 2008 Regular Board Meeting](#)

**APPROVED – NO
OBJECTIONS**

III. OLD BUSINESS

IV. EW BUSINESS

V. ADJOURNMENT