

*The Regular Meeting of the 26th Board of Representatives of the City of Stamford will be held **Wednesday, April 7, 2004** at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.*

Minutes

CALL TO ORDER: The meeting was called to order at 9:20 p.m. by President David Martin.

INVOCATION: Given by Rep. Terry Adams

“Dear Lord, we are coming to You on this day for Your guidance that we need to make this a good and fruitful meeting. Please keep my fellow members and my self praying here tonight under Your loving care. Speak to our hearts, heavenly Father, giving us words of wisdom so that we will do the right and fair and just thing. We praise Your name and have faith in Your mercy and kindness. Thank You, Lord, for being our master and giving us guidance. Amen.”

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President of the Board David Martin.

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were 38 members present and 2 members excused (Reps. DePina and Skigen).

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

MOMENTS OF SILENCE: For the late:

Ida J. McCarley, by the 26th Board of Representatives; Robert J. Kanzler by Rep. Boccuzzi; Anthony Pagano, Sr., by Reps. Boccuzzi and Zelinsky; Rev. Vladimir

Andrushkiw, George Robinson, William Allen Blank, Deborah Johnson and Ramon A. Serbia by Rep. Loglisci; Raymond P. Dalesio by Reps. Giordano and Zelinsky; Bettye J. Bruckman, John J. Hurley, Jr., Joseph J. Pellegrino, Sr., Frances Spector and John J. Boesen by Reps. Giordano, Zelinsky and Loglisci; Palma C. Mammone, Peter J. Gianokos, Levio Vitti and Betty Ieva by Reps. Loglisci and Zelinsky; Joseph M. DeLuca, Rosemarie Ragakos and Cosimo Scicchitano by Rep. Zelinsky.

President Martin stated that we have an overflow crowd this evening. The Fire Marshal is controlling the number of people that can be in this room, there is an overflow crowd in the cafeteria. The voting machine is not displayed in the cafeteria, however, the sound is connected. President Martin asked the guests to refrain from moaning and cheering on all comments to keep the meeting going along smoothly.

Rep. Zelinsky moved to suspend the rules to take up an item appearing later in the agenda. Said motion was seconded and approved by unanimous voice vote.

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| 1. | <u>SENSE-OF-THE-BOARD</u> Resolution
commending Alex Behzad on rescuing his father
from an icy pond.
03/03/04 – Submitted by 26 th Board of
Representatives | APPROVED BY
UNANIMOUS
VOICE VOTE |
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Upon motion duly made and seconded, Item No. 1 above was approved by unanimous voice vote.

President Martin invited Alex Behzard to the podium. President Martin read and presented the resolution to Alex Behzard. Alex Behzard thanked the Board of Representatives for the honor.

Rep. Loglisci moved to suspend the rules to take up an item not appearing on the agenda. Said motion was seconded and approved by unanimous voice vote. President Martin called for nominations for the vacancy on the Board of Education created by Nicola Tarzia's recent resignation. Majority Leader Loglisci nominated Charles Conway; said motion was seconded. Rep. Loglisci stated that Mr. Conway is very involved with Safe Kids of Stamford, he ran in the last election for the Board of Education. His background is involved with health and children, and he feels he will be a positive addition to the Board of Education.

President Martin confirmed with Mr. Loglisci that Mr. Conway is a registered Republican who resides in the City of Stamford.

President Martin closed the nominations and called for a vote on the appointment of Mr. Conway. Mr. Conway was approved by unanimous voice vote. President Martin administered the oath of office.

Rep. Lyons moved to suspend the rules to take up an item not appearing on the agenda. Said motion was seconded and approved by unanimous voice vote.

Rep. Lyons stated that on April 5, 2004 there was a letter transmitted by 26 Representatives to the Hartford legislators. This resolution will encompass that letter into a resolution by the entire Board of Representatives. Rep. Lyons read the resolution into the record (see attached for copy of resolution).

Rep. Lyons moved the resolution; said motion was seconded.

Rep. Greenberg stated that his name was left off the resolution and asked that his name be added to the resolution. Rep. Lyons stated there are currently 27 names on the list, and after the machine vote, anyone who votes in the affirmative will be added to the resolution.

RESOLUTION; in support of a legislative Special Act regarding property revaluation.

**APPROVED BY
ROLL CALL
VOTE (38-0-0)**

Rep. Lyons moved the resolution; said motion was seconded.

Rep. Mirkin stated that it is good to see that many residents have come out to speak their mind, and he hopes that when it comes time to vote on budgets in the future that residents understand that revaluation is certainly one driver of taxes, but Stamford has been through a 7% tax increase two years ago, 10% the current fiscal year and a proposed increase of 5% this year. The revaluation every four years is certainly a driver in determining the shifts from commercial to residential, but he hopes to see the same passion of this group demand that the members of the Board of Representatives reduce the budget because he looks at this as the call that has woken up the citizenry of Stamford. Rep. Mirkin stated he has lived here for thirteen years, and this is probably the most vocal he has seen members. Now, certain neighborhoods are more affected than others, and the last time around it was the revise.

Rep. Mirkin stated that his signature was not on this resolution, but he did take the time to telephone members of the State delegation with the simple question: "what do you think the likelihood that the full legislature will do something for Stamford." He stated that he was not encouraged by what he heard. He heard comments that the legislature probably doesn't have the appetite to treat Stamford in isolation compared to the rest of the state. If the Board goes ahead and votes for this, we have taken the time to pursue this option, but he doesn't want people to think that it is an automatic because this is sent to the State.

Rep. Esposito stated he re-affirms Mr. Mirkin's statements. He whole-heartedly supports this resolution, but this is no guarantee that the State legislature will pass this. He encouraged the public and anyone who is interested to contact the democratic and republican caucuses in Hartford and display this type of unity. The legislators from Stamford are a terrific delegation – both republicans and democrats – and they will work hard for this, but they are only six votes and there are 175 members. So, they need to contact the caucuses, let it be known that there are a lot of people behind this. Mr. Mirkin is absolutely right in that the perception in Hartford is that Stamford doesn't need these kinds of breaks, and it has been taking 30-40 years to try to convey otherwise to them and it is a very tough sale because those people never come down here and they don't see it.

Rep. DeLuca stated that in reviewing the emails received and the comments at the public hearing; he is annoyed with threats to vote members out of office; when they criticize members for abstaining without a knowledge of the process (e.g., to wait for more information). Rep. DeLuca stated he has not seen any evidence as to errors in the revaluation such as the case was in Westport. The last revaluation was delayed by Mayor Esposito and the residents got hit with a tremendous tax increase, and this same thing happened in Norwalk. There is no guarantee this will happen in the future.

Rep. Mirkin stated that the President has asked the members of the audience to demonstrate respect and to comport themselves with proper behavior. While some members of the audience may not agree with what a representative said, but he can hear inappropriate comments from the audience. All people, audience members and representatives, are entitled to their opinions and members of this Board should feel free to speak their mind. Rep. Mirkin asked the president to remind members of the audience to please be courteous to speakers of this Board. The President asked the audience to be respectful in that manner.

Rep. DeLuca asked the President to remind people in the audience that the meeting starting at 9:30 p.m. is not that late. The Board has started at that hour before, and members had business to discuss in caucus. The Board members have a job to do and take pride in what they do.

President Martin stated that he does not want this to become a debate between the audience and members of the Board of Representatives.

Rep. Loglisci stated that the fact that the State tried to avoid huge increases in revaluations by going to the four year revaluation from ten years. Unfortunately, the pattern has been that this four-year revaluation has ended up accomplishing the opposite – moving the burden more quickly, due to the methodology of the revaluation, to the homeowners and condominium owners. We hope that the State understands that their actions have necessitated our actions. This Board

also has moved to enact a three-year phase-in in case the desired result is not achieved.

Rep. Zelinsky commended Rep. Lyons for his work on this effort. He also encouraged audience members to telephone our local delegation as well as state senators and representatives throughout the state.

Rep. Day stated that this Board does not have the power or authority to reject the revaluation.

Rep. Lyons stated that no one is under the illusion that the mere passage of this resolution will cause 169 municipalities represented in Hartford to come to Stamford's aid. It is clear that more lobbying will be necessary by residents and the politicians of this City to effect property tax change, whether it is through postponement or through some legitimate property tax reform between now and any postponement that is granted. He also stated that this is not a single neighborhood driven issue. This is a city-wide issue that affects widows, senior citizens, residents, single families, multi-families, commercial property owners. The property tax laws of this State are very antiquated and affect unfairly people who own homes in certain sections of the State by improperly penalizing them in funding their local government.

Rep. Pavia stated he was not originally on the list to approve the resolution. He added that another frustration on the part of the people here tonight is the spending that takes place in the City of Stamford. He goes on record as saying that the levels of increases over the past years have exceeded the cost of living increases by wide margins. Right now the revaluation issue is the hot topic, but it is only one component of the overall taxation in the City of Stamford, and it has to be clearly illustrated that there are housekeeping issues with regard to this.

Rep. Pavia added that there will be significant consequences if this isn't quickly handled. If Stamford fails to get any concurrence by the Legislature within the next thirty days, there is a Charter mandate that says that revaluation in the City of Stamford must take place every five years. This was approved by referendum in 1995, so the Board must look at that issue as well as to how we deal with a postponement.

There are over 40,000 individual real properties in the City, and all are affected by the revaluation. Bills go out mid- to end June, and any postponement beyond a reasonable date of perhaps 30 to 60 days will result in not having tax bills sent out in time. If they don't go out in a timely fashion, the city can't function because it doesn't have the revenue to do so. He stated he will endorse the effort tonight, but it doesn't end there – we have to move further and quickly.

Rep. Lyons stated that our charter is a special act of the legislature that goes back many years, and Corporation Counsel advised him that every tie there is a

special act by the legislature that deals with a prior special act, the most recent special act will supercede it. So, if a special act was granted relative to revaluation, that would pre-empt the language regarding revaluation in the Charter. Also, the legislature's calendar is very full and they adjourn in three weeks. They don't have a lot of time to hold this item, so he expects to get a quick answer. No one is looking to impede the tax assessor's office, but it is incumbent we exhaust every possible legislative remedy before we worry about whether the tax bills arrive on time or not.

A motion was made to conduct a roll call vote; said motion was seconded.

Rep. Day stated that under Robert's Rules, it is a legitimate motion to have a roll call vote and that is the end of the issue. The motion was approved by a machine vote of 22-16-0 (See [RCS Vote Record No. 483.](#))

Clerk of the Board Summerville stated that this Board has always had a roll call vote. This was already established in 1978 when she joined the Board. If our rules have changed, she believes everyone should be made aware of such a change. She stated that the purpose of a roll call vote was to allow the public to hear an acknowledgement of each representative's vote.

President Martin asked the Clerk to call the names. Tellers will be Representatives Fedeli and Lyons.

Clerk of the Board Summerville conducted the Roll Call Vote: Adams-aye; Benyus-aye; Blackwell-aye; Boccuzzi-aye; Browne-aye; Cannady-aye; Clear-aye; Coppola-aye; Day-aye; Pia-aye; DeLuca-aye; Esposito-aye; Fahan-aye; Fedeli-aye; Figueroa-aye; Giordano-aye; Greenberg-aye; Hunter-aye; Imbrogno-aye; Kernan-aye; Loglisci-aye; Lyons-aye; Martin-aye; McCullen-aye; McDermott-aye; Mirkin-aye; Mitchell-aye; Molgano-aye; Morrow-aye; Nakian-aye; Nowakowski-aye; O'Neill-aye; Pavia-aye; Shapiro-aye; Spandow-aye; Summerville-aye; White-aye; Zelinsky-aye. The vote was approved by a vote of 38-0. Both tellers concurred with the vote – 38 in favor; 2 not voting.

President Martin stated that some of the discussion this evening has touched upon some of the complications here. We cannot afford to wait for the Legislature to act and then for us to consider the legal, financial and operational difficulties and then make a decision. If we wait, in fact, as long as next month, the administration is going to have a hard time dealing with this issue. The President stated he would work in parallel to make sure we have a resolution on the legal issues that we have internally as well as the operational issues that may be of concern. This will be difficult with the Fiscal Budget, the Charter Review process and the Urban Transitway issue – this is a very busy month. President Martin stated a special meeting may be needed if the State Legislature passes a resolution.

Rep. Lyons stated that the Speaker's Office has relayed the urgency with which it needs the resolution forwarded to it, and he requested that the Board Office immediately forward this resolution tomorrow morning to the State Legislature. Rep. Lyons offered assistance in getting facsimile numbers and email numbers.

Clerk of the Board Summerville assured him it would be sent out first thing in the morning.

Rep. DeLuca moved to suspend the rules to take up an item not appearing on the Agenda. Said motion was seconded. Rep. DeLuca explained that this would also be sent up to the legislators and it was regarding allocation of state funds for education. Rep. DeLuca stated that it basically says we are facing big tax increases, we are not getting our fair share of state funds for education, and we want them to approve an increased allocation.

[RESOLUTION](#); regarding allocation of state funds for education.

**APPROVED BY
UNANIMOUS
VOICE VOTE**

Rep. DeLuca moved the resolutions; said motion was seconded and approved by unanimous voice vote.

STANDING COMMITTEES

STEERING COMMITTEE: Meeting: Monday, March 8, 2004
[\(Attendance\)](#) 7:00 p.m. – Democratic Caucus Room
[\(Report\)](#)

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**
Meeting: Tuesday, March 30, 2004
7:00 p.m. – Democratic Caucus Room

Chair Esposito stated that the Appointments Committee was scheduled to meet on March 30, 2004. There was no quorum so no votes were taken.

Chair Esposito moved to take Item No. 1 out of committee; said motion was seconded and approved by unanimous voice vote.

1. [A26.116](#) Zoning Board of Appeals
Zachary Weinberger (D)

Repl. Ilaw

APPROVED BY

25 Chester Street (Exp 12/01/03) **UNANIMOUS
VOICE VOTE**
Stamford, CT 06905
Term Expires: 12/01/06
11/12/03 – Submitted by Mayor Dannel P. Malloy
12/30/03 – Held in Committee 8-0-0
01/05/04 – Held in Committee
01/28/04 – Meeting Cancelled
02/03/04 – Resubmitted by Mayor Dannel P.
Malloy
03/01/04 – Held in Committee
03/30/04 – No quorum

Chair Esposito stated that Mr. Weinberger is a registered Democrat, has lived in Stamford for more than thirty years and has attended many Zoning Board meetings, he is well aware of the issues and those present on March 30, 2004 feel he would be a good candidate. Chair Esposito moved Item No. A26.116; said motion was seconded and approved by unanimous voice vote.

Chair Esposito moved to take Item No. 2 out of committee; said motion was seconded and approved by unanimous voice vote.

2. [A26.119](#) Health Commission **APPROVED BY
UNANIMOUS
VOICE VOTE**
Steffi Bloch (D) Reappoint. (Exp. 12/01/03)
6 Coopers Pond Road
Stamford, CT 06905
Term Expires: 12/01/06
11/12/03 – Submitted by Mayor Dannel P. Malloy
12/30/03 – Held in Committee 8-0-0
01/05/04 – Held in Committee
01/28/04 – Meeting Cancelled
02/03/04 – Resubmitted by Mayor Dannel P. Malloy
03/01/04 – Held in Committee
03/30/04 – No quorum

Chair Esposito stated that Ms. Bloch was interviewed by those present on March 30, 2004. Ms. Bloch has been on the Health Commission for many years and has been an active participant. Chair Esposito moved Item No. A26.119; said motion was seconded and approved by unanimous voice vote.

Chair Esposito moved to take Item No. 3 out of committee; said motion was seconded and approved by unanimous voice vote.

3. [A26.122](#) Board of Ethics **APPROVED BY
UNANIMOUS
VOICE VOTE**
Louis Klein, Jr. (D) Reappoint. (Exp.
80 Butternut Lane
06/30/03)
Stamford, CT 06903
Term Expires: 06/30/08
12/17/03 – Submitted by Mayor Dannel P. Malloy

01/28/04 – Meeting Cancelled
02/10/04 – Held in Committee
03/01/04 – Defeated
03/02/04 – Resubmitted by Mayor Dannel P. Malloy
03/30/04 – No quorum

Chair Esposito stated that Mr. Klein is highly qualified and has been on the Board of Ethics for several years. Chair Esposito moved Item No. A26.122; said motion was seconded and approved by unanimous voice vote.

Suspension of Rules:

Chair Esposito moved to suspend the rules to take up an item not appearing on the agenda. Said motion was seconded. Chair Esposito stated that Mr. Gordon would be considered for appointment as a temporary member to the Tax Assessment Board of Appeals. Said motion was approved by unanimous voice vote.

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| 1. A26.135 | <u>Assessment Bd. of Appeals (Temporary Position)</u>
Leslie Gordon
211 West Lane
Stamford, CT 06905
04/07/04 – Submitted by Mayor Dannel P. Malloy | APPROVED BY
VOICE VOTE
<i>(Reps. O'Neill
and Fahan
abstaining)</i> |
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Chair Esposito stated that on February 7, 2000, during the last revaluation, the Board approved a temporary member to the Board of Assessment Appeals simply because the volume of appeals is overwhelming. The administration has requested this temporary appointment so that this backlog can be handled.

Chair Esposito stated that Mr. Gordon is a registered Democrat who has worked in this field, a Stamford resident since 1959, a homeowner for over 40 years, has a Bachelor's Degree from MIT, is knowledgeable about assessed valuations, appraisals and mill rates.

Chair Esposito moved Item No. A26.135; said motion was seconded.

Rep. Zelinsky asked whether the Appointments Committee has interviewed the candidate, and upon learning that they had not asked whether this has ever been done before. Chair Esposito stated that he does not recall if an interview was conducted when this was done in the past in 2000. Chair Esposito added this situation is an emergency, and if the Board goes through the process of interviewing, by the time he is approved he will no longer be needed.

Rep. Zelinsky stated he knows Mr. Gordon personally and he is sure he will do a fine job, but he is concerned about setting a precedent for future appointees.

Rep. O'Neill asked whether this position is recognized by our Charter. President Martin stated he has not read the Charter regarding this, but there was a precedent in the past, and if the Charter does not allow a temporary position to exist, then he would not be appointed, despite the Board's action.

Rep. Nakian stated that it is not in the Charter, but there was an ordinance passed at the time of the last revaluation to add an extra member to the Board to handle the extra work during a revaluation year.

Chair Esposito stated that this position will be for one month.

The motion was approved by a unanimous voice vote with Reps. Fahan and O'Neill abstaining.

FISCAL COMMITTEE: **Randy Skigen, Chair**
[\(Attendance\)](#) **Linda Cannady, Vice Chair**
[\(Votes\)](#) Meeting: Monday, March 29, 2004
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Vice Chair Cannady reported that the Fiscal Committee met on Monday, March 29, 2004. Present were Committee Member Reps. Skigen, Cannady, DeLuca, DePina, Fedeli, Giordano, Hunter, Loglisci and Lyons.

1. F26.324 Back-up	PROPOSED ORDINANCE; for public hearing and final adoption; phase-in of re-assessment over three years. 02/02/04 – Submitted by President Martin, Republican Caucus and Fiscal Committee 01/26/04 – Report Made 02/02/04 – Report Made 02/23/04 – Committee approved 9-0-0 02/23/04 – Amendment to hold failed 3-6-0 03/01/04 – Approved for publication 03/29/04 – Committee approved 4-3-2	HELD IN COMMITTEE
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Vice Chair Cannady moved Item No. F26.324; said motion was seconded.

Rep. Lyons stated that in light of the resolution to Hartford that was just passed, he recommends the item be held for one month. There will be no harm, the mill rate will not be set until May 20, and that allows sufficient time to factor in a phase-in. Rep. Lyons moved to hold Item No. F26.324; said motion was seconded.

The motion was approved by a machine vote of 34-0 (See [Vote Record No. 484.](#))

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| 2. F26.356 | RESOLUTION; establishing a cap on the senior citizens tax relief program.
03/04/04 – Submitted by Ben Barnes
March – To be considered by Board of Finance
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 3. F26.327
\$7,425.00 | ADDITIONAL APPROPRIATION (Grants Budget);
Town Clerk; Historic Preservation; Office
Supplies; grant funds to pay for shelving for
records storage.
02/06/04 – Submitted by Mayor Dannel P. Malloy
02/23/04 – Held in Committee
03/01/04 – Held in Committee
03/11/04 – Approved by Board of Finance
03/29/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 4. F26.328
\$1,340.00 | ADDITIONAL APPROPRIATION (Grants Budget);
Town Clerk; Historic Preservation; Building
Maintenance; grant funds to pay for repairs to first
floor vault lock.
02/06/04 – Submitted by Mayor Dannel P. Malloy
02/23/04 – Held in Committee
03/01/04 – Held in Committee
03/11/04 – Approved by Board of Finance
03/29/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 5. F26.329
\$9,501.00 | ADDITIONAL APPROPRIATION (Grants Budget);
Town Clerk; Historic Preservation; Contracted
Services; grant funds to pay for unbilled invoices
from ACS.
02/06/04 – Submitted by Mayor Dannel P. Malloy
02/23/04 – Held in Committee
03/01/04 – Held in Committee
03/11/04 – Approved by Board of Finance
03/29/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |
| 6. F26.330
\$2,783.00 | ADDITIONAL APPROPRIATION (Grants Budget);
Town Clerk; Historic Preservation; Software
Maintenance; grant funds to pay for user licenses
for internet access to land record information.
02/06/04 – Submitted by Mayor Dannel P. Malloy
02/23/04 – Held in Committee
03/01/04 – Held in Committee
03/11/04 – Approved by Board of Finance
03/29/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA |

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| 7. F26.334 | REJECTION; of \$1,104,782.47 in capital close outs.
03/09/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Held in Committee 9-0-0 | HELD IN
COMMITTEE |
| 8. F26.335 | GRANT RESOLUTION; authorizing the Mayor to file an application and enter into an agreement with the Connecticut State Dept. of Public Safety for a Regional Public Safety Emergency Telecommunications Center; amount of grant: \$132,541.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 9. F26.336 | GRANT RESOLUTION; authorizing the Mayor to enter into agreement with the Connecticut State Dept. of Public Health to provide Health Education Risk Reduction, HIV Mobile Prevention Services and AIDS Health Care and Social Services; amount of grant: \$523,046.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 10. F26.337 | GRANT RESOLUTION; Authorizing the Mayor to File an Application and Enter into an Agreement with the State Department of Public Health for the Purpose of Providing a Cardiovascular Health Program for Stamford Residents; amount of grant: \$30,000.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 11. F26.338 | GRANT RESOLUTION; authorizing application under the Social Services Block Grant for a Program of Counseling Services to the Elderly; amount of grant: \$54,810.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 12. F26.339 | GRANT RESOLUTION: authorizing a Youth Drug and Alcohol Prevention Grant from the Connecticut Dept. of Children and Families; amount of grant: \$44,241.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |

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| 13. F26.340 | GRANT RESOLUTION; Authorizing the Mayor to enter into agreement with the Connecticut State Department of Public Health, Office of Local Health Administration, for funding assistance regarding operation of the City's 2004-05 Per Capita Grant; amount of grant: \$110,231
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 14. F26.341 | GRANT RESOLUTION; authorizing the Mayor to enter into agreements with the State of Connecticut for funding assistance regarding operation of the Stamford Day Care Program; amount of grant: \$1,645,587.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 15. F26.342 | GRANT RESOLUTION; Authorizing the Mayor to enter into Agreements with the State of Connecticut Office of Emergency Management for funding assistance regarding operation of the City's Emergency Management Performance Grant Program; amount of grant: \$30,000.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 16. F26.343 | GRANT RESOLUTION; authorizing the Mayor to file applications and execute contracts with the Federal Transit Administration of the U.S. Dept. of Transportation; grant to cover several projects.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 17. F26.344 | GRANT RESOLUTION; authorizing an agreement with the State Health Department regarding a Childhood Immunization Program; amount of grant: \$85,449.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 18. F26.345 | GRANT RESOLUTION; authorizing the Mayor to Execute a Contract with the Connecticut Judicial Branch Court Services Division to administer a | APPROVED
ON CONSENT |

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| | Juvenile Justice Center Program; amount of grant: \$307,962.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | AGENDA |
| 19. F26.346 | GRANT RESOLUTION; authorizing submittal of an application to the U.S. Department of Justice for the Local Law Enforcement Program; amount of grant: \$56,592.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 20. F26.347 | GRANT RESOLUTION; authorizing the Mayor to enter into agreement with the State of Connecticut for the 2004-05 Local Substance Abuse Prevention Council Program; amount of grant: \$7,130.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 21. F26.348 | GRANT RESOLUTION; authorizing an agreement with the Connecticut Office of Policy and Management for assistance provided through the Neighborhood Youth Center Grant; amount of grant: \$35,538.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 22. F26.349 | GRANT RESOLUTION; authorizing an agreement with the Connecticut Department of Education regarding a Quality Enhancement Program; amount of grant: \$83,072.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 23. F26.350 | GRANT RESOLUTION; authorizing the Mayor to file an application and enter into an agreement with the Connecticut department of Public Health for a preventive Health Block Grant; amount of grant: \$22,189.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0 | APPROVED
ON CONSENT
AGENDA |
| 24. F26.351 | GRANT RESOLUTION; authorizing the Mayor to file application and to enter into agreements with | APPROVED
ON CONSENT |

the State of Connecticut Department of Education for the School Readiness and Child Day Care grant; amount of grant: \$2,658,424.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0

AGENDA

25. [F26.352](#) GRANT RESOLUTION; authorizing the Mayor to file application and to enter into agreement for a program of Senior Health Services; amount of grant: \$28,406.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0
26. [F26.353](#) GRANT RESOLUTION; regarding the 2004-05 Tuberculosis and Sexually Transmitted Disease Treatment and Control Program; amount of grant: \$14,705.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0
27. [F26.354](#) GRANT RESOLUTION; regarding the 2004-05 Women, Infants' and Children's (WIC) Nutrition Program; amount of grant: \$390,000.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0
28. [F26.355](#) GRANT RESOLUTION; authorizing an agreement with the State of Connecticut Department of Education for funding of the Youth Services Bureau; amount of grant: \$55,906.
03/04/04 – Submitted by Mayor Dannel P. Malloy
03/29/04 – Committee approved 9-0-0

**APPROVED
ON CONSENT
AGENDA**

**APPROVED
ON CONSENT
AGENDA**

**APPROVED
ON CONSENT
AGENDA**

**APPROVED
ON CONSENT
AGENDA**

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 2 through 6 and 8 through 28, was approved by unanimous voice vote.

Vice Chair Cannady stated that the Committee voted to suspend its rules to discuss Item No. 29. No action was taken nor is any action requested of the full Board.

29. F26.357 DISCUSSION; regarding funding of Board of Finance audits.
03/15/04 – Submitted by Randy Skigen
03/11/04 - \$100,000 appropriated by Board of Finance
- REPORT
MADE**

03/29/04 – No action taken

LEGISLATIVE & RULES COMMITTEE: Maria Nakian, Chair

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Jim Shapiro, Vice Chair

Meeting: Monday, March 22, 2004

7:00 p.m. – Republican Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on Monday, March 22, 2004. Present were Committee Member Reps. Nakian, Shapiro, Benyus, Browne, Esposito, Greenberg and Zelinsky. Also present were Reps. Adams, Lyons and Pat White; Tom Cassone; James Rubino; Bill Callion; Jay Sandak, Pam Koprowski and Ed McCormick of Stamford Health System; and Howard Wolf from the American Red Cross.

1. [LR26.053](#) PROPOSED ORDINANCE; **for public hearing and final adoption**; amending Chapter 220, Article IV by increasing the home value for participants in the senior tax relief program from \$500,000 to \$600,000.
02/02/04 – Submitted by full Board
02/09/04 – \$600,000 limited recommended by Board of Finance
02/17/04 – Committee approved 8-0-0
03/01/04 – Approved for publication
03/22/04 – Approved for final adoption 7-0-0
APPROVED ON CONSENT AGENDA

2. [LR26.032](#) PROPOSED ORDINANCE; **for republication**; amending Section 220.13 of the Code of Ordinances increasing the exemption and income allowance for veterans.
07/09/03 – Submitted by Reps. Boccuzzi, DeLuca and Zelinsky
08/04/03, 08/25/03 – Held in Committee
09/22/03 – Report Made
10/20/03, 11/17/03, 12/01/03 – Held in Committee
12/15/03 – Committee Approved 8-0-0
01/05/04 – Approved for publication
01/20/04 – **Public Hearing Held** & Held in Committee 5-1-0
02/02/04, 02/17/04, 03/01/04 – Held in Committee
03/22/04 – Approved for republication (as amended) 7-0-0
APPROVED ON CONSENT AGENDA

3. [LR26.048](#) PROPOSED ORDINANCE; **for publication**; **APPROVED**

- | | | |
|---|---|---|
| | <p>concerning gifts and campaign contributions from contractors to city officials.
 01/07/04 – Submitted by Jim Rubino
 01/20/04 – Committee approved 6-0-0
 02/02/04 – Returned to Committee
 02/17/04 – Committee approved 8-0-0
 03/01/04 – Returned to Committee
 03/22/04 – Approved for publication (as amended) 7-0-0</p> | ON CONSENT
AGENDA |
| 4. LR26.060 | <p>PROPOSED ORDINANCE; for publication;
 amending the Code of Ethics and other sections of the Code of Ordinances relating to gifts.
 03/03/04 – Submitted by the Democratic Caucus
 03/22/04 – Held in Committee</p> | HELD IN
COMMITTEE |
| 5. LR26.051 | <p>PROPOSED ORDINANCE; for publication;
 providing for a tax abatement for property located at 112 Prospect Street, 2nd Floor, Unit A, owned by the American National Red Cross.
 01/14/04 – Submitted by Madeline Piccolo
 02/17/04 – No action taken
 03/01/04 – Held in Committee
 03/22/04 – Approved for publication 7-0-0</p> | APPROVED
ON CONSENT
AGENDA |
| 6. LR26.042 | <p>PROPOSED ORDINANCE; for publication;
 providing for a tax abatement for List #004-2896, Card #031A, Lot A-2 at Briar Brae Road, owned by the Stamford Land Conservation Trust.
 11/04/03 – Submitted by Dr. Joel M. Berns
 11/12/03 – Placed on Pending Agenda
 03/22/04 - No action taken</p> | HELD IN
COMMITTEE |
| 7. LR26.049
Resolution | <p>PUBLIC HEARING and RESOLUTION regarding the Stamford Urban Transitway Project and acquisition by negotiation or eminent domain of rights of way.
 12/30/03 – Submitted by Mayor Dannel P. Malloy
 01/08/04 – No action taken by Board of Finance
 01/20/04 – Held in Committee
 02/02/04 – Held in Committee
 02/17/04 – Committee voted to hold public hearing 6-0-1
 03/01/04 – Public Hearing Approved
 03/16/04 – Public Hearing To be Held
 03/22/04 - No action taken</p> | HELD IN
COMMITTEE |

Secondary Committee: Land Use

Chair Nakian reported that the public hearing was cancelled due to weather and has been rescheduled for April 15, 2004.

8. [LR26.047](#) PROPOSED ORDINANCE; **for publication**; of Chapter 68, Aircraft, Article I, Helicopters, Sections 68-2, Use of Public Property Prohibited, 68-3 Exceptions, 68-6 Restricted Activity and 68-7 Violations and Penalties. **APPROVED BY MACHINE VOTE (33-3-0)** (*Reps. Figueroa, Lyons and White opposed*)
- 01/07/04 – Submitted by Reps. Blackwell, Boccuzzi, Nakian, Nowakowski, Loglisci, President Martin, Zelinsky and Director Bill Callion
- 01/12/04 – Held in Committee
- 02/17/04 – No action taken
- 03/01/04 – Held in Committee
- 03/22/04 – Approved for publication (as amended)
- 6-0-0

Secondary Committee: Public Safety & Health

Concur

Chair Nakian moved Item No. LR26.047; said motion was seconded. Chair Nakian reported that it was brought to her attention this evening that the fine was not changed to \$90 from \$100. Chair Nakian moved to amend the ordinance by changing the fine from \$100 to \$90; said motion was seconded and approved by unanimous voice vote.

Chair Nakian stated that the ordinance provides two things: 1) a city landing facility at an undetermined location to be used only in case of a) a city-declared emergency, b) an emergency dealing with Homeland Security or c) a medical emergency. This would be controlled by the City, would be located on public property and would not allow for any other use of the facility. The second part of the ordinance is allowing a hospital that has a Level II trauma center to apply to the Zoning Board for approval of a heliport landing zone. This ordinance only allows the hospital to make application. Currently, the Zoning Board can grant a permit for anything, there is a city ordinance that says regardless of that there are no landings in Stamford, and we would be removing that.

The Committee felt that this was something that we should move on quickly, while it is hopeful there is no need, in this day and age anything is possible, and the Committee did feel there were enough possibilities of its use that it is something we should act on quickly. Chair Nakian moved to adopt for publication; said motion was seconded.

The main motion was approved by a machine vote of 33-3-0 (Reps. Figueroa, Lyons and White opposed) (See [RCS Vote Record No. 485](#)).

Rep. DeLuca stated that members of Local 1199 that are in attendance this evening will have an opportunity to have their opinions heard at the upcoming public hearing on this ordinance.

Rep. Zelinsky stated that this ordinance would not affect the members of the union and does not apply to hospital property. The ordinance is needed and it would not have any implications on the negotiations between the hospital and the union.

9. [LR26.057](#) REVIEW; of Chapter 117 of the Code of Ordinances, Enterprise Zone. **HELD IN COMMITTEE**
03/01/04 – Submitted by Reps. Greenberg & Browne
03/22/04 – Held in Committee

Chair Nakian stated that Mr. Freimuth was unable to attend due to a family emergency, and the item was held.

Chair Nakian moved the Consent Agenda, consisting of Item Nos. 1 through 3 and 5; said motion was seconded and approved by unanimous voice vote.

Suspension of Rules:

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

10. [LR26.61 Schedule](#) RESOLUTION; establishing a schedule of qualifying income and corresponding tax abatements and deferrals under Section 220.9.1 of recently-enacted Ordinance No. 1023 – Concerning Senior Citizen Tax Relief Program. **APPROVED BY UNANIMOUS VOICE VOTE**
03/22/04 – Submitted by L&R Committee
03/22/04 – Committee Approved 6-0-0

Chair Nakian moved Item No. LR26.061. Said motion was seconded.

Chair Nakian stated that when the Board approved the ordinance changing the senior citizen tax relief program, we said that the tax assessor would annually set a schedule which would then be approved by the Boards of Finance and Representatives. Mr. Forker has submitted such a schedule, it has been approved by the Board of Finance, and it is now in front of our Board. The Committee approved it 6-0-0.

Said resolution was approved by unanimous voice vote.

Chair Nakian added that while the schedule was approved, it was the feeling of the Committee and Mr. Forker that it really would be better if Stamford could develop a good tax deferral program so that people would opt for the deferral program. If the benefits in the deferral program were more realistic, this would be funds that the City would eventually get back rather than every year giving it out in tax abatements. The Committee will look into this at the beginning of the next fiscal year.

PERSONNEL COMMITTEE: **Sanchia Spadow, Co-Chair**
[\(Attendance\)](#) **Mary Lisa Fedeli, Co-Chair**
[\(Votes\)](#) Meeting: Wednesday, March 31, 2004
6:30 p.m. – Democratic Caucus Room

Co-Chair Fedeli reported that the Personnel Committee met on Wednesday, March 31, 2004. Committee Members present were Reps. Boccuzzi, Browne, Cannady, Loglisci, McCullen, Fedeli, Figueroa, Skigen and Spadow.

1. [P26.055](#) APPROVAL; of an administrative service agreement between the City of Stamford and ICMA Retirement Corporation (ICMA) for ICMA's administration of a 457 Deferred Compensation Plan and a 401a Money Purchase Plan for eligible city employees. **APPROVED
ON CONSENT
AGENDA**
02/19/04 – Submitted by Mayor Dannel P. Malloy
03/11/04 – Approved by Board of Finance
03/31/04 – Committee approved 7-0-1

Co-Chair Fedeli moved the Consent Agenda, consisting of Item No. 1; said motion was seconded and approved by voice vote (Rep. Fedeli abstaining).

LAND USE COMMITTEE: **Patrick White, Co-Chair**
[\(Attendance\)](#) **Harry Day, Co-Chair**
[\(Votes\)](#) Meeting: Monday, March 29, 2004
[\(Report\)](#) 7:30 p.m. – Republican Caucus Room

Co-Chair White reported that the Land Use Committee met on Monday, March 29, 2004. Present were Committee Member Reps. White, Day, Boccuzzi, Summerville, Benyus, Boccuzzi, Mitchell, Greenberg, Nakian and Shapiro. Absent were Committee Member Reps. Zelinsky and Spadow. Also present were Reps. O'Neill, Adams and Browne; Tom Cassone; Rachel Goldberg; Timothy Gooding, architect for River House; Steve Osman, URC; Rick Redniss; Robin Stein, Land Use Bureau Chief.

1. [LU26.049](#) PROPOSED ORDINANCE; **for publication;** **HELD IN**
amending Chapter 146 of the Code of Ordinances to provide a fine for property owners with illegal **COMMITTEE**
units within their dwellings.
01/06/04 – Submitted by Rep. DeLuca
01/27/04 – Meeting Cancelled
02/17/04 – No action reported
03/01/04 – Report Made
03/29/04 – Held in Committee 9-0-0

The Committee discussed this item and learned that the City already has a mechanism for enforcing zoning and that an ordinance is not needed. Co-Chairs Day and White felt that the Zoning Enforcement Office has to be properly funded to enforce zoning regulations. The Committee wants to hear from Dr. Lee, and therefore the Committee held the item.

2. LU26.048 PROPOSED ORDINANCE; **for publication;** **NO ACTION**
amending Chapter 88 of the Code of Ordinances, Demolition Ordinance to expand the list of **TAKEN**
organizations eligible to object.
02/17/04 – Submitted by Renee Kahn/Harry Day
03/29/04 – No action reported

Co-Chair White reported that this was submitted by Renee Kahn, and after discussing it with Tom Cassone, the Committee learned that under State Statute a municipality must have a specific geographic boundary – you cannot have an organization for the whole City. The Committee believes that there is currently proper notification. The Committee will recommend that this matter be removed at the next Steering Committee meeting.

3. [LU26.051](#) RESOLUTION; for a proposed amendment to the **APPROVED**
[Resolution](#) Mill River Corridor Urban Redevelopment Plan. **ON CONSENT**
02/25/04 – Submitted by Rachel Goldberg **AGENDA**
03/29/04 – Committee approved 7-0-2
03/30/04 – Approved by Planning Board

Co-Chair White stated that this came up because it is considered a major change within the district. This is concerning property on Broad Street just inside the Mill River district. A private developer will be used to develop the housing. Reps. Summerville and Mitchell confirmed that a private developer will be developing this housing, with 12% of the housing being considered affordable. However, the developer's view of affordable is not really affordable. Their passion and their commitment along with Rep. Adams is that there are plenty of people that need housing, and this housing does not necessarily fill the needs of those individuals. Other representatives believe that the project is otherwise quite sound and is a way to get some housing established in the area.

There was a separate issue concerning this brought up by Mr. Osman regarding setting aside housing for Stamford employees who are handicapped, and Rep. Adams made it clear that as long as you are a resident, affordable housing should be non-discriminatory. Since this matter was not on the agenda, it was not considered by the Committee.

4. LU26.047 REVIEW; of the feasibility of instituting an architectural review board or commission as part of the land use permitting process. **HELD IN COMMITTEE**
11/14/03 – Submitted by Reps. Browne & O'Neill
12/22/03 – Held in Committee
01/05/04 – Held in Committee
01/27/04 – Meeting Cancelled
02/17/04 – No action reported
03/01/04 – Report Made
03/29/04 – No action reported

Co-Chair White reported that Rep. Browne gave background on architectural review boards and state statute, their structures within various municipalities. He gave a history of the issue in Stamford, and he indicated that a charter change would not be necessary. The Committee decided that a lot of work would need to be done, and additional meetings with land use boards will be necessary. No action was taken.

Co-Chair White moved the Consent Agenda, consisting of Item Nos. 1 and 3; said motion was seconded and approved by voice vote (Rep. McDermott abstaining).

OPERATIONS COMMITTEE: **John R. Zelinsky, Co-Chair**
[\(Attendance\)](#) **Anthony Imbrogno, Co-Chair**
[\(Report\)](#) Meeting: Wednesday, March 24, 2004
7:00 p.m. – Republican Caucus Room

Co-Chair Imbrogno reported that the Operations Committee met on Wednesday, March 24, 2004. Present were Committee Member Reps. Zelinsky, Imbrogno, O'Neill, White, Adams and Coppola. Excused were Committee Member Reps. Fahan, Pavia, Hunter and McDermott. Also present were Glenn MacWilliams, Dr. Johnnie Lee and Police Chief Lou DeCarlo.

1. O26.054 REVIEW; of coordination between police and street sweepers for areas with alternate side of the street parking. **REPORT MADE**
02/24/04 – Submitted by Reps. Adams and Cannady
03/24/04 – Report Made

2. O26.052 REVIEW; delayed opening of Kosciusko Park. **REPORT
MADE**
01/07/04 – Submitted by Reps. Adams, Blackwell,
Cannady, Loglisci and Zelinsky
01/21/04 – Report Made
02/18/04 – Report Made
03/03/04 – Report made
03/24/04 – Report Made

Co-Chair Imbrogno stated a written report was provided to each member.

**PUBLIC SAFETY &
HEALTH COMMITTEE:**

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

Richard Lyons II, Chair
Gail Clear, Vice Chair

Meeting: Thursday, March 25, 2004
7:30 p.m. – Republican Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on Thursday, March 25, 2004. Present were Committee Member Reps. Lyons, Clear, Adams, Blackwell, Coppola, DeLuca, Zelinsky and Kernan; Reps. DePina and Mirkin were excused. Also present were: Rep. McDermott; Bill Callion; and representatives of Stamford Health System, Jay Sandak and Bill Hennessey.

1. PS26.48 PROPOSAL; to establish a city-controlled **REPORT
MADE**
emergency helicopter landing zone.
02/03/04 – Submitted by Director Bill Callion and
President Martin
02/26/04 – Report Made
03/01/04 – Report Made
03/25/04 – Committee approved 7-0-0

Secondary Committee: Legislative & Rules

Chair Lyons stated that Director Callion gave the Committee a proposal and review item, and even though voted upon by the Committee, no vote was necessary. Details of the proposal are in the Committee Report.

2. PS26.49 REVIEW; of Code of Ordinances Sec. 111, **REPORT
MADE**
Dogs and Other Animals.
03/01/04 – Submitted by Reps. Esposito
and McDermott
03/25/04 – Report made

Chair Lyons stated that the Committee reviewed a very outdated ordinance that relates to Poultry, Goats and Cattle. There is an issue in a particular district brought to the Committee's attention. Director Callion stated he would conduct additional research on the item and report back to the Committee. The Committee will most likely amend the ordinance in the near future.

PARKS AND

RECREATION COMMITTEE:

Linda Cannady, Co-Chair

Steve McDermott, Co-Chair

Meeting: Tuesday, March 23, 2004

7:00 p.m. – Democratic Caucus Room

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Co-Chair Cannady reported that the Parks & Recreation Committee met on Tuesday, March 23, 2004. Present were Committee Member Reps. Cannady, McDermott, Clear, McCullen, Pavia, Giordano, White, Imbrogno and Lyons; Reps. Fedeli and Morrow were absent.

1. [PR26.060](#) PROPOSED ORDINANCE; **for public hearing and final adoption**; rescinding Ordinance No. 991, amending Section 84-7, areas of specific speed restriction to comply with DEP requirements.
01/08/04 – Submitted by President Martin
01/20/04 - Held in Committee
02/02/04 – Held in Committee
02/17/04 – Committee Approved 6-0-0
03/01/04 – Approved for publication
03/23/04 – Committee approved 7-0-0 **APPROVED ON CONSENT AGENDA**

2. PR26.062 RESOLUTION; establishing fees for the 2004 season at E. Gaynor Brennan; fees to remain the same as in 2003.
03/04/04 – Submitted by Tim Curtin
03/23/04 – Committee approved 7-0-0 **APPROVED ON CONSENT AGENDA**

Co-Chair Cannady moved the Consent Agenda, consisting of Item Nos. 1 and 2; said motion was seconded and approved by unanimous voice vote.

EDUCATION COMMITTEE:

Brian O'Neill, Co-Chair

Thomas Hunter, Co-Chair

Meeting: Thursday, March 25, 2004

7:00 p.m. – Conference Room #1

Co-Chair O'Neill reported that the Education Committee met on Thursday, March 25, 2004. No quorum was achieved, but present were Committee Member Reps. Molgano, Benyus and O'Neill.

Co-Chair O'Neill moved to take Item No. E26.013 out of committee; said motion was seconded and approved by unanimous voice vote.

1. [E26.013](#) APPROVAL; of a contract with Perkins Eastman Architects, P.C. for architectural and engineering services at Stamford High School for the construction of a ninth grade campus.
02/27/04 – Submitted by Mayor Dannel P. Malloy **APPROVED BY UNANIMOUS VOICE VOTE**

Co-Chair O'Neill stated that the members present were in concurrence that this was a contract that should be approved.

Co-Chair O'Neill moved to approve Item No. E26.013; said motion was seconded and approved by unanimous voice vote.

2. [E26.014](#) REVIEW; of academic goals to be achieved in this academic year and the numerical basis to be used to accurately assess the success in achieving the goals.
03/04/04 – Submitted by Rep. Hunter **REPORT MADE**

Co-Chair O'Neill reported that the Board of Education supplied the Committee with a report that is available in the Board Office.

STATE & COMMERCE COMMITTEE: **Jim Shapiro, Chair**
[\(Attendance\)](#) **John Morrow, Vice Chair**
Meeting: Thursday, March 25, 2004
7:00 p.m. – Democratic Caucus Room

Chair Shapiro reported that the State & Commerce Committee met on Thursday, March 25, 2004. Present were Committee Member Reps. Shapiro, Browne, DeLuca, Nakian, Spandow and Greenberg; also present was President Martin.

- 1.SC26.005 REVIEW; Pitney Bowes manufacturing relocation and forecast for its Stamford Operations
01/07/04 – Submitted by Rep. Shapiro
01/12/04 – Held in Committee
03/25/04 – Report Made **REPORT MADE**

This matter was discussed, and a report has been provided to all members. Mr. Shapiro is available, and Pitney Bowes staff has indicated a willingness to answer any questions that members may have.

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

Elaine Mitchell, Chair

Philip Giordano, Vice Chair

Meeting: Tuesday, March 29, 2004

6:00 p.m. – Democratic Caucus Room

[\(Attendance\)](#)

[\(Votes\)](#)

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met Monday, March 29, 2004. Present were Committee Member Reps. Adams, Blackwell, Browne, McCullen, McDermott, Fahan, Mitchell and Giordano.

1. [HCD26.20](#) PUBLIC HEARING; for HUD funding for Housing and Community Development for Year 30 (04-05). **REPORT MADE**
[Contingency Resolution](#)
01/08/04 – Submitted by Tim Beeble
02/02/04 – Report Made
03/01/04 – Report Made
03/16/04 – Committee approved 6-0-0

Chair Mitchell reported that the public hearing was opened at 6:15 p.m. and closed at 7:05, with one individual speaking.

2. [HCD26.22](#) APPROVAL and REVIEW of HOME income limits for 2004. **APPROVED ON CONSENT AGENDA**
03/02/04 – Submitted by Tim Beeble
03/16/04 – Committee approved 6-0-0

3. [HCD26.23](#) APPROVAL; of reassignment of \$150,000 in CDBG funding for window replacement at Friendship House from Friendship House Inc. to the successor owner, NNI/MHA Friendship House, LLC. **NO ACTION NECESSARY**
03/02/04 – Submitted by Tim Beeble
03/16/04 – Held in Committee 5-0-0

4. HCD26.24 APPROVAL; of transfers to the contingency line of excess funds from: Economic Development Office (\$80,000); Mutual Housing Assoc. (\$30,000) and Domus House (\$1,104). **NO ACTION NECESSARY**
03/04/04 – Submitted by Tim Beeble
03/16/04 – Committee approved 5-0-0

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|---|-------------------------------------|
| <p>5. HCD26.14 REVIEW; of the policies for administration of the HOME Program.
 05/12/03 – Submitted by Reps. Summerville & Mitchell.
 05/20/03 – Report Made
 08/11/03 – Held in Committee
 09/16/03 – Report Made
 10/21/03 – Report Made
 11/18/03 – Held in Committee
 12/01/03 – Held in Committee
 03/16/04 – Held in Committee 5-0-0</p> | <p>HELD IN
COMMITTEE</p> |
| <p>6. HCD26.17 REVIEW; of lead safe home program.
 06/03/03 – Submitted by Tim Beeble
 08/11/03 – Held in Committee
 09/16/03 – Report Made
 10/21/03 – Report Made
 11/18/03 – Held in Committee
 12/01/03 – Held in Committee
 03/16/04 – Held in Committee 5-0-0</p> | <p>HELD IN
COMMITTEE</p> |

Chair Mitchell moved the Consent Agenda, consisting of Item No. 2; said motion was seconded and approved by unanimous voice vote.

<p>TRANSPORTATION COMMITTEE: (Attendance) (Votes) (Report)</p>	<p>Robert “Gabe” DeLuca, Chair John Fahan, Vice Chair Meeting: Thursday, March 18, 2004 7:00 p.m. – Republican Caucus Room</p>
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Vice Chair Fahan reported that the Transportation Committee met on Thursday, March 18, 2004. Present were Committee Member Reps. Fahan, Blackwell, Kernan and Giordano. Excused was Rep. Zelinsky. Also present was Sandy Goldstein and John Routolo of the DSSD and Donna Porstner of the Advocate.

- | | |
|---|---|
| <p>1. T26.050 PROPOSED ORDINANCE; for publication;
 amending Sec. 231-7, Parking Violation Penalties to provide for a fine of \$70 for all Class II violations and a fine of \$90 for all Class III violations.
 02/06/04 – Submitted by Rep. DeLuca
 03/18/04 – Committee approved 4-0-0</p> | <p>FAILED BY
MACHINE VOTE
(0-36-0)</p> |
|---|---|

Vice Chair Fahan moved Item No. T26.050; said motion was seconded.

Vice Chair Fahan stated that this is a proposed increase of \$35 to \$70 for Class II and a proposed increase from \$55 to \$90. The reason for these increases are several: 1) a tough budget cycle this year; 2) the administrative towing fee has not been successful at all. The City has not collected any monies from it, and Item No. 1 is a way to make up that loss of revenue. The City needs to take austerity measures in the City, and while this may not be popular, it is preferable to raising taxes.

Rep. O'Neill stated that he believes that this concept of using one ordinance to raise money for another ordinance that doesn't happen to be collecting revenue is a case of faulty logic. In the first case, the fees for parking illegally are already adequate. In the second case regarding the administrative towing fee and its inability to collect fees, the entire ordinance should be reviewed so that it can be corrected properly, not piecemeal.

Rep. Esposito stated that he is appalled that a request to repeal the administrative towing fee is coming before this Board. Rep. Esposito stated that Mr. DeLuca and his committee worked for months and months, with many drafts, a considerable amount of time was expended by the Law Department, the Board expended a considerable amount of time, and it didn't work simply because the Police Department simply didn't want to collect the fees. The Police Department was at the public hearings, and no one thought to say that they weren't going to collect the fees anyway. The Stamford Police Department is one of the highest paid police departments in the State of Connecticut, and it wouldn't collect the fees after all of the work of putting this ordinance together.

Rep. Boccuzzi concurred with Mr. Esposito's comments.

Chair DeLuca stated that there were numerous hearings on this ordinance, and back in January he received a call from Pete Privitera saying there was a problem enforcing this ordinance. One of the reasons for the meeting was that Captain Tomlin suggested that the majority of the cars that were towed were not redeemed, and most were junk cars. Trying to collect the fee from the abandoned cars was not feasible. Another reason for the repeal was that the police were having trouble collecting the fee from injured parties in accidents. The compromise arrived to was to add the \$35 fee to the Class II and Class III fines, because they are towable violations. Chair DeLuca stated that he agrees that the police have not been doing their job and basically have refused to do their job by not complying with the ordinance that was passed. Police officers attended the meetings, their questions were answered, and they even had the Cashiering & Permitting Office manage the program.

Chair DeLuca stated that Vice Chair Fahan ran a good meeting, and if the president wants to send a letter out saying that he wants the Police Department

to enforce the administrative towing fee ordinance and reject Item No. 1 on the agenda, he would be amenable to that.

Rep. Day stated that he objects to the primary reason for raising these fines as provided here, which is to raise revenue. Rep. Day stated that there must be a public policy reason for raising these fines, not just to raise revenue. The reason for a fine or raising a fine is to encourage or deter particular types of conduct; the fact that it happens to raise revenue is helpful in enforcing the regulation, but that should not be the primary purpose.

Rep. Lyons stated that he, too, concerns with Rep. Day about the intentions of this. He also has trouble with setting a precedent whereby one ordinance is not working and the Board then looks to another catchall to make up for the deficient ordinance. An analogy would be the false alarm ordinance isn't working and they are behind in the billables, so let's increase the penalty on massage parlors. He would also never support taking the Class II and III parking fines and increase them by 100%. While driving through the East Side or the South End, or any other older industrial neighborhood and highly residential streets, where there is basically single-lane traffic, you have parents dropping kids off, school buses backed up, and you have parents getting \$70 tickets. A person making \$8 an hour for over eight hours, this is over one day's pay. Unless he sees a more comprehensive traffic management plan in some of these neighborhoods that would be most affected by these tickets.

Rep. Shapiro stated he didn't support the towing fee in the first place, and he certainly has no problem in getting rid of it, and he has not supported any of the increases in the parking ticket fees, and he won't support these as well. Rep. Shapiro stated that it used to be that we were nickel-and-diming people in this town, and now we are doing more than that. Fifty percent increases, 100% increases, and he believes it is the Board's job to make this town a little more livable, to make people's hectic lives a little bit better, their lives a little more under control and to improve the quality of life. He understands there is a need for revenue, but the amount of annoyance, inconvenience and bad will generated by things like this is not worth whatever dreams of revenue they can have, and quite frankly, the realities of the revenue are quite slim. Rep. Shapiro stated that this is just a bad idea all the way around, and the Board should just turn it down every time it comes up.

Rep. Zelinsky stated that if this revenue is going to be raised by giving tickets to people who do not live in Stamford and who are doing all of these illegal things, he would certainly vote in favor of it. But, in this particular situation, as mentioned by others, to start raising money on the backs of those dropping children off at school or parking their car for a moment or two and having to get whacked by a ticket...and these fines are starting to look, God forbid, like New York City. Rep. Zelinsky stated he would urge his colleagues to vote against Item No. 1.

Rep. Cannady stated that in her district, there is no coordination between the street sweepers and the police, and tickets are issued. The Class II parking tickets are given out in these scenarios, and she will not support a further burden on her constituents.

Vice Chair Fahan stated that it is important for the residents of the City of Stamford to know that they have an administrative appeal as well as a right to a public hearing. As a former appointed traffic hearing officer for four years, it is a very fair process.

The item failed by a machine vote of 0-36-0 (See [Vote Record No. 486](#)).

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|----------------------------|--|---|
| 2. T26.051 | PROPOSED ORDINANCE; for publication ;
repealing Sec. 231-54. Administrative Towing
Fee.
02/06/04 – Submitted by Rep. DeLuca
03/18/04 – Committee approved 4-0-0 | FAILED BY
UNANIMOUS
VOICE VOTE |
|----------------------------|--|---|

Vice Chair Fahan moved Item No. 2; said motion was seconded.

Rep. O'Neill moved to return the item to committee; said motion was seconded.

Chair DeLuca recommended that the Board simply reject the item, and he will notify the Police Department of the Board's rejection and that the Board wants the Police Department to enforce the existing ordinance.

Rep. O'Neill withdrew his motion to hold; the President called for any objections to the motion to hold and none were noted.

Rep. Lyons suggested to Rep. DeLuca that he might want to recommend this get moved in with false alarm billings, under Lisa Reynolds, if the Police Department is still not getting the billings collected.

The item failed by unanimous voice vote.

President Martin asked Messrs. DeLuca and Fahan to draft a letter regarding Item No. 2. President Martin also stated he heard of some operational issues regarding issuing tickets in the East Side and the South End and requested Ms. Cannady and Mr. Adams (and others) draft a letter or work with the Board Office to compose such a letter.

- | | | |
|----------------------------|--|------------------------|
| 3. T26.043 | REVIEW; of parking master plan.
01/29/04 – Submitted by Reps. Fahan &
DeLuca
03/01/04 – No action taken | REPORT
MADE |
|----------------------------|--|------------------------|

03/18/04 – No action taken
03/18/04 – Report Made

Vice Chair Fahan stated that Sandra Goldstein is not ready at this time to submit the plan for review. Her Board has not seen it, and it has not been approved by the Traffic Advisory Committee. There are three objectives to the plan: 1) make Stamford a more hospitable place for pedestrians; 2) to increase and/or decrease parking spaces where appropriate and 3) attempt to make parking fees as uniform as possible throughout the city.

President Martin confirmed that this is a DSSD master parking plan.

4. [T26.047](#) RESOLUTION; **for publication**; setting fees for the Bell and Bedford parking garage fees. **HELD IN COMMITTEE**
02/03/04 – Submitted by Glen MacWilliams
03/01/04 – No action taken
03/18/04 – Held in Committee 4-0-0

Vice Chair Fahan stated that this item was held while the Operations Department and the DSSD continue discussing this matter.

5. [T26.048](#) RESOLUTION; **for publication**; setting on-street meter fees and enforcement hours. **HELD IN COMMITTEE**
02/03/04 – Submitted by Glen MacWilliams
03/01/04 – No action taken
03/18/04 – Held in Committee 4-0-0

Vice Chair Fahan stated that this item was held while the Operations Department and the DSSD continue discussing this matter.

6. T26.049 REVIEW; parking in the Government Center garage. **HELD IN COMMITTEE**
02/03/04 – Submitted by Glen MacWilliams
03/01/04 – No action taken
03/18/04 – Held in Committee 4-0-0

Vice Chair Fahan stated that Mr. MacWilliams did not attend the meeting, and the matter will be held.

SPECIAL COMMITTEES

CHARTER COMMITTEE: Maria Nakian, Co-Chair
(Attendance) **Robert “Gabe” DeLuca, Co-Chair**
(Report) Meeting: Thursday, March 18, 2004
7:00 p.m. – Conference Room #1

Co-Chair Nakian reported that the Charter Committee met on Thursday, March 18, 2004. Present were Committee Member Reps. Lyons, Fedeli, Day, DeLuca and Nakian. Also present was President of the Board David Martin.

1. APPROVAL; of the draft report of the 16th **REPORT**
Charter Review Commission. **MADE**
03/08/04 – Submitted by Steering Committee
03/18/04 – Report Made

Co-Chair Nakian stated the Committee went through the Charter and identified any other areas that needed further study. If anyone else had any input, the Committee would appreciate it. The Committee will hold a public hearing on the 21st, and the Draft Report will be voted upon at the May meeting.

Rep. Fedeli asked whether the Charter Revision Commission will be in attendance at the meeting of the 13th. Chair Nakian stated that they were invited to the meeting.

Rep. Zelinsky stated that he does not enjoy saying and wishes he did not have to say it, however, he sincerely believes it must be said. When he found out that the Charter Revision Committee was going to meet on March 18, and found out he had a long-standing commitment, he did telephone both co-chairs and ask if they would be voting on the stipend issue. He was told they would probably not be voting. He also faxed a letter to the Board Office the day of the meeting asking that the Committee not take any votes as he had some valuable information regarding the stipend issue.

Rep. Zelinsky stated that when he read in the paper the following day that a vote was taken against the stipend issue, he was shocked and appalled. This is an insult and a personal disrespect to a fellow representative. The five representatives present that evening had a total disregard of his request not to vote on this item until another meeting when he could attend and offer valuable information.

One of the co-chairs was quoted in the newspaper as stating that they were not looking for a paycheck, found it embarrassing and didn't want to antagonize the voters. Rep. Zelinsky stated that no one is looking for a paycheck and he doesn't see how it could antagonize the voters if they are allowed to vote on this issue. The original memo, dated January 21, 2003, said that the recommendation was

to explore amending the charter to allow a stipend or expense allowance to the members of the Board of Representatives effective December 2005. The voters should be allowed to vote yes or no. Rep. Day stated that most of the people he had spoken with are opposed, and Rep. Zelinsky wonders how many of the 57,000 voters he actually spoke to. Rep. Zelinsky stated he was surprised that Mr. Day agreed to include his name on the original request. Rep. Fedeli stated she has no desire to receive a stipend. Rep. Zelinsky wonders if these representatives are afraid the voters may vote yes on this question. If the voters do vote yes, those representatives are not forced to take it. There is nothing wrong in a true democracy to let the voters vote on this item.

Rep. Zelinsky stated it is strange is that other items, such as the board of education issues, which were described as being more controversial, required more time. This was the only item singled out to not let the public come to a public hearing to discuss this issue.

Rep. Zelinsky stated he knows he cannot go back, but he hopes that this situation does not occur again when a fellow representative asks for cooperation from committee chairs that they would be honored in that request.

Rep. DeLuca stated that the other items were not voted on because they were deemed controversial. In his judgment and in the judgment of the other four members of the committee, they determined the item was frivolous, not controversial and that it should be rejected immediately. Rep. DeLuca felt that a \$500 stipend was ridiculous, and if they were serious, they should go for a \$5,000 stipend as the expenses are greater than \$500. It is an embarrassment to him personally and ridiculous to ask for a \$500 per year paycheck. Rep. DeLuca was the one who stated that he didn't want to antagonize the voters. Rep. DeLuca also stated that it was suggested to the person who wrote the letter that they could still come to the public hearing, and they could meet with the Commission and the Committee on the 13th, but he would hope that the Board would reject this item.

Rep. Lyons stated that having attended the meeting, he let Rep. Zelinsky be on notice that if after a public hearing if he determines there is merit and a groundswell of opinion in favor of this item, he would, as a member of the prevailing side of the vote, he may make a motion to reconsider that vote. He doesn't, however, feel that Mr. Zelinsky is going to find that groundswell or support. Rep. Lyons stated that if he would like him to make a motion, he will, but he is certain it is destined for the same fate, and encourages Mr. Zelinsky to march on.

**EDUCATION BUDGET
COMMITTEE:**

Randall Skigen, Chair

RESOLUTIONS

2. [SENSE-OF-THE-BOARD](#) Resolution
congratulating Marc Lyons for being selected
citizen of the year by the Jewish War Veterans
Post WWII.
03/03/04 – Submitted by the 26th Board of
Representatives
- APPROVED BY
UNANIMOUS
VOICE VOTE**

MINUTES

1. [March 1, 2004 Regular Board Meeting](#)
- APPROVED BY
UNANIMOUS
VOICE VOTE**

COMMUNICATIONS

1. President Martin announced that the Steering Deadline will be tomorrow at 10:00 a.m.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 11:48 p.m.