

The Regular Meeting of the 26th Board of Representatives of the City of Stamford was held Monday, January 3, 2005 in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

Minutes

Clerk of the Board Summerville called the meeting to order at 9:23 p.m. Rep. Skigen moved to appoint Rep. Boccuzzi as temporary chair; said motion was seconded and approved by unanimous voice vote.

INVOCATION:

By Rep. Rauh.

“In this year, may we promote peace and the will to proclaim its message to all of the peoples of the earth. Bless our country, that it may always be a stronghold of peace and its advocate among the nations. May contentment reign within its borders, health happiness within its homes. Strengthen the bonds of friendship among the inhabitants of all lands. Teach us to uphold our nations and cities good name by our own right conduct. Help us to see clearly that our well-being is in the hands of all of our citizens. May all who hold positions of leadership and responsibility be responsive and exemplify justice and compassion. May we be with those who serve us, our thoughts be with those who serve our nation in foreign lands, give them strength to endure and return safely.”

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by Acting Chair Boccuzzi.

ROLL CALL: Led by Clerk of the Board Annie M. Summerville. There were thirty-five members present; four members absent (Reps. Hunter, Martin, Mitchell and Nowakowski), and one vacancy.

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

MOMENTS OF SILENCE: For the late:

Daniel Ryan, Jr., Ali Ida Laukkanen and John Hogan, Jr. by the 26th Board of Representatives; Shirley Chisholm, by Clerk of the Board Summerville; James S. Coughlin, Sr. by John Boccuzzi; Tyrone Alexander, James L. Basil, Isaac Bryant and Rose Cece by Annie Summerville; Barbara Chisholm by Linda Cannady; Dr. Saul Spitzberg by Harry Day; Daniel Edmund Ryan, Jr., by Reps. Clear and Giordano; Madison Smith by Reps. Summerville, Boccuzzi, Mitchell and DePina; Benson Zinbarg by David Martin; Helen L. Tartell, John L. Mercede, Sr., Anna Piscitelli, Paul S. Holko, Sr., Jacqueline M. Putney, William A. Capporizzo, Joe Yorfino, Nicholas A. Cotellassa, Sr. and Mary Maintanis by Phil Giordano; Antoinette M. Lopriore, Thomas G. Smith and William D. Rosa by Reps. Giordano and Zelinsky; Miriam E. Smith by Rep. Zelinsky;

FILLING OF VACANCIES:

Acting President Boccuzzi declared a vacancy in the 11th District as a result of Jim Shapiro's resignation.

1. Jim Shapiro (D-11)
Date of Resignation: December 31, 2004

Rep. Zelinsky nominated James D. Diamond to fill the vacancy in the 11th District. Rep. Zelinsky stated that Mr. Diamond is a registered democrat and resides in the 11th District. Mr. Diamond has experience in the criminal justice system, is a former Connecticut prosecutor and a member of the executive staff of the New York State's Attorney General. He sought out ethics in government as a director of Common Cause in the early 1980s. He served on the Sewer/Water Commission since 2002, and has recently resigned. He is on the Board of Directors of Congregation Agudath Shalom. He is a member of the Democratic State Central Committee in Hartford and practices law here in Stamford. The motion was seconded and approved by voice vote (Rep. Skigen abstaining).

Mr. Boccuzzi administered the oath of office.

COMMUNICATIONS:

STEERING COMMITTEE: Meeting: Monday, December 13, 2004
[\(Minutes\)](#) 7:00 p.m. – Democratic Caucus Room

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

STANDING COMMITTEES

APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair

Annie M. Summerville, Vice Chair

Tuesday, December 21, 2004

7:00 p.m. – Democratic Caucus Room

Committee of the Whole Meeting:

Tuesday, December 21, 2004

8:00 p.m. – Democratic Caucus Room

- and -

Meeting: Monday, January 3, 2005

6:30 p.m. – Democratic Caucus Room

[\(Votes\)](#)

[\(Report\)](#)

[\(Attendance\)](#)

[\(Votes\)](#)

Chair Esposito stated that the Appointments Committee met on December 21, 2004. Present were Committee Member Reps. Esposito, Summerville, Blackwell, Clear, Coppola, Munger and Nowakowski.

Chair Esposito stated that at the January 3, 2005 meeting, present were Committee Member Reps. Esposito, Summerville, Blackwell, Coppola, Pia, Boccuzzi, Clear, Kernan, Layton, Munger and Nowakowski.

- | | | |
|----------------------------|--|---|
| 1. A26.179 | <u>Fire Commission</u>
Richard L. Lyons (D) Reappointment
38 Van Rensselaer Ave. (Term Exp. 11/30/07)
Stamford, CT 06902
Term Expires: 11/30/07
11/23/04 – Submitted by Mayor Dannel P. Malloy
12/21/04 – Committee approved 7-0-0 | APPROVED
ON CONSENT
AGENDA (Rep.
Lyons abstaining) |
| 2. A26.180 | <u>Police Chief</u>
Brent B. Larrabee
12/08/04 – Submitted by Mayor Dannel P. Malloy
12/21/04 – Meeting continued to 1/3/5
01/03/05 – Committee approved 9-0-0 | APPROVED
BY VOICE
VOTE (Rep.
Franzetti
abstaining) |

Secondary Committee: Public Safety & Health

Chair Esposito stated that the Committee approved Mr. Larrabee by a vote of 9-0-0. Chair Esposito moved Item No. A26.180; said motion was seconded.

Chair Esposito stated that Mr. Larrabee came before the Committee and answered many questions, among them concerns about his intentions to stay in Stamford. Mr. Esposito stated he was confident that this is a position he will keep until he retires. His

contract is for five years. The Committee had its own background investigation performed, and they met with the investigator. Mr. Larrabee indicated he would move to Stamford and there is evidence he has the resources to do so.

Rep. Zelinsky stated that with all due respect to Mr. Larrabee, he is extremely disappointed that a new chief was not selected from within the Police Department. Frank Lagan, Rich Priolo and John Geter seem to be qualified.

Acting President Boccuzzi asked Mr. Zelinsky to not mention names but to speak to the motion.

Mr. Zelinsky stated he was disappointed, but he will support Mr. Larrabee.

Rep. Lyons stated that as Chair of Public Safety, Health & Welfare, he sat in on the interview. He found Mr. Larrabee to be very forthright, candid and seemed to be a man of seasoned law enforcement experience. Rep. Lyons stated that for some reason, Stamford wants to bring its new chief in with other baggage, and he hopes that we don't look at Chief Larrabee in that light. He believes his contract is a somewhat fair, but also somewhat unfair. He believes some of it could have been negotiated in a more beneficial light to the chief.

Acting Chair Boccuzzi asked Mr. Lyons to speak to the motion, adding that the contract was not on the floor.

The appointment was approved by voice vote (Rep. Franzetti abstaining).

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

FISCAL COMMITTEE: **Randy Skigen, Chair**
 Linda Cannady, Vice Chair
[\(Votes\)](#) Meeting: Monday, December 20, 2004
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Monday, December 20, 2004. Present were Committee Member Reps. Skigen, Cannady, Day, Fedeli, Figueroa, Giordano, Hunter, Mirkin, Skigen and Lyons. Also present were Rep. Coppola; Asst. Police Chief Priolo; Debbie Katz of the Health Department; John Dibble, Chief of the Belltown Fire Department; Ray Whitfried, Turn of River Fire Chief; Ed Rondano, Glenbrook Fire Department; Ed Gentile of the Engineering Bureau; Ellen Bromley of Social Services; Tim Curtin, Director of Operations; Grants Director Sandy Dennies; Jose Menendez of the Parks Department and Ben Barnes, Director of Administration.

1. [F26.462](#) ADDITIONAL APPROPRIATION (Grants **APPROVED ON**
 Budget); HIV Mobile Prevention; to align 04/05

\$7,332.00	grant with state allocation. 11/29/04 – Submitted by Mayor Dannel P. Malloy 12/09/04 – Approved by Board of Finance 12/20/04 – Committee Approved 7-0-0	CONSENT AGENDA
2. F26.463 \$20,000.00	ADDITIONAL APPROPRIATION (Grants Budget); HIV Prevention in Schools; grant from NACCHO to expand existing program to AIT and Dolan. 11/29/04 – Submitted by Mayor Dannel P. Malloy 12/09/04 – Approved by Board of Finance 12/20/04 – Committee approved 7-0-0	APPROVED ON CONSENT AGENDA
3. F26.459 \$9,900.00 F26.460 \$30,100.00 F26.461 \$29,907.00	- ADDITIONAL APPROPRIATION (Grants Budget); DUI Enforcement Program; F26.459-\$9,900, Overtime; grant with 25% city match to perform DUI patrols and conduct sobriety checkpoints through December 2004; F26.460-\$30,100, Overtime; grant with 25% city match to perform DUI patrols and conduct sobriety checkpoints through September 2005; F26.461-\$29,907, federal grant with 20% city match for purchase of vehicle. 11/29/04 – Submitted by Mayor Dannel P. Malloy 12/09/04 – Approved by Board of Finance 12/20/04 – Committee approved each 7-0-0	APPROVED ON CONSENT AGENDA (Rep. Franzetti abstaining)
<i>Secondary Committee: Public Safety & Health</i>		<i>Concur</i>
4. F26.468 \$12,804.00	ADDITIONAL APPROPRIATION (Operating Budget); Police; Recruitment & Hiring; funds required to complete hiring process for up to 10 police officers. 11/29/04 – Submitted by Mayor Dannel P. Malloy 12/09/04 – Approved by Board of Finance 12/20/04 – Committee approved 8-0	APPROVED ON CONSENT AGENDA
5. F26.464 - \$87,969.00 F26.465 - \$71,525.00 F26.466 - \$174,972.00	ADDITIONAL APPROPRIATION (Operating Budget); Big Five Volunteer Fire Departments; Overtime; to restore accounts to historic funding levels: Glenbrook-\$87,969; Belltown-\$71,525; Turn of River-\$174,972. 11/29/04 – Submitted by Mayor Dannel P. Malloy 12/09/04 – Approved by Board of Finance 12/20/04 – Committee approved each 8-0-0	APPROVED ON CONSENT AGENDA (Rep. Munger abstaining)

Secondary Committee: Public Safety & Health

Concur

6. [F26.467](#)
~~\$1,500,000.00~~
\$500,000.00

ADDITIONAL APPROPRIATION (Operating Budget); Director of Administration; Medical & Life Insurance Expense; to cover cost of unanticipated medical claims.
11/29/04 – Submitted by Mayor Dannel P. Malloy
12/09/04 – Approved by Board of Finance (\$500,000)
12/20/04 – Committee approved 8-0-0

**APPROVED ON
CONSENT
AGENDA**

Secondary Committee: Personnel

Concur 7-0-0

7. [F26.453](#)
\$1,436,709.00 &
[F26.454](#)
\$1,478,537.00

ADDITIONAL APPROPRIATION (Operating Budget); (F26.453) Smith House Administration; Central Service Cost Allocation; to fund continued operations at Smith House & (F26.454) Salaries; funds to continue operations while new management firm is selected; funds to be appropriated to various cost centers.
10/05/04 – Submitted by Mayor Dannel P. Malloy
10/13/04 – \$1,457,623 approved by Board of Finance
10/25/04 – Committee approved \$718,354 for F26.453 and \$739,269 for F26.454 – Committee approved each 8-0-0
11/08/04 – Approved on Consent Agenda
12/06/04 – Resubmitted by Mayor Dannel P. Malloy
12/09/04 – Approved by Board of Finance
12/20/04 – Committee approved 8-0-0

**APPROVED
ON
CONSENT
AGENDA**

Secondary Committee: Public Safety & Health

Concur 7-0-0

8. [F26.469](#)
\$35,000.00

ADDITIONAL APPROPRIATION (Operating Budget); Parking Facilities; Contracted Services; to cover cost of security clause amendment in management contract at Bell and Forest Street garages.
11/29/04 – Submitted by Mayor Dannel P. Malloy
12/09/04 – Approved by Board of Finance
12/20/04 – Committee approved 8-0-0

**APPROVED ON
CONSENT
AGENDA**

Secondary Committee: Transportation

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

9. [F26.470](#)
\$492,000.00
[F26.472](#)
\$500,000.00

ADDITIONAL APPROPRIATION (Capital Budget); F26.470-Cove Island Wildlife Sanctuary; to construct a wildlife sanctuary and reconstruct the deteriorated seawall; F26.472-Cove Island Estuary Habitat; to remove and dispose of dredgings from Holly Pond and reconstruct and/or relocate existing deteriorated seawalls.
11/29/04 – Submitted by Mayor Dannel P. Malloy
12/07/04 – Approved by Planning Board
12/09/04 – Approved by Board of Finance
12/20/04 – Committee approved each 8-0-0

**APPROVED ON
CONSENT AGENDA**

Secondary Committee: Parks & Recreation

Concur 8-0-0

10. [F26.471](#)
\$100,000.00

ADDITIONAL APPROPRIATION (Capital Budget); Engineering; Cove Island Ice Rink; to purchase equipment for Terry Connors ice rink.
11/29/04 – Submitted by Mayor Dannel P. Malloy
12/07/04 – Approved by Planning Board
12/09/04 – Approved by Board of Finance
12/20/04 – Committee approved 8-0-0
12/27/04 – Withdrawn by Administration

**HELD IN
COMMITTEE BY
UNANIMOUS VOICE
VOTE** (Rep. Pavia
abstaining)

Secondary Committee: Parks & Recreation

Concur 7-0-1

11. [F26.473](#)
\$490,400.00

ADDITIONAL APPROPRIATION (Capital Budget); Cummings Seawall and Walkway; to reconstruct deteriorated seawall and adjacent walkway; to restore selected shoreline vegetation.
11/29/04 – Submitted by Mayor Dannel P. Malloy
12/07/04 – Approved by Planning Board
12/09/04 – Approved by Board of Finance
12/20/04 – Committee approved 8-0-0

**APPROVED ON
CONSENT AGENDA**

Secondary Committee: Parks & Recreation

Concur 8-0-0

12. F26.476

REVIEW; of overpayments made to City Park Department employees.
11/30/04 – Submitted by Reps. DeLuca and Mirkin
12/20/04 – Report Made

REPORT MADE

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 through 9 and 11, was approved by voice vote (Rep. Franzetti abstaining on No. 3; Rep. Munger abstaining on No. 5; Rep. Pavia abstaining on No. 10).

LEGISLATIVE & RULES COMMITTEE: Maria Nakian, Chair

[\(Attendance\)](#)

Jim Shapiro, Vice Chair

Meeting: Monday, December 20, 2004

7:00 p.m. – Republican Caucus Room

- and -

Meeting: Monday, January 3, 2005

6:45 p.m. – Conference Room #1

[\(Report\)](#)

Chair Nakian reported that the Legislative & Rules Committee met on Monday, December 20, 2004. Present were Committee Member Reps. Nakian, Esposito, Franzetti, Shapiro, Sweeney, Layton and Zelinsky present. Also present were Reps. Day, Lyons and Molgano. Reps. Benyus, Mitchell and Nowakowski were excused. Also present were Sandy Goldstein of the DSSD; Tom Lombardo and Jack Halpert from the North Stamford Association; Phliip Norgren of the Sewer Commission; Jeanette Brown of the WPCA; Ben Barnes, Director of Administration and several members of the public.

1. [LR26.075](#)
[Summary](#)
[Ordinance](#)

PROPOSED ORDINANCE; **for publication**;
amending Ordinance No. 628 concerning the
creation of the Downtown Special Services
District.

10/28/04 – Submitted by Sandy Goldstein

11/22/04 – Held in Committee

12/06/04 – Held in Committee

12/20/04 – Committee approved 7-0-0

**APPROVED BY
UNANIMOUS
VOICE VOTE-
SUMMARY
FORM OF
ORDINANCE**

Chair Nakian moved Item No. LR26.075 in summary form for publication; said motion was seconded. Chair Nakian stated that this ordinance removes the cap on the number of commissioners, which is currently 25. The Board of Commissioners will no longer be involved in the day-to-day operation of the DSSD, but will have more traditional responsibilities of a Board.

Rep. Lyons stated he does not think it is prudent or wise for the Board to publish ordinances in summary format. He feels that transparency is of the utmost importance, and he does not want to see an ordinance with many changes summarized in a few sentences and then published without the actual changes attached to it. He feels this is a major step the Board is taken, and wants it on record that he does not believe this is as beneficial to the public as a full publishing of the ordinance. Rep. Lyons stated that while the President and others have mentioned the monetary costs, but that factor

should not be taken into account in determining whether the ordinance is published in its entirety.

Chair Nakian stated that one year ago this Board availed itself of the provision in State law allowing a municipality to publish an ordinance in summary form. Chair Nakian thought this was a good ordinance for this process. When she amended this ordinance, it came out to four pages of text to make three changes. When you have a situation where the change is very small, she feels it is a benefit to the public. A very concise summary of exactly what change is being made is easier for the public to follow than columns of text. She does not see this at all as a disservice to the public but in fact it is beneficial to the public. The item was approved by unanimous voice vote.

Rep. Zelinsky stated that he concurs with Rep. Nakian with the adoption of the short form. Rep. Zelinsky thought the cost was an important factor, and we are not setting any precedent this evening. Rep. Zelinsky feels that each ordinance should be looked at individually for short-form publication.

Rep. Day stated that to recap the issue, we decided as a Board that the advantages far outweigh the disadvantages, one of those being that the public is more likely to read and understand a summary form rather than a 25-page ordinance. Also, the advantages of significant cost savings to the public is considered also. Finally, the full text is available at the Offices of the Board of Representatives, and anyone who wants it is free to get it. Also, this requires a 21 vote majority to approve summary publication.

The motion was approved by unanimous voice vote.

2. [LR26.050](#)
[Summary](#)
[Ordinance](#)

PROPOSED ORDINANCE; for publication;
amending Chapter 200 of the Code of Ordinance to merge the Sewer Commission into the WPCA, define or modify the geographic authority, fiscal process, sewer approval, board representation and other procedures of the WPCA.
01/08/04 – Submitted by President Martin
01/20/04, 02/02/04, 03/01/04 – Held in Committee
07/13/04 – Placed on Pending Agenda
09/20/04, 10/04/04 – Held in Committee
11/22/04 – Committee approved 7-0-0
12/06/04 – Approved for publication 26-9-0
12/20/04 – Committee approved 7-0-0 as amended –see committee report for details

**APPROVED BY
UNANIMOUS
VOICE VOTE-
SUMMARY
FORM OF
ORDINANCE
(as amended)**

Chair Nakian stated that this is publication of a proposed ordinance amending Chapter 200 concerning the WPCA and the elimination of the sewer commission. This is a rather complicated affair, because the Board of Representatives at its December meeting voted for publication of the ordinance. The vote was 26-9-0; however, when the ordinance was sent to the newspaper for publication, our office found out that it

would cost \$4,000 to publish the ordinance, and at the direction of the president and the clerk of the board and because both the clerk and the president felt that changes were likely to be made in it, which would require republication, a great deal of money would have to be spent on the publication. Therefore, just a summary, not the summary form of the ordinance, but a short summary was written by President Martin and was published in the newspaper. Instead of a public hearing the public was invited to come and offer their comments.

Chair Nakian added that the Legislative & Rules Committee had the public participation part of the meeting. As a result of the public hearing and a lot of committee discussion, amendments were made to the ordinance.

Chair Nakian moved to rescind the vote that was taken at the last meeting for publication to clear that motion off the floor. Said motion was seconded and approved by voice vote with Reps. Diamond, O'Neill and Lyons abstaining.

Chair Nakian reported that we would now deal with the ordinance as if it had not been published. Chair Nakian moved for publication of the ordinance in a summary form; said motion was seconded.

Chair Nakian stated that the main amendments made by the Committee were: 1) at the suggestion of Mr. Lyons, who had contacted the DEP, the geographic jurisdiction provision in the ordinance was changed to a sewer avoidance area because that evidently is the more common way of dealing with areas where sewers are not allowed as of right. So all mention of a geographic jurisdiction in the ordinance were changed. The language was written by Jeanette Brown and approved by the Committee. A map, which everyone received tonight or in the mail, is being attached to the ordinance showing the sewer avoidance area. 2) the director of legal affairs has been reinstated as a member of the Board of Directors as a non-voting member, creating a ten member Board. 3) the period of time in which somebody must connect to the sewer is extended to 180 days from 120 days; 4) The executive director, or his/her designee will act in conjunction with the building official to deal with building drains; and 5) anyone who willfully, negligently, etc. damages the sewer system will be liable for all costs incurred plus attorneys fees.

Chair Nakian added that these were not major changes, and there was much discussion on them in Committee. Chair Nakian thanked Representatives Lyons and Day who proposed them and who helped with the legal language. Chair Nakian moved for publication of the ordinance in a summary form; said motion was seconded.

Rep. Lyons thanked Chairwoman Nakian for her work on this ordinance. He added that although he disagrees with some of the end results, he intends to support it. Rep. Lyons stated that he is cautious whenever we create these authorities that get more and more power, and while there there is nothing nefarious about the WPCA or its current operations, once the power erodes from this Board to the WPCA or from the Sewer & Water Commission to the WPCA, very seldom does it ever come back. Rep. Lyons

stated that he hopes that this Board and other boards will be cognizant of monitoring the WPCA as they are getting broad, inclusionary powers in this ordinance. He is not in agreement with this transfer of power, but he believes there should be a system of checks and balances in government, and one of the biggest checks and balances in government he believes is the power over the WPCA's user fees, connection charges and/or user charges.

Rep. Lyons proposed two friendly amendments. Rep. Lyons moved the first: Section 200-15, at the end of the second paragraph (which is page 4 of 21) to add: "Any such user fees, user charges or connection charges that are assessed, levied or established by the WPCA pursuant to this ordinance shall be approved by a resolution of the Board of Representatives. Said resolution shall be approved by a majority vote of the Board of Representatives. This approval shall be applicable pursuant to Connecticut General Statutes." The motion was seconded.

Rep. Day stated that the precise motion before us is the publication of the ordinance in a summary form, so there are two separate parts to the motion. The first amends the summary ordinance that is published and the second is the corresponding amendment that would be required in the ordinance itself.

Rep. Skigen added that we would be amending the underlying ordinance and amending the text of the ordinance.

Rep. Skigen stated that he is supportive of the concept of this amendment, however, his recollection when the WPCA was established was that that we were advised that we did not have control over these fees. Rep. Lyons has told the members of the Democratic Caucus that he has had conversations with different members of the State DEP who have told him that we do have that authority, however, we don't have anything in writing from the DEP, nor do we have anything in writing from the City's legal department. Rep. Skigen stated he is concerned about whether this is legal under state law, and he is not certain that Rep. Lyons language covers us for that eventuality, Rep. Skigen stated that he hopes that before L&R meets the next time that we have something in writing from both the State and from the City's legal department indicating that we have such authority.

Rep. Lyons stated it is his understanding that the DEP mandates the WPCA must set their rates and that this Board cannot interfere with their rate-setting, but it can approve their rates.

Chair Nakian reported that at the committee meeting, this matter was discussed at great length. Mr. Lyons was the only one who spoke to the DEP, and she believes that he is reporting back what he was told, but she is not certain that the State understood what was asked or how the question was asked. Chair Nakian added that the Committee agreed this was a valid point and something the Board of Representatives had always intended when it was forced to create the WPCA years ago. She added that the purpose in creating an authority to deal with sewage treatment plants was so that the

municipalities could not cut out funds and could not cut back on the money available for this purpose, and there was an attempt on the part of our Board to approve the fees at one point, and we were told we couldn't do it. Chair Nakian added that if we disapprove them, that could be considered cutting back on funds available. Chair Nakian stated this is an area that needs a more formal go-ahead. She added that President Martin agreed to submit it to Steering later this month at which time we would look at it in more detail.

Rep. DeLuca stated he supports Mr. Lyons' amendment, adding that Rep. Lyons usually does his homework on issues. Rep. DeLuca stated he would prefer the Board vote on this amendment, and then amend it later, if necessary. Rep. DeLuca stated he is concerned that some time in the future the WPCA would develop a wish list and keep increasing fees without Board of Reps approval.

Rep. Zelinsky stated that is unsure if the Board is in a position to second-guess the WPCA regarding their needs and their fees. Rep. Zelinsky added if a change later on would require another publishing.

Rep. Day responded that it goes to the issue of whether it is a substantive amendment following the publication. I think a withdrawal of power from the Board of Representatives could arguably viewed as not a substantive amendment, but it could be. It is an issue over which people could differ. Rep. Day felt if we were adding power to the Board of Reps it would more likely to be a substantive amendment. Rep. Day asked for the other parliamentarian's position.

Rep. Skigen stated he disagreed with Rep. Day, feeling that it is substantive regardless.

Rep. Zelinsky stated that in all due respect to the maker of the amendment, without questioning his intentions, this board should have something in writing from whatever authority, Because of this, he will not support the amendment.

Rep. Pavia stated he whole-heartedly agrees with Mr. Lyons assessment of the Board of Representatives overview of any fee increase, adding that it is absolutely necessary that this Board is recognized as a check and balance. This is a fair check and balance, a responsible check and balance, and it is not going to do anything within its power to hurt or curtail or violate any statutory obligation that we have with the State of Connecticut. In fact, the State of Connecticut highly recognizes the City of Stamford as probably one of the best cities in the State, with respect to its commitment to its sewage treatment plant. With the authority in place, as well intentioned as any authority would be, there are tendencies in the future perhaps for anyone to become self-serving, and I think, at the very least, that this amendment that Mr. Lyons is proposing provides a vital check to that end.

Rep. Fedeli stated we are sitting here debating whether or not an amendment is substantive and whether or not we have to republish it. She stated we have republished ordinances before, we are publishing the summary version, which is now only two

pages. She added that if we make the amendment tonight and later find out from the DEP or legal counsel we cannot do what was amended, we amend it back. This process will only take one month, and we have had ordinances that have sat in committee for 6, 8, 10 months. Rep. Fedeli stated she is not a proponent of putting it on steering and having it take two or three months, when we can simply do it within the original context of the ordinance. She will be supporting Mr. Lyons on this issue.

Rep. Mirkin moved the question.

Acting President Boccuzzi stated there were no further speakers, and the Board will go to a vote.

Rep. Lyons restated his amendment: Section 200-15, the final sentence shall read in the second paragraph: "Any such user fees, user charges or connection charges that are assessed, levied or established by the WPCA pursuant to this ordinance shall be approved by a resolution of the board of representatives. Said resolution shall be approved by a majority vote of the Board of Representatives. This approval shall be applicable pursuant to the Connecticut General Statutes."

"Said motion was approved by a machine vote of 31-3-0 (Note: Rep. Boccuzzi voted from President Martin's desk this evening; Rep. Diamond voted no on this item; Reps. Nakian, Skigen & Diamond opposed; Reps. Adams, Benyus, Blackwell, Cannady, Clear, Coppola, Day, DeLuca, DePina, Esposito, Fedeli, Figueroa, Girodano, Greenberg, Kernan, Layton, Lyons, Boccuzzi, McCullen, McDermott, Mirkin, Molgano, Morrow, O'Neill, Pavia, Pia, Rauh, Summerville, Sweeney, White and Zelinsky in favor) (See RCS [Vote Record No. 570](#).)

Chair Nakian stated she would add this to the summary.

Rep. Lyons moved his next amendment: Page 5, section 200-16, under definitions: Sewer Avoidance Area. Final sentence of the paragraph should be amended to read: "After the date of this ordinance, the Board of Representatives may reduce the sewer avoidance area – and I would eliminate "at the request of the WPCA" – "by a 2/3 vote of the Board of Representatives present and voting and after a public hearing is held in order to reduce the sewer avoidance area."

Rep. Fedeli seconded the motion.

Rep. Lyons stated that the three-quarters threshold is bad precedence to set for ordinances. A simple ordinance adoption or modification is 21 votes. This vote threshold is not representative, nor it is in the democratic spirit of either majority or a super-majority rule.

Rep. Mirkin asked to change the amendment to read: beginning with that last sentence: "After the date of this ordinance, the Board of Representatives may reduce the sewer avoidance area at the request of the WPCA, as approved by a 2/3 vote of the WPCA

board and after a public hearing held by the Board of Representatives, by a 2/3 vote of the full Board of Representatives.”

Rep. Lyons stated he does not believe the WPCA should be in charge, and that this is in effect land use decisions. Rep. Lyons questioned whether we are territorially moving now into a zoning board or a planning board. We are giving powers to the WPCA that are unprecedented in this City. He added he doesn't believe the WPCA should be able to request a reduction in the sewer avoidance area. This Board represents the constituents and the citizens and the businesses of this City. It is our responsibility, not the WPCA's responsibility. Rep. Lyons stated, with all due respect to the representative who proposed the friendly amendment, he would not go along with it.

Rep. Mirkin stated he appreciates Rep. Lyons' concern about surrendering additional control to the WPCA Board, and asked if he would agree to a 2/3 vote of the full Board to ensure the maximum number of votes, rather than 2/3 of those in attendance.

Rep. Lyons stated he meant 2/3 of the members present and voting, and that this is the same majority needed for additional appropriations.

Rep. Nakian stated she is opposed to removing the WPCA and that there may be a discrepancy in what Rep. Lyons is saying because this is a decision that should be left to the Board of Representatives who represent the people, and therefore she doesn't see a problem with the higher vote threshold. But, the Board of Reps does not lay out the sewers, and how we would it know that there was a request for sewers in a particular area. How would it know that the sewer avoidance area should be reduced, unless it were at the request of the WPCA, who are the ones who are making the plans for the sewers. They know sewers are needed in a particular area, they come and ask the Board of Reps to reduce the avoidance area and therefore allow the sewers, but without that step of the WPCA, she doesn't see how the system would work.

Rep. Diamond stated he agrees with Rep. Nakian, adding that there is an important rationale for having the WPCA make the request in that residents actually petition the City to be connected to the sewer system. In this part of the ordinance, you are actually asking for the connection in a geographic area where there are no sewers now. The request comes to the city through a petition process. It has to go somewhere, and it currently goes to the sewer commission, and under this ordinance, it would go to the WPCA, and then come to the Board of Reps, and he feels it is important to leave it that way.

Rep. Lyons stated that besides revaluation, the two most contentious issues he has seen the public turn out for were the Northeast Sewer Lateral Project and a meeting in the 25th Board that had to do with a connection project. What he doesn't want to see happen is that the WPCA knows that they are the only body that is able to bring a request to the Board of Representatives for a reduction in the sewer avoidance area, so there needs to be some type of check in there besides just the WPCA bringing that request. Suppose the WPCA executive director knows that but doesn't want to bring it

forward because of whatever political ramifications. There needs to be some other mechanism by which a request is made. Suppose we had 32 signatures and petitions and Board of Representative members who wanted the sewer avoidance area to be reduced, yet the WPCA does not bring the request forward.

Rep. DeLuca stated he will support Rep. Lyons. He would also agree to a stipulation in the ordinance that says if the WPCA refuses to submit something to the Board of Reps for approval, the people can petition the Board of Reps to overturn that decision.

Acting President Boccuzzi asked Rep. Lyons to restate his motion. Rep. Lyons responded "After the date of this ordinance, the Board of Representatives may reduce the sewer avoidance area by a 2/3 vote of its members present and voting and after which a public hearing is held by the Board of Representatives."

The motion was seconded and approved by a machine vote of 25-10-0 (Reps. Adams, Blackwell, Cannady, Clear, Coppola, DeLuca, DePina, Fedeli, Figueroa, Giordano, McCullen, McDermott, Molgano, Morrow, O'Neill, Pavia, Pia, Summerville, Sweeney and White in favor; Reps. Benyus, Day, Diamond, Esposito, Franzetti, Mirkin, Nakian, Rauh, Skigen and Zelinsky opposed) ([See RCS Vote Record No. 571](#)).

Chair Nakian stated she would add this language to the summary.

Chair Nakian moved Item No. LR26.050; said motion was seconded.

The main ordinance, as amended, was approved by unanimous voice vote.

- | | | |
|-----------------------------|--|--|
| 3. LR26.072 | PROPOSED ORDINANCE; for publication;
amending Chapter 238 of the Code of Ordinances designating the WPCA as the Water Commission.
10/12/04 – Submitted by Rep. Nakian
11/22/04 – Committee approved 7-0-0
12/06/04 – Approved for publication 25-9-0
12/20/04 – Committee approved 7-0-0 | APPROVED BY VOICE VOTE
(Rep. O'Neill opposed; Rep. Lyons abstaining) |
|-----------------------------|--|--|

Chair Nakian stated that there were no changes to the ordinance, and the committee re-approved it for publication by a vote of 7-0-0. Chair Nakian moved Item No. LR26.072 for publication; said motion was seconded.

Rep. O'Neill stated that he is concerned that however subtle this appears, past practice for the WPCA is to treat wastewater and by changing the jurisdiction of the WPCA to serve as the water commissioners, we are greatly expanding their power, and he is uncertain as to what detriment or benefit may be. He is not in favor of having a water commission in Stamford as other Connecticut communities have. He believes that we need to carefully weigh our options, and this expands the authority of the WPCA over our water supplies. Rep. O'Neill asked to return the item to committee; Rep. Lyons seconded the motion.

Rep. Nakian stated that the committee has discussed this for three meetings, and all these questions have been reviewed. The Committee received an answer it is satisfied with, it voted unanimously to approve it, and sending it back to committee is not going to produce anything different. There is also a necessity of approving it simultaneously with amending Chapter 200, otherwise there is a conflict between the two chapters. Chair Nakian stated that the Sewer Commission acting as a Water Commission has only acted one time. The process of laying a water line is very similar to the activities undertaken by the Sewer Commission, so it makes sense to have it in the same committee.

The motion to return the item to Committee was made, seconded and failed on a voice vote (Reps. O'Neill and Lyons in favor).

The main motion was approved by a voice vote (Rep. O'Neill opposed; Rep. Lyons abstaining).

4. [LR26.080](#) RESOLUTION; approving a tax abatement agreement between the City of Stamford and Stamford Affordable Homes, Inc. for property located at 28 Perry Street; 100% abatement provided as long as property is used for rental housing for low-income persons, among other conditions.
12/02/04 – Submitted by Mayor Dannel P. Malloy
12/20/04 – Committee approved 7-0-0
- HELD IN
COMMITTEE
BY
UNANIMOUS
VOICE VOTE**

Chair Nakian reported that the Committee approved this item. However, the next day she learned that the Board of Finance had not approved it and because the Board of Finance appears to be adding language not only to contracts and leases but now to tax abatement agreements, she believes that this item should not be approved until it has been approved by the Board of Finance. Then, after the form that the Board of Finance approves it in is forwarded to the Board of Representatives, the Committee can then review it. Chair Nakian moved to return this item to Committee; said motion was seconded and approved by unanimous voice vote.

5. [LR26.076 Resolution](#) RESOLUTION; approving a lease agreement between the City of Stamford and the Glenbrook Community Center.
11/01/04 – Submitted by Mayor Dannel P. Malloy
11/09/04 – Approved by Planning Board
11/22/04 – Committee approved 6-0-0 (as amended by deleting Paragraph 29 6-0-0)
12/06/04 – Held in Committee
12/09/04 – Approved by Board of Finance (**as amended**)
12/20/04 – Committee approved 7-0-0 (as
- APPROVED BY
UNANIMOUS
VOICE VOTE** (as amended by L&R Committee)

amended)

Chair Nakian moved Item No. LR26.076; said motion was seconded.

Chair Nakian stated that the Committee eliminated paragraph No. 29 in its entirety, and explained that this vote would be on the amended lease. The Board of Finance had not yet voted on the lease prior to the Committee's approval of it.

The item was approved by unanimous voice vote.

PERSONNEL COMMITTEE:

Mary Lisa Fedeli, Chair

[\(Attendance\)](#)

Meeting: Wednesday, December 22, 2004

[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

[\(Report\)](#)

Chair Fedeli reported that the Personnel Committee met on December 22, 2004. Present were Committee Member Reps. Fedeli, Skigen, Boccuzzi, Cannady, Figueroa, Pavia, Morrow, Layton and Adams. Also present were Donna Porsner of the Advocate; Dennis Murphy, Director of Human Resources and Bill Callion, Director of Public Safety, Health & Welfare.

- | | | |
|----------------------------|---|--|
| 1. P26.064 | PROPOSED ORDINANCE; for public hearing and final adoption; amending the ordinance re: residency points for entry level fire fighter examinations.
10/21/04 – Submitted by Chief McGrath
12/01/04 – Committee approved 4-1-0
12/06/04 – Approved for publication 34-1-0
12/22/04 – Committee approved 6-1-0 | APPROVED BY VOICE VOTE
(Rep. Skigen opposed) |
|----------------------------|---|--|

Chair Fedeli reported that the public hearing was held, and no one from the public attended. This ordinance allows Stamford residents to be eligible for five extra points on a passing grade for the firefighters test in 2005.

Chair Fedeli moved Item No. P26.064; said motion was seconded. The item was approved by a voice vote (Rep. Skigen opposed).

- | | | |
|----------------------------|--|------------------------|
| 2. P26.062 | PROPOSED ORDINANCE; for publication; amending the Benefits Ordinance with regard to the Registrars of Voters.
8/23/04 – Submitted by Fred Manfredonia
10/04/04 – Held in Committee
10/27/04 – Held in Committee
12/01/04 – Committee approved 5-0-0
12/06/04 – Returned to Committee
12/22/04 – No action taken | NO ACTION TAKEN |
|----------------------------|--|------------------------|

3. P26.068 APPROVAL; of employment contract with the new Chief of Police Candidate. **APPROVED ON CONSENT AGENDA** (Rep. Franzetti abstaining)
12/09/04 – Submitted by President Martin
12/22/04 – Committee approved 7-0-0

Chair Fedeli stated that when the police contract came before the Committee, there was some technical changes that had already been incorporated. No changes were made after the meeting, and the contract was not amended by the Committee.

Rep. Skigen stated that a draft of the contract had been submitted that contained a severance provision. Before the Personnel Committee met, that severance provision was discussed by the Committee Chair, the Director of Human Resources and Chief of Police Candidate Larrabee. They agreed that the provision would come out. By the time the Committee met, a final version of the contract was presented and was voted on, and this version did not contain a severance provision.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 3, was approved by a voice vote (Rep. Franzetti abstaining).

LAND USE COMMITTEE: **Patrick White, Co-Chair**
 Harry Day, Co-Chair
 No meeting held

No report.

OPERATIONS COMMITTEE: **John R. Zelinsky, Co-Chair**
 Scott Mirkin, Co-Chair
 No meeting held

No report.

PUBLIC SAFETY & HEALTH COMMITTEE: **Richard Lyons II, Chair**
[\(Attendance\)](#) **Gail Clear, Vice Chair**
[\(Votes\)](#) Meeting: Thursday, December 30, 2004
[\(Report\)](#) 7:00 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on December 30, 2004. Present were Committee Member Reps. Adams, Blackwell, Mirkin, Coppola, DeLuca, DePina, Lyons and Zelinsky. Also present was Rep. Fedeli.

1. PS26.051 REVIEW; regulation and use of pocket bikes in the City of Stamford. **REPORT MADE**
07/06/04 – Submitted by Reps. Boccuzzi, Fedeli & Loglisci
08/02/04 – Report Made & Held in Committee
10/04/04 – Report Made
12/02/04 – Held in Committee
12/06/04 – Held in Committee
12/30/04 – Committee approved 7-0-0 (as amended by a 6-1-0 vote)

Chair Lyons stated that the Committee had approved a draft ordinance, before he realized that it is not on the agenda as a proposed ordinance. This item will be submitted to the Steering Committee in its proper form next week.

2. [PS26.061 Resolution](#) RESOLUTION; approving Stamford’s pre-disaster mitigation Strategy Document – Connecticut’s Southwestern Region. **APPROVED BY UNANIMOUS VOICE VOTE**
10/19/04 – Submitted by Bill Callion
12/02/04 & 12/06/04 – Held in Committee
12/30/04 - Committee approved 7-0-0

Rep. Day stated that he does not have, conceptually, a problem with this item, but it presupposes that certain actions are going to be performed in this City, in cases where there is a long distance between the “cup and the lip.” For example, on Page 70, it states: “In addition, Stamford is implementing the Mill River Corridor Project, which contains the following features that would reduce the City’s vulnerability to floods and other natural disasters.” Number one reads: “The Mill Pond Dam will be removed by the Army Corps of Engineers in order to restore the natural functioning of Mill River.” Item 3 states: “The closed vehicular West Main Street bridge will be rebuilt as a pedestrian bridge, with a walking surface above the 100-year flood plain level.” Rep. Day stated that he would like the record to show that a resolution supporting this does not mean that we are necessarily endorsing actions, which would require the subsequent deliberation and approval of this Board.

Chair Lyons stated that he does not believe the Board is doing this at all. In fact, Rep. Lyons stated that he had them go back and revise this document to include the Elm Street Canal and the Jefferson Street underpass, which frequently flood. He also advised them to consider a breakwall surrounding Westcott Cove. By approving this resolution, no one is approving anything that is either codified, nothing is being placed in the capital budget. This is a broad disaster mitigation strategy document, that once it is accepted, will allow us to apply for all sorts of federal and state grants to apply for land use planning and development purposes.

Rep. Day stated he was satisfied with Mr. Lyons’ explanation.

Acting President Boccuzzi confirmed that the Board is not endorsing any of the items listed in the plan, just the plan itself.

The item was moved, seconded and approved by unanimous voice vote.

3. PS26.063 REVIEW; matter of using volunteers at the Animal Shelter. **ITEM WITHDRAWN**
11/12/04 – Submitted by Reps. DeLuca & Layton
11/12/04 – No Motion
12/30/04 – Item Withdrawn

Chair Lyons stated that Item No. PS26.063 was withdrawn at the submittee’s request.

4. [PS26.064](#) RESOLUTION; approving an agreement with Advanced Security Technologies, Inc. for a security system for the City’s Police Department; amount of contract: \$155,282.00. **APPROVED BY VOICE VOTE (as amended)** (Rep. Franzetti abstaining)
11/30/04 – Submitted by Mayor Dannel P. Malloy
12/09/04 – Approved by Board of Finance
12/30/04 – Committee approved 8-0-0

Chair Lyons moved to approve Item No. 4; said motion was seconded. Rep. Nakian moved to delete the language in Section 17 and replace that section with the Board’s language approved in Ordinance No. 1031 to read as follows:

“During the term of this contract, including any extensions, Advanced Security Technologies, Inc. shall refrain from making gifts of money, goods, real or personal property or services to any appointed or elected official or employee of the City of Stamford or the Stamford Board of Education or any appointed or elected official or employee of their Boards, Commissions, Departments, Agencies or Authorities. All references to the Contractor shall include its officers, directors, employees, and owners of more than 5% equity in the contractor. Violation of this provision shall constitute a material breach of this Agreement, for which this Agreement may be summarily terminated.”

The amendment was approved by unanimous voice vote. The main motion was approved by a voice vote (Rep. Franzetti abstaining).

As Co-Committee with Education Committee:

5. PS26.060 REVIEW; school emergency plans. **REPORT MADE**
10/09/04 – Submitted by President Martin & Reps. Skigen and Day
12/02/04 & 12/06/04 – Held in Committee
12/30/04 – Report Made & Held in Committee

Chair Lyons stated a thorough review was made at the Committee meeting with members of the Office of Public Safety, Health & Welfare and the School Board, both elected and administrative. This discussion will continue next month.

PARKS AND

RECREATION COMMITTEE:

Linda Cannady, Co-Chair

Steve McDermott, Co-Chair

[\(Attendance\)](#)

[\(Votes\)](#)

[\(Report\)](#)

Meeting: Wednesday, December 22, 2004

7:30 p.m. – Republican Caucus Room

Co-Chair McDermott reported that the Parks & Recreation Committee met on December 22, 2004. Present were Committee Member Reps. McCullen, McDermott, Cannady, Clear, Fedeli, Pavia, Giordano and Lyons. Also present were Reps. Boccuzzi and Adams.

1. [PR26.073](#) RESOLUTION and approval of **public hearing**; **APPROVED BY**
approving rate increases for E.G. Brennan Golf **UNANIMOUS**
Course. **VOICE VOTE**
11/23/04 – Submitted by Mayor Dannel P. Malloy
12/22/04 – Committee approved 6-0-0

Co-Chair McDermott moved Item No. PR26.073; said motion was seconded.

Rep. DeLuca moved to amend the rates by changing the time from 10:00 to 11:30 a.m. for seniors to qualify for the reduced rate for a longer period of time in Fridays. Said motion was seconded.

Rep. Skigen stated he was not in support of having the 11:30 start time for seniors only and not for other residents. He stated he doesn't see the reasoning behind just allowing seniors the extra 90 minutes and not other residents.

Rep. DeLuca stated that the \$1 increase for seniors would offset any loss by moving it to 11:30 a.m.

Rep. Skigen stated that the Golf Commission proposed the 10:00 start time for weekend rates for seniors and all other residents. He stated that Mr. DeLuca is proposing to exempt seniors from this time. Mr. DeLuca responded that the seniors approached him with concerns about the change in start time, and no one representing any other group has done the same.

Rep. Summerville asked what age a resident had to be to obtain a senior pass. Rep. DeLuca responded that the age is 65. She stated that she was in agreement with Mr. Skigen in that there really is no rationale for seniors getting this exemption. Rep. Summerville asked if there were any special rates for handicapped. Mr. DeLuca responded that there were no special rates for handicapped.

Rep. Lyons stated that this would only be for about 14 Fridays during the year, and if the changes were broadened to include all other residents, it would create more financial problems, so he supports this amendment for this year and will review it carefully next year.

The item was approved by a voice vote (Rep. Skigen opposed; Rep. Summerville abstaining).

The main motion was approved, as amended, by unanimous voice vote.

2. [PR26.075](#) RESOLUTION and approval of **public hearing**; **HELD IN**
[\(Mayor's](#) establishing marina fees for the years 2005, 2006 **COMMITTEE**
[Memo\)](#) and 2007.
12/09/04 – Submitted by Ben Barnes
12/22/04 – Held in Committee 7-1-0

3. PR26.077 REVIEW; policies and procedures for approving, **HELD IN**
designating and locating signage in city parks and **COMMITTEE**
at city beaches.
12/09/04 – Submitted by Rep. Cannady
12/22/04 – Held in Committee 6-0-0

4. [PR26.072](#) PROPOSED ORDINANCE; **for publication**; **HELD IN**
amending Ordinance No. 65-4 regarding signage **COMMITTEE**
with regard to Little League signs on ballfield
fences.
10/26/04 – Submitted by Tim Curtin
11/12/04 – Placed on Pending Agenda
12/22/04 – Held in Committee 6-0-0

EDUCATION COMMITTEE: **Brian O'Neill, Co-Chair**
Thomas Hunter, Co-Chair
No meeting

No report.

**HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE:** **Elaine Mitchell, Chair**
Philip Giordano, Vice Chair
[\(Votes\)](#) Meeting: Tuesday, December 21, 2004
6:30 p.m. – Republican Caucus Room

Vice Chair Giordano reported that the Housing/Community Development/Social Services Committee met on Tuesday, December 21, 2004. Present were Committee Member Reps. Giordano, Blackwell, Munger, Mitchell, Molgano and McDermott. Committee Members Rauh and Figueroa were excused.

- | | | |
|-----------------------------|---|---|
| 1. HCD26.25 | PROPOSED ORDINANCE; for public hearing and final adoption ; amending the Linkage Ordinance.
08/05/04 – Submitted by Tim Beeble
09/07/04, 10/04/04 – Held in Committee
11/08/04 – Returned to Committee
11/29/04 – Committee approved 6-0-0 (as amended)
12/06/04 – Approved for publication
12/21/04 – Committee approved 6-0-0 (as amended) | APPROVED
ON CONSENT
AGENDA |
| 2. HCD26.032 | APPROVAL; and review of request by New Neighborhoods on behalf of NNI/NHA Friendship House, Inc. to modify the scope of rehabilitation work for year 30 allocation of \$120,000.
12/09/04 – Submitted by Tim Beeble
12/21/04 – Committee approved 6-0-0 | NO ACTION
REQUIRED |

Vice Chair Giordano stated that the original \$120,000 was for installation of new windows. When the NNI/NHA Friendship House was created, they were able to receive funding from the lead program.

Rep. Adams stated that this \$120,000 grant for the 3rd phase of a three-phase project. At the time they received the money to do the work, there was a \$240,590 grant to also do the same work. So, they used the \$240,590 grant to do the work, and funds were left over. Now, to keep from losing the money, they want to revise their original work to preserve the funding. Rep. Adams stated that if they did not use the funds for the original purpose, the money should be returned and reallocated again. Rep. Adams asked if the item could be returned to Committee.

Clerk of the Board Summerville stated that this item is not before this Board for a full vote. This item is decided on by the Committee alone. She added that all reallocations are handled only by the Committee.

Clerk of the Board Summerville stated the Board votes on the annual budget, not on reallocations. Upon motion duly made and seconded, the Consent Agenda, consisting of Item No. 2, was approved by unanimous voice vote.

STATE & COMMERCE COMMITTEE: Jim Shapiro, Chair
John Morrow, Vice Chair

No report.

TRANSPORTATION COMMITTEE: Robert “Gabe” DeLuca, Chair
No meeting

1. [T26.059](#) RESOLUTION; approving a lease agreement between the City of Stamford and St. John’s Roman Catholic Church for parking lot space.
11/01/04 – Submitted by Mayor Dannel P. Malloy
11/09/04 – Approved by Planning Board
11/18/04 – No action reported & meeting rescheduled to 12/6/4
12/06/04 – Committee approved 5-0-0
12/09/04 – Approved by Board of Finance (**as amended**)
12/06/04 – Held in Committee
- APPROVED BY UNANIMOUS VOICE VOTE (as amended)**

Chair DeLuca reported that this item was approved back in December, but the Board of Finance had not yet approved it.

A motion to take Item No. T26.059 out of committee was made and seconded and approved by unanimous voice vote.

Chair Nakian moved to delete Paragraph 25; said motion was seconded and approved by unanimous voice vote.

The main motion was approved by unanimous voice vote.

SPECIAL COMMITTEE

CHARTER COMMITTEE: Maria Nakian, Co-Chair
Robert “Gabe” DeLuca, Co-Chair

No report.

RESOLUTIONS

1. [SENSE OF THE BOARD RESOLUTION](#) recognizing Dane Pierson and Dick Roberts for their work on Ft. Stamford Park over the last four years.
12/09/04 – Submitted by Rep. O’Neill
- HELD IN COMMITTEE**

2. SENSE OF THE BOARD RESOLUTION
regarding Moira Lyons.
11/15/04 – Submitted by 26th Board

**HELD IN
COMMITTEE**

MINUTES

1. [December 6, 2004 Regular Board Meeting](#)

A motion to approve the minutes was made and seconded.

Rep. Zelinsky stated that the press release he read into the minutes was not transcribed into the minutes. The minutes only stated that he had read a press release, and he wanted to have the press release be part of the minutes.

A motion to hold the minutes was made, seconded and approved by unanimous voice vote.

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

Upon motion duly made, seconded and approved by unanimous voice vote, the meeting was adjourned at 11:25 p.m.