

*The Regular Meeting of the 28th Board of Representatives of the City of Stamford was held on **Monday, August 2, 2010** at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, 4th Floor, Stamford, Connecticut.*

ACTION REPORT

President Skigen called the meeting to order at 8:38 p.m.

INVOCATION: Delivered by Rep. Raduazzo.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Randall M. Skigen.

ROLL CALL: Conducted by Clerk of the Board Annie M. Summerville. There were 39 members present, and one vacancy (7th District).

VOTING MACHINE STATUS: Conducted by Clerk of the Board Annie M. Summerville. The machine was in good working order.

MOMENTS OF SILENCE: Read by the Administrative Assistant. To be recorded in the minutes.

COMMUNICATIONS: President Skigen announced:

1. Cynthia Martin has resigned from the 7th District; the vacancy will be filled next month.
2. Rep. Kaufman and his wife are congratulated on becoming the parents of a baby boy, William Abraham Kaufman.
3. Video/recording equipment is being installed in the two caucus rooms. There will be a large sign that will notify everyone when recording is taking place, and training will be provided for all representatives.
4. Yerwood Center has invited all representatives to attend a tour of the summer camp program (which ends on 8/15/10). Any representative interested in going on a tour should contact the Board Office.
5. Reps. Adams, Giordano, Lombardo, Young and Rauh are celebrating August birthdays.
6. The Softball Game has been rescheduled for September 14, 2010 at

5. A28.069 Patriotic & Special Events **HELD IN COMMITTEE**
 Ralph Battinelli (R) Reappointment
 24 Pepper Ridge Place (Term Exp. 12/1/08)
 Stamford, CT 06905
 Term Expires: 12/01/11
 06/10/10 – Submitted by Mayor Michael A. Pavia
 06/29/10 – Rejected by committee 4-0-0
 07/12/10 – Resubmitted by Mayor Michael A. Pavia
07/27/10 – Held in Committee 7-0-0

Secondary Committee on Nos. 4-5 above: Parks & Recreation

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 4, was made, seconded and approved by unanimous voice vote (Rep White abstaining on No. 4).

FISCAL COMMITTEE: John Mallozzi, Chair
[Attendance](#) **Linda Cannady, Vice Chair**
[Votes](#) Meeting: Monday, July 26, 2010
[Report](#) 7:00 p.m. – Democratic Caucus Room

Chair Mallozzi reported that the Fiscal Committee met as indicated above. Present were: Chair Mallozzi and Vice Chair Cannady and Committee Member Reps. Day, DeLuca, Fedeli, Figueroa, Kaufman, Mitchell, Rauh and Sklover. Absent/excused was Committee Member Rep. Mirkin. Also present were Rep. Adams; Karen Cammarota, Grants; Ann Brown, Engineering; Peter Privitera, OPM and Ernie Orgera, Director of Operations.

1. [F28.056](#) ADDITIONAL APPROPRIATION (Operating Budget); **APPROVED ON CONSENT AGENDA**
 \$150,000.00 Fire Department; Overtime; to fund through end of
 (balance of fiscal year (17 vacancies, increased long-term
 \$250,000 sick/injury and limited/light duty, 1-yr military leave).
 request) 05/05/10 – Submitted by Mayor Michael A. Pavia
 05/13/10 – \$100,000 approved by Board of Finance
 05/24/10 – Committee approved 8-0-0
 06/07/10 – \$100,000 approved on Consent Agenda
 06/10/10 – Rejected by Board of Finance
 07/07/10 – Resubmitted by P. Privitera
 07/08/10 – Approved by Board of Finance
07/26/10 – Committee approved 9-0-0
2. F28.062 REVIEW; administration’s planning related to staff **NO ACTION TAKEN**
 reductions in the Tax Assessor’s Office.
 06/07/10 – Submitted by President Skigen
 06/28/10 – No action taken
 07/06/10 – No action taken
07/26/10 – No action taken

3. [F28.069](#) REJECTION; of a capital project closeout for Project C56084, Jefferson/Dock Street Connector, in the amount of \$363,000. **ITEM WITHDRAWN**
 06/14/10 – Submitted by Mayor Pavia
 07/06/10 – No action taken by Planning Board
 07/08/10 – **FAILED** by Board of Finance 2-4-0
07/26/10 – Item withdrawn
4. [F28.071](#) REJECTION; of a capital project closeout for Project C56084, Jefferson/Dock Street Connector, in the amount of \$604,000; closed out funds to be used toward Urban Transitway construction appropriations (F28.070 and 071). **ITEM REJECTED 36-2-0 BY MACHINE VOTE**
 06/14/10 – Submitted by Mayor Pavia
 07/06/10 – No action taken by Planning Board
 07/08/10 – Approved by Board of Finance 4-2-0
07/26/10 – Committee approved to REJECT 9-0-0

A motion to REJECT Item No. F28.071 was made, seconded and approved by a machine vote of 36-2-0 (Reps. Adams, Boccuzzi, Cannady, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Heaphy, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Giraldo, Kaufman, Layton, Lombardo, Mallozzi, McGarry, McNeil, Merritt, Mirkin, Mitchell, Molgano, Pia, Raduazzo, Rauh, Savage, Skigen, Sklover, Taylor, Uva, Wallace, Young and Zelinsky in favor; Rep. White opposed.) (See [Vote Record No. 1111.](#))

5. [F28.073](#) APPROVAL; of a contract with Robinson & Cole for bond counsel services. **APPROVED ON CONSENT AGENDA**
 07/13/10 – Submitted by Mayor Michael A. Pavia
07/26/10 – Committee approved 9-0-0

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 5, was made, seconded and approved by unanimous voice vote.

LEGISLATIVE & RULES

COMMITTEE:

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

Eileen Heaphy, Chair
Arthur Layton, Vice Chair
 Meeting: Monday, July 19, 2010
 7:00 p.m. – Democratic Caucus Room

Chair Heaphy reported that the Legislative & Rules Committee met on July 19, 2010. Present were Chair Heaphy, Vice Chair Layton and Committee Member Reps. Day, Merritt, Mitchell and Zelinsky. Also present were Reps. Caterbone, DeLuca and Kaufman, Sergeant

Gioielli, Stamford Police Department; Robert DeMarco, Building Department; Sybil Richards, Law Department; Anne Fountain, Health Department; and Kate Lombardo.

1. [LR28.012](#) RESOLUTION; **for public hearing & final adoption**; approving a lease between the City of Stamford and the South Western Regional Planning Agency for space in the Government Center.
05/17/10 – Submitted by Mayor Michael A. Pavia
06/01/10 – Approved by [Planning Board](#)
06/10/10 – Approved by Board of Finance (as amended)
06/14/10 – Placed on Pending Agenda
07/08/10 – Approved by Board of Finance
07/10/10 – Resubmitted by Sybil Richards, Esq.
07/19/10 – Committee approved 5-0-0

**APPROVED ON
CONSENT
AGENDA**

2. [LR28.005](#) PROPOSED ORDINANCE; **for publication**; amending Section 123-5 Fees Assessed, to provide for fines/penalties for violations of regulations related to certificate of occupancy certificates and certain building permits.
01/05/10 – Submitted by Rep. DeLuca
01/11/10, 02/22/10, 03/01/10 – Held by Steering Committee
03/08/10 – Placed on Pending Agenda
06/21/10 – Report Made
07/06/10 – Report Made
07/19/10 – Committee approved 6-0-0 (as amended)

**HELD IN
COMMITTEE BY
UNANIMOUS
VOICE VOTE**

3. [LR28.014](#) PROPOSED ORDINANCE; **for publication**; amending the noise ordinance to clarify the hours of enforcement.
05/06/10 – Submitted by Reps. Caterbone & Zelinsky
05/11/10 – Placed on Pending Agenda
06/21/10 – Committee approved 6-0-0 to waive publication & for final adoption
07/06/10- Held in committee
07/19/10 – Committee approved 6-0-0 (as amended)

**APPROVED ON
CONSENT
AGENDA**

4. [LR28.015](#) PROPOSED ORDINANCE; **for publication**; amending the Graffiti Ordinance to include enforcement for residential properties.
05/03/10 – Submitted by Rep. Kaufman
05/11/10 – Placed on Pending Agenda
06/21/10 – Held in Committee 5-0-0

**APPROVED
28-10-1 BY
MACHINE VOTE**

07/06/10 – Held in Committee
07/19/10 – Committee approved 5-1-0

A motion to approve Item No. LR28.015 was made, seconded and approved by a machine vote of 28-10-1 (Reps. Boccuzzi, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Gabriele, Giraldo, Heaphy, Kaufman, Layton, Lombardo, Mallozzi, McGarry, McNeil, Merritt, Mitchell, Molgano, Raduazzo, Rauh, Savage, Skigen, Sklover, Taylor, Wallace, White and Young in favor; Reps. Adams, Caterbone, Figueroa, Franzetti, Giordano, Mirkin, Pia, Summerville, Uva and Zelinsky opposed; Rep. Cannady abstaining.) (See [Vote Record No. 1112.](#))

5. [LR28.018](#) PROPOSED ORDINANCE; **for publication**; **HELD IN COMMITTEE**
requiring the City of Stamford to offer testing of well water.
06/28/10 – Submitted by President Skigen
07/19/10 – Held in Committee 6-0-0

A motion to approve the Consent Agenda, consisting of Item Nos. 1 and 3, was made, seconded and approved by unanimous voice vote.

PERSONNEL COMMITTEE: **Mary Fedeli, Chair**
Polly Rauh, Vice Chair

No meeting; No Report.

LAND USE/URBAN REDEVELOPMENT COMMITTEE: **Harry Day, Chair**
[Attendance](#) Meeting: Wednesday, July 28, 2010
[Votes](#) 7:30 p.m. – Republican Caucus Room
[Report](#)

Chair Day reported that the Land Use-UR Committee met on July 28, 2010. Present were Chair Day and Committee Member Reps. Boccuzzi, McGarry and Raduazzo. Absent or excused were Committee Member Reps. Kaufman, Lombardo and Summerville. Also present were Reps. Cannady and Layton; Laure Aubuchon, Director of Economic Development; Stephen Osman, Jim Nixon, Bob Robins, Rachel Goldberg, Esq., Kip Bergstrom and Durelle Alexander of the URC; John Freeman, Esq.; William Hennessey, Esq.; and Rick Redniss. Also present were approximately 20 members of the public as listed on the attendance sheet available in the Board office.

1. [LU28.005](#) RESOLUTION; **for final adoption**; approving the **APPROVED**
Director of Administration's Final Report dated 6/3/10 **37-2-0 BY**

Concerning the discontinuance of a portion of Henry Street and directing that such partial discontinuance be carried out.

**MACHINE
VOTE**

- 06/03/10 – Submitted by Mayor Michael A. Pavia
- 06/15/10 – Approved by [Planning Board](#)
- 06/30/10 – Public Hearing & Held 7-0-0
- 07/06/10 – Held in Committee
- 07/08/10 – Held by Board of Finance
- 07/28/10 – Committee approved 4-0-0**
- 07/29/10 –Board of Finance approved 4-2-0

A motion to approve Item No. LU28.005 was made, seconded and approved by a machine vote of 37-2-0 (Reps. Adams, Boccuzzi, Cannady, Caterbone, Cerasoli, Coppola, Day, DeLuca, DePina, Fedeli, Figueroa, Franzetti, Gabriele, Giordano, Giraldo, Heaphy, Kaufman, Layton, Lombardo, Mallozzi, McGarry, McNeil, Merritt, Mirkin, Mitchell, Molgano, Pia, Raduazzo, Rauh, Savage, Skigen, Sklover, Summerville, Taylor, Wallace, Young and Zelinsky in favor; Reps. Uva and White opposed.) (See [Vote Record No. 1113.](#))

- 2. [LU28.011](#) RESOLUTION; **public hearing & final adoption**; approving amendments to the Mill River Corridor Plan to : 1) recategorize 75 Tresser Blvd. from Commercial to Hotel/Residential/ Commercial; and 2) modify §402(d) “Below Market Rate Dwelling Unit Standards.”
- 06/09/10 – Submitted by W. Hennessey, Esq.
- 06/30/10 –Committee approved public hearing 6-0-0
- 07/06/10 – Public hearing approved
- 07/28/10 – Committee approved 4-0-0**

**APPROVED
ON CONSENT
AGENDA**

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

**OPERATIONS COMMITTEE: Joseph Coppola, Jr., Co-Chair
John R. Zelinsky, Co-Chair**

No meeting; No report.

**PUBLIC SAFETY &
HEALTH COMMITTEE: Gloria G. DePina, Co-Chair
Scott Mirkin, Co-Chair**
[Attendance](#)
[Votes](#)
Meeting: Thursday, July 29, 2010

Co-Chair DePina reported that the Public Safety & Health Committee met on July 29, 2010. Present were Co-Chairs DePina and Mirkin and Committee Member Reps. Caterbone, Coppola, Figueroa, Giraldo and Pia. Also present were Reps. Adams, DeLuca, Franzetti, Gabriele, Layton, Mitchell, Molgano, Savage, Taylor and Uva; Mayor Michael A. Pavia and Executive Assistant Lynn Arnow; Bobby Valentine and John Leydon of the Fire Services Task Force; Jim Hricay, OPM; Michael Larobina, Esq., Director of Legal Affairs; Ernie Orgera, Director of Operations; Anne Fountain, Acting Director of Health and Ron Miller and Michael Kraynak of the Health Department; Captain Mullin representing Chief Nivakoff of the Police Department and approximately 50-75 firefighters.

1. [PS28.012](#) APPROVAL; of an agreement with University of Connecticut re: Research of Contamination in Scofieldtown Area.
06/14/10 – Submitted by Mayor Pavia
06/28/10 – Approved by Board of Finance
07/01/10 – Committee approved 2-0-4
07/06/10 – Held in Committee
07/29/10 – No Action Taken **ITEM WITHDRAWN**

2. [PS28.011](#) PRESENTATION; of Fire Protection Plan.
06/09/10 – Submitted by Co-Chairs DePina & Mirkin
07/01/10 – Held in Committee
07/06/10 – Held in Committee
07/29/10 – Report Made **REPORT MADE**

3. [PS28.014](#) RESOLUTION; **for public hearing**; increased Health Department fees, including multi-family housing and daycare facilities, pools, liquor stores, condo license fees, etc.
07/07/10 – Submitted by Mayor Michael A. Pavia
07/29/10 – Committee approved 5-0-0 for publication **APPROVED ON CONSENT AGENDA (Rep. Pia abstaining)**

4. PS28.015 REVIEW; status of civil citation officers
07/06/10 – Submitted by Rep. Caterbone
07/29/10 – Report Made **REPORT MADE**

5. [PS28.016](#) REVIEW; status report on blighted property.
07/09/10 – Submitted by Rep. DeLuca
07/29/10 – Withdrawn **ITEM WITHDRAWN**

6. [PS28.010](#) RESOLUTION; urging the administration to install a police substation in the old South End Fire Station. **APPROVED**

06/07/10 – Submitted by President Skigen
06/14/10 – Placed on Pending Agenda
07/29/10 – Committee approved 7-0-0

**ON CONSENT
AGENDA**

A motion to approve the Consent Agenda, consisting of Item Nos. 3 and 6, was made, seconded and approved by unanimous voice vote.

**PARKS & RECREATION
COMMITTEE:**

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

Linda Cannady, Chair
Pat White, Vice Chair
Meeting: Tuesday, July 20, 2010
7:00 p.m. – Republican Caucus Room

Chair Cannady reported that the Parks & Recreation Committee met on July 20, 2010. Present were: Chair Cannady and Vice Chair White and Committee Member Reps. DePina, Fedeli, Franzetti, McGarry and Taylor. Absent/excused were Committee Member Reps. Heaphy and Pia. Also in attendance were Reps. DeLuca and Savage; and Mickey Docimo and Laurie Albano, Parks & Recreation.

1. [PR28.009](#) REVIEW; of enforcement of rules regarding out of town use of city fields, parking and alcohol consumption.
06/28/10 – Submitted by Reps. DeLuca & Savage
07/20/10 – Report Made
2. [PR28.006](#) REVIEW; permitting for sports fields.
04/08/10 – Submitted by Rep. Pia
04/12/10 – Placed on Pending Agenda
07/20/10 – Held in Committee

**REPORT
MADE**

**HELD IN
COMMITTEE**

EDUCATION COMMITTEE:

[Attendance](#)
[Report](#)

Michael Molgano, Co-Chair
Andy Sklover, Co-Chair
Mary Savage, Vice Chair
Meeting: Thursday, July 15, 2010
7:00 p.m. – Democratic Caucus Room

Co-Chair Molgano reported that the Education Committee met on July 25, 2010. Present were Co-Chair Molgano, Co-Chair Sklover, Committee Reps. Cerasoli, Wallace and Young. Absent or excused were Committee Reps. Layton and Savage. Also present were Joshua Starr, Superintendent, Stamford Public Schools; Robin Altman, Network For Teaching Entrepreneurship (“NFTE”); Patricia Lavalle, NFTE volunteer; Celeste Johnson, Reinventing Stamford; and Fred Lavalle.

1. E28.009 REVIEW; status of entrepreneurship program within SPS and what role NFTE is playing to date, including opportunities for expansion to 8th graders. **REPORT MADE**
 06/28/10 – Submitted by Rep. Sklover
07/15/10 – Report Made

HOUSING/COMMUNITY DEVELOPMENT/

SOCIAL SERVICES COMMITTEE:

Elaine Mitchell, Chair

Philip Giordano, Vice Chair

[Attendance](#)

Meeting: Tuesday, July 20, 2010

[Report](#)

6:30 p.m. – Democratic Caucus Room

Chair Mitchell reported that the HCD-SS Committee met on July 20, 2010. Present were Chair Mitchell, Vice Chair Giordano and Committee Member Reps. McNeil, Wallace and Young. Also present were Mayor Michael A. Pavia; Sybil Richards, Esq., Asst. Corporation Council; Tim Beeble, Community Development; Kathleen Lombardo and Eva Maldonado, Social Services Commission; John Moses, Commission on Aging; Lynn Arnow, Mayor's Executive Assistant; and Anne Fountain, Acting Director of Health.

1. HCD28.11 REVIEW; underwriting standards for HOME down payment loans. **ITEM WITHDRAWN**
 04/07/10 – Submitted by Tim Beeble
 04/20/10, 05/03/10 – Report Made & Held in Committee
 05/18/10 – Report Made & Held in Committee
 06/07/10 – Report Made & Held in Committee
 07/06/10 – Held in Committee
07/20/10 – Report Made
2. [HCD28.13](#) REVIEW; administration's planning related to staff reductions in the Social Services Department. **REPORT MADE**
 06/07/10 – Submitted by President Skigen
 07/06/10 – Held in Committee
07/20/10 – Report Made

TRANSPORTATION COMMITTEE:

Robert "Gabe" DeLuca, Chair

Terry Adams, Vice Chair

No meeting; No report.

STATE & COMMERCE COMMITTEE: Mitchell Kaufman, Chair

Salvatore Gabriele, Vice Chair

No meeting; No report.

MINUTES

1. [July 6, 2010 Regular Board Meeting](#)

**APPROVED
BY
UNANIMOUS
VOICE VOTE**

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.