



## ***Legislative & Rules Committee – Board of Representatives***

James Diamond, Chair

Arthur Layton, Vice Chair

# **Committee Report**

**Date:** Monday, February 23, 2009

**Time:** 7:00 p.m.

**Place:** Republican Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. Present were Chair Diamond and Vice Chair Layton and Committee Member Reps. Berns, Day, Gabriele, Heaphy, Lodato, Mitchell and Zelinsky. Absent/excused were Committee Member Reps. Esposito and Martin. Also present were Thomas Cassone, Esq., Director of Legal Affairs, City of Stamford; Ben Barnes, Director of Operations; Jeanette Brown, WPCA Bureau Chief; and Stamford Residents Howard Halpern, Charles Stobbie, Dick Giunta, William Chuckas, Gerald Rich and Howard Winters.

Chair Diamond called the meeting to order at 7:17 p.m.

Chair Diamond opened the public hearing on Item No. LR27.087 and called on Mr. Winters, the only member of the public present to speak. Mr. Winters expressed concerns about hardships created by the fencing requirements and fine provisions of the proposed ordinance. Chair Diamond closed the public hearing.

Chair Diamond opened the public hearing on item LR27.081. No members of the public were present to speak and the public hearing was closed.

Chair Diamond opened the public hearing on item LR27.075, and called on Mr. Stobbie. Mr. Stobbie suggested that a clearer set of directions accompany the forms. Chair Diamond then called on Mr. Halpern, who stated that the forms need clearer directions. He commented that, as written, the forms currently double count Social Security Income in the calculation of income received and that there are no instructions regarding the determination of Fair Market Value. He also noted that the forms do not address the treatment of Roth IRA income. He suggested that the due date of May 1 for the application should be reconsidered. Chair Diamond then called on Mr. Rich, who stated that the forms need to clarify the treatment of Roth IRA income. Chair Diamond closed the public hearing.

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A quorum being present, the committee then considered the items on the agenda.

The Committee considered LR 27.081 first.

Item No.	Description	Committee Action
2. <a href="#">LR27.081</a>	PROPOSED ORDINANCE; <b><u>for public hearing &amp; final adoption</u></b> ; designating the Office of the Town Clerk as the department responsible for posting all meeting minutes and all special meeting notices received by public agencies on the official website per Public Act No. 08-3.	<b>Committee Approved 7-0-0</b>

Chair Diamond explained that the committee had previously approved this ordinance, which makes the Town Clerk responsible for the posting of minutes and agendas of meetings on the City's website. A motion to approve the ordinance was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

4. <a href="#">LR27.088</a>	RESOLUTION; <b><u>and public hearing</u></b> ; approving a lease with Congressman James A. Himes and the City of Stamford for office space on the 10th Floor of the Government Center.	<b>Committee Approved 7-0-0</b>
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The Committee then considered LR27.088, item 4 on the agenda. Chair Diamond noted that although there had been an issue raised as to whether this lease had been approved by the Planning Board and the Board of Finance the lease had been approved by the Planning Board. Mr. Cassone confirmed that the Board of Finance had also approved the lease. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

3. <a href="#">LR27.075</a>	PROPOSED ORDINANCE; <b><u>for public hearing &amp; final adoption</u></b> ; amending Section 220-8 B. of the Code of Ordinances, Senior Citizens and Disabled Property Owners Tax Abatement; to provide for increased income limits and increased exemption in the fair market value of the residence for both the abatement and the deferral program.	<b>Committee Approved 6-1-0</b>
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The Committee then considered LR27.075, item 3 on the agenda. Chair Diamond noted that this item will increase benefits for those Stamford residents who qualify. He noted that since the public comments were mostly about the forms, he will ask the Steering Committee to add a Review item next month to address the matter of clarity and instructions of the applications. He will also request that the President of the Board communicate with Mr. Forker and the Stamford Senior Center about conducting information programs for Stamford residents regarding the tax abatements and deferrals. The Committee discussed the concerns raised during the public hearing about the application forms, particularly the confusion as to Roth IRA income, and the need for increased public education and assistance about this matter, particularly as to the tax deferral option. A motion to approve the ordinance was made, seconded and approved by a vote of 6-1-0. (Reps. Diamond, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor; Rep. Layton opposed).

1. <a href="#">LR27.087</a>	PROPOSED ORDINANCE; <b><u>for public hearing &amp; final adoption</u></b> ; amending Chapter 218 (Swimming Pools) of the Code of Ordinances to add penalty and enforcement provisions and to allow for the enforcement of the most recently-amended version of the State Building Code.	<b>Committee Approved 7-0-0</b>
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Mr. Barnes being available, the Committee then considered LR27.087, item 1 on the agenda. Mr. Barnes explained that the proposed ordinance requires all swimming pools, including those built prior to 1973, to comply with the State building code and that the City is actively seeking, through this ordinance, to prevent the accidental death of children. The ordinance provides the City with a means to enforce state requirements. In response to questions from the committee, Mr. Barnes explained that pool owners will be informed of the requirements through newspapers and the City

website. In addition, the City will work with pool owners to come up with cost-effective solutions for pools that are not currently in compliance with state law. A motion to approve the ordinance was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

7. [LR27.080](#) PROPOSED ORDINANCE; **for publication**; requiring the abatement of discharge of fats, oils and grease into public sewers. **Held in Committee 7-0-0**

Ms. Brown stated that the WPCA has redrafted the proposed ordinance, and drafted a Policy and Procedures manual, which was distributed to the Committee. She noted that the WPCA sought to simplify the ordinance by including the definitions in the manual. Chair Diamond reminded Ms. Brown that the committee had previously requested that the fines be included in the text of the ordinance, not the manual and noted that relevant definitions and fines need to be in the ordinance rather than the manual. The committee discussed concerns raised by the costs of compliance with this ordinance to dining establishments given the current economic times. Mr. Cassone noted the economic costs to the city of grease backups. Ms. Brown pointed out that grease backups can also create economic hardships for dining establishments. She stated that this ordinance is required by State law and suggested that perhaps that the ordinance be drafted with a long period of time given for compliance. Ms. Brown stated that she will redraft within two weeks the ordinance and manual to address committee concerns and to include the penalties and definitions within the text of the ordinance. A motion to hold the item was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

5. [LR27.089](#) RESOLUTION; and **public hearing**; approving a lease with Vincent Gilleski d/b/a CT Quality Transmissions for property located at 80 Magee Avenue. **Committee Approved 7-0-0**

Mr. Cassone stated that this is a continuation of a previous lease for a 2500 square foot parking lot, with a rent increase. Chair Diamond reported that Representative Lyons is asking if the tenant is in Zoning, signage and licensing compliance and Mr. Cassone said that he would contact Rep. Lyons to discuss his concerns. Chair Diamond said that he would follow up with Mr. Cassone before the Board meeting regarding Rep. Lyons' concerns. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

6. [LR27.090](#) RESOLUTION; and **public hearing**; approving a lease with the United States Environmental Protection Agency for office space on the 6th floor of the Government Center. **Committee Approved 7-0-0**

Mr. Cassone stated that this is a lease with the federal government for a term of 10 years. He noted that the rent includes a tenant improvement costs for the first 5 years. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Diamond, Layton, Berns, Gabriele, Heaphy, Lodato and Zelinsky in favor).

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,  
James Diamond, Chair