



Legislative & Rules Committee – Board of Representatives

Arthur Layton, Vice Chair

Committee Report

Date: Monday, July 20, 2009
Time: 7:00 p.m.
Place: Republican Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. Present were Vice Chair Layton and Committee Member Reps. Berns, Day, Gabriele, Heaphy, Kaufman, Mitchell and Zelinsky. Excused were Committee Member Reps. Lodato and C. Martin. Also present were Board President Martin and Reps. DeLuca and Rauh; Sybil Richards, Law Department, City of Stamford; Mani Poola, Traffic Engineer, City of Stamford; Barbara Garvin-Kester, CLC; and Jon Hoch, Mike Duggan and Craig Baker, Domus.

Vice Chair Layton called the meeting to order at 7:09 p.m.

Item No.	Description	Committee Action
7. LR27.103	PROPOSED ORDINANCE; for publication; amending Chapter 200, Article III, Section 200-28, WPCA, Rates and Charges, to require that all WPCA public hearings be held at the Government Center.	Committee Approved 6-0-0

The committee first considered LR27.103. Vice Chair Layton explained that the WPCA public hearing about rates and charges are currently held at the WPCA facility on Harbor Avenue. A motion to approve the item for publication was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Kaufman and Zelinsky in favor).

1. LR27.080	PROPOSED ORDINANCE; for <u>public hearing & final adoption</u> ; requiring the abatement of discharge of fats, oils and grease into public sewers (publication to be in summary form).	Committee Approved 7-0-0
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Vice Chair Layton opened the public hearing on LR27.080. No members of the public were present to speak and the public hearing was closed. Vice Chair Layton noted that the committee had previously discussed this ordinance. A motion to approve the ordinance was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

2. LR27.098	PROPOSED ORDINANCE, for <u>public hearing & final adoption</u> ; amending Section 1-22, Publication of a Summary of a Proposed Ordinance.	Committee Approved 7-0-0
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Vice Chair Layton opened the public hearing on LR27.098. No members of the public were present to speak and the public hearing was closed. The committee discussed the purpose of this ordinance, which is to change the procedure by which the Board approves summary publication of proposed ordinances by eliminating the requirement that the Board review the actual text of a summary prior to approval. A motion to approve the ordinance was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

3. [LR27.097](#) PROPOSED ORDINANCE; for **public hearing & final adoption**; amending Section 97-13 of the Code of Ordinances to correct a discrepancy in the fines. Committee Approved 7-0-0

Vice Chair Layton opened the public hearing on LR27.097. No members of the public were present to speak and the public hearing was closed. Vice Chair Layton noted that the committee had previously discussed this ordinance. A motion to approve the ordinance was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

4. [LR27.102](#) APPROVAL; of a license agreement between the City and Antares Yale and Towne SPE, LLC for construction staging on Antares' Market Street in connection with the Stamford Urban Transitway Project. Committee Approved 7-0-0

Ms. Richards explained that this is an extension of a previous license agreement to continue use by the City of a staging area in connection with the Stamford Urban Transitway Project. She noted that the agreement is retroactive to June and continues through the end of this year. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

8. [LR27.101](#) PROPOSED ORDINANCE; **for publication**; approving a tax abatement agreement between Palmer Square LP (Charter Oak Communities) and the City for 51 of 85 units of housing at 26 Palmers Hill Road. Committee Approved 7-0-0

The committee then considered item LR27.101. Ms. Richards explained that this is Phase 2 of the project and has a 30-year term. It provides a tax abatement only for below-market units. She further explained that this is an extension of several cooperation agreements the city has with Charter Oak Communities. A motion to approve the item for publication was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

9. LR27.104 PROPOSED ORDINANCE; **for publication**; amending Chapter 231 Vehicles & Traffic by adding a new Section 231.74, Block the Box. Committee Approved, as amended 7-0-0

Ms. Richards explained that this ordinance is drafted in conformance with a new state statute. In response to questions from the committee she explained that the specific intersections to be covered by the ordinance must be specified under the terms of the statute. As a result, any additional intersections would require the Board to pass a new ordinance. Because the penalty is an infraction, the amount of the penalty is set by the State, which has not yet set this amount. The state statute is an enabling statute, which is not in effect until October 1, 2009. As a result, this ordinance cannot take effect prior

to October 1, 2009. Mr. Poola explained that the intersections identified in the ordinance are all critical intersections where there are current “block the box” problems. A motion to amend the ordinance to add the language “or October 1, 2009, whichever is later” at the end of the phrase “This ordinance shall take effect upon adoption” was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor). A motion to approve the item for publication, as amended, was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman and Zelinsky in favor).

5. [LR27.105](#) RESOLUTION & **public hearing**; approving a lease between the City of Stamford and Domus for a portion of the premises at the former Rogers School for the Trailblazers Academy. Committee Approved 8-0-0

Ms. Richards explained that this lease is for a five-year term, beginning retroactively to July 1, 2009, to allow Domus to use a portion of the premises for Trailblazers Academy, administrative services for a nominal amount. There are 4 5-year renewal terms. Vice Chair Layton opened the public hearing on LR27.105. Mr. Baker described to the committee that Domus has a strong record of increasing achievement for students who struggle in public schools. They currently serve 162 middle school students. Vice Chair Layton closed the public hearing. In response to questions from the committee, Mr. Duggan explained that Domus will also be using the facility to see what other services can be provided to the surrounding community and that there is a cost structure for any possibly sublets or license agreements based upon cost recovery. Ms. Richards explained that and sublet or license agreement must be approved by the Director of Operations and reviewed by the legal department. She noted that the Risk Manager has signed off on the insurance requirements and will not sign off on the lease until she has seen the insurance certificates. Mr. Baker stated that 99% of the students they serve live in Stamford, although under state law they must be open to all state residents. Members of the committee noted the benefits Domus provides to Stamford. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman, Mitchell and Zelinsky in favor).

6. [LR27.106](#) RESOLUTION & **public hearing**; approving a lease between the City of Stamford and CLC for a portion of the premises at the former Rogers School for its childcare programs. Committee Approved 8-0-0

Ms. Richards explained that this lease is for a thirty-year term, with no renewals, to allow CLC to use a portion of the premises for its childcare programs for a nominal amount. Initially, CLC will be in modular classrooms and will have the option to take the “kindergarten wing” with modifications at its own cost. Vice Chair Layton opened the public hearing on LR27.106. Ms. Garvin-Kester explained that this lease allows CLC to consolidate 10 current sites, moving approximately 400 children in two phases. This lease also permits CLC to support a greater number of preschool children in an area of the city that is currently underserved. Ms. Rauh spoke as both the chair of the Education Committee of the Board and also as a member of the CLC program committee. She stated that the consolidation and move have been discussed in great detail by the program committee and that it has 100% support. The CLC program is something the city needs. Vice Chair Layton closed the public hearing. In response to questions from the committee, Ms. Garvin-Kester explained that CLC is required to have a 30 year lease in order to obtain a CHEFA loan. She could not identify the sites being consolidated at this point, because they are still in negotiations, but the plan is to consolidate in two phases, with 6 sites in the first phase. She also noted that the CLC is

working with the Child Learning Center at Yale to try to track the children in their program and determine what the long-term benefits are. They are looking forward to sharing the facility with Domus because studies show that both pre-school and middle school children benefit from being in the same facility. CLC also serves many of the same families who are served by Domus. CLC is working with local groups to try to address transportation issues that may arise after consolidation. A motion to approve the item was made, seconded and approved by unanimous vote. (Reps. Layton, Berns, Day, Gabriele, Heaphy, Kaufman, Mitchell and Zelinsky in favor).

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

Respectfully submitted,
Arthur Layton, Vice Chair