



Legislative & Rules Committee – Board of Representatives

Eileen Heaphy, Chair Arthur Layton, Vice Chair

Committee Report

Date: Tuesday, February 22, 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 Chair Heaphy, Vice Chair Layton, and Committee Member Reps. Day, Martin, Mitchell, Rauh, Uva and Zelinsky. Absent or excused was Committee Member Rep. McGarry. Also present were Clerk Summerville; Michael Larobina, Esq. and Sybil Richards, Esq., Law Department; Robert DeMarco, Building Official; Ken DellaRocco, Bartlett Arboretum; and Patricia Squires and Edward Brown, SEMS.

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

Item No.	Description	Committee Action
1. LR28.006	RESOLUTION & public hearing ; approving a lease agreement by and between the City of Stamford for property located at Stamford EMS, 684 Long Ridge Road.	Committee Approved 6-0-1
2. LR28.007	RESOLUTION & public hearing ; approving a lease agreement by and between the City of Stamford for property located at Stamford EMS, 80 Fairfield Avenue.	Committee Approved 6-0-1

Chair Heaphy opened the public hearing on items LR28.006 and LR28.007. No members of the public were present to speak and the public hearing was closed. Ms. Richards explained that these two leases are almost identical, other than the premises being leased. The lease of the property at 684 Long Ridge Road is for a building and parking lot and the lease of the property at 80 Fairfield Avenue is for parking spaces and an internal garage bay. Each lease is for a 5 year term and contains a provision for 4 5-year renewals at the sole option of the City. The rent for each lease is \$10.00, since SEMS is a not-for-profit. Chair Heaphy asked whether this renewal period is typical and Ms. Richards explained that it is not atypical. She stated that because of the services provided by SEMS, the administration wanted the option for a longer term and wanted the leases to be consistent with the management agreement, which renews annually. Representative Day pointed out that he is on the SEMS board, and that the property covered by these leases was donated to the city by SEMS as part of an agreement to provide comprehensive emergency services to the city. A motion to approve LR28.006 was made, seconded and approved by a vote of 6-0-1. (Reps. Heaphy, Layton, Martin, Mitchell, Uva and Zelinsky in favor; Rep. Day abstaining.) A motion to approve LR28.007 was made, seconded and approved by a vote of 6-0-1. (Reps. Heaphy, Layton, Martin, Mitchell, Uva and Zelinsky in favor; Rep. Day abstaining.)

5. [LR28.002](#) PROPOSED ORDINANCE; **for publication**; proposed ordinance prohibiting the unsolicited distribution of telephone books or similar bulky printed materials. **Held in Committee 7-0-0**

The committee then considered LR28.002. Chair Heaphy noted that the committee had received a recommendation from counsel that the proposed ordinance be amended. A motion to hold this item was made, seconded and approved by unanimous vote. (Reps. Heaphy, Layton, Day, Martin, Mitchell, Uva and Zelinsky in favor.)

3. [LR28.005](#) REVIEW; 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. **Report Made**

Mr. DeMarco explained that he would like to see changes made to the current ordinance regarding building fees in order to address the situation in which people who fail to obtain a final certificate of occupancy or who move in without obtaining a certificate of occupancy are not penalized. He proposes increasing the investigative fee from \$200 to \$1000, as shown on the attached handout.

Committee members raised several issues, including:

- Do similar provisions exist in other municipalities
- Is such a fee within the city's authority
- Are there state laws which address this
- Can someone without a CO be evicted
- The provision as currently drafted is ambiguous

Mr. DeMarco stated this item has not yet been reviewed by counsel. The committee recommended that this issue be reviewed by counsel, particularly as to limitations imposed by state law.

4. [LR28.010](#) RESOLUTION; naming the Bartlett Arboretum Education Building after Jacob and Shirley Silver. **Committee Approved 7-0-0**

Ms. Heaphy explained that this item is a resolution to rename the education building at the Bartlett Arboretum the Silver Educational Center, in memory of the donor's parents. A motion to approve this item was made, seconded and approved by unanimous vote. (Reps. Heaphy, Layton, Day, Martin, Mitchell, Rauh and Uva approved.)

- 6a. [LR28.001](#) APPROVAL; of changes to Rules of the Board to require interviews before the Appointments Committee for all replacements for elective offices. **Committee Approved 7-0-0**

Ms. Heaphy stated that the committee had previously reached a consensus that the rules should be changed to require interviews before the Appointments Committee for replacements to all citywide elective offices. She noted that the committee had received an e-mail from President Skigen about also requiring approval for replacements on the Board of Representatives. During the discussion, members expressed the view that the responsibility for questioning recommended replacements lies with the caucuses or the town committees. A

motion to approve this item was made, seconded and approved by unanimous vote. (Reps. Heaphy, Layton, Day, Martin, Mitchell, Rauh and Uva approved.)

6b. [LR28.008](#) APPROVAL; of changes to Rules of the Board to institute a dress code. **Committee Rejected 3-4-1**

The committee next discussed amending the rules to include a dress code for all monthly Board meetings and other meetings in the Legislative Chambers.

Committee members discussed that

- In the past members have appeared at meetings dressed inappropriately, and should take the time to change prior to meetings.
- As an alternative to proposed dress guideline, Clerk or leadership can speak to members who are dressed inappropriately
- There is no penalty for not following the proposed rule
- People can be informed of appropriate dress at the legislative seminar
- Rule may be inconvenient for members who would be late for meetings if required to change
- A rule would provide guidance for new members

A motion to approve this item was made, seconded and defeated by a vote of 3-4-1. (Reps. Heaphy, Layton and Day in favor, Reps. Martin, Mitchell, Rauh and Uva opposed and Rep. Zelinsky abstaining.)

6c. [LR28.009](#) APPROVAL; of changes to Rules of the Board to increase the postage allowance. **Committee Rejected 3-4-0**

The committee discussed amending the rules to increase to the postage allowance from \$750 for four years to \$1500 for four years. Committee members discussed, that

- The allowance has been used by very few people
- In these economic times, it is not appropriate to increase the allowance
- The internet can be used to communicate with constituents
- Not all constituents use e-mail
- An increase would be in line with increases in postage rates

A motion to approve this item was made, seconded and defeated by a vote of 3-4-0. (Reps. Heaphy, Layton and Zelinsky in favor, Reps. Day, Martin, Mitchell and Uva opposed.)

The meeting was adjourned at 8:31 p.m.

Respectfully submitted,
Eileen Heaphy, Chair