



Public Safety & Health Committee - Board of Representatives

Gloria DePina, Co-Chair
Chair

Scott Mirkin, Co-Chair

Anabel Figueroa, Vice

Committee Report

Date: Thursday, February 18, 2010

Time: 7:00 p.m.

Place: Democratic Caucus Room, 4th Floor Government Center,
888 Washington Boulevard, Stamford CT

The Public Safety & Health Committee met as indicated above. Present were: Co-Chairs Mirkin and DePina and Vice Chair Figueroa and Committee Member Reps. Adams, Caterbone, Coppola, Giraldo, Martin and Pia. Also present were Reps. Day, DeLuca, Taylor and Zelinsky; Barbara Yantorno of Social Services; Big Five Fire Chiefs Robert Bennett, Shawn Fahan; Police Captains Lombardo and Tomlin; Mike Pensiero of IT; and Michele, Tim and Lukas Abbott, residents.

Co-Chair Mirkin called the meeting to order at 7:05 p.m.

| Item No. | Description | Committee Action |
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| 1. PS28.001 | PROPOSED ORDINANCE; <u>for public hearing & final adoption</u> ; providing for restrictions on open burning on residential property. | HELD IN COMMITTEE 6-2-0 |

Co-Chair Mirkin opened the public hearing on Item No. PS28.001. There were three speakers. The first speaker expressed concern about inadvertently banning campfires, bonfires, pig-roasting and other recreational fire use; the second speaker, a fire marshal for Long Ridge & Turn of River, expressed concerns about increased burning by residents due to the permitting process, and the third speaker expressed concerns that fish smoking and other cooking activities would be banned by this ordinance.

Rep. Day, author of the ordinance, stated that recreational purposes were still allowed under the ordinance, as this ordinance now tracks the state language and institutes no changes in the permit process. He added that some of the concerns were erroneously based on the publication format: text in brackets is text that is to be deleted.

The committee discussed:

1. Whether the Mayor should be authorized to close parks for fire prevention in the event of a drought. The Committee felt that the Mayor would rely on experts to make such a declaration.
2. The fact that there does not appear to be an appeal avenue.
2. The ordinance does not affect outdoor recreational purposes for fires. Paragraph 5 states “unless otherwise permitted by CT statute ...,” and CT statute permits outdoor recreational fires.
3. Rep. Coppola confirmed that there is a distinction between “open burning” and bonfires, and the restrictions only apply to “open burning.” There is and has been a permit requirement for brush burning.
4. The ordinance does not change the permit process at all.
5. The fire marshals do not have problems with outdoor cooking, but have repeated problems with the outdoor burning of garbage and debris.
6. Currently, the Police would have to issue any tickets to violators.

Rep. Day stated that the City can have a more restrictive ordinance than the state statute. The City can enact an outright ban on the outdoor burning of brush. The Committee preferred to hold the ordinance so that it can consider making the ordinance stricter on the outdoor burning of brush.

A motion to hold Item PS28.001 was made, seconded and approved by a vote of 6-2-0 (Reps. DePina, Figueroa, Adams, Caterbone, Giraldo and Martin in favor; Reps. Mirkin and Coppola opposed).

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| 2. PS28.002 | REVIEW; status of properties on Certified Blighted Properties List. | REPORT MADE |
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Rep. DeLuca explained that there were outstanding fines on the blight list dating back many years. He requested an update on the status of collecting the fines and/or foreclosing on the properties so that the City can collect the fines. Further, Rep. DeLuca stated there are funds missing from the “blight account,” and he has been unsuccessful in finding out what happened to the funds. A former health director transferred \$41,000 from the account, and an additional \$12,000 was transferred out by the Finance Department.

Barbara Yantorno provided an updated list of blighted properties and fines imposed to the Committee ([attached](#)).

Co-Chair Mirkin stated that next month he will invite Pete Privitera from Finance to the meeting to discuss the status of the funds and someone from the Law Department to discuss the status of any collection efforts.

Reps. Pia and DeLuca both stated that blight problems take forever, and it appears nothing is ever done when a complaint is filed.

Barbara Yantorno reviewed the ordinance and described the process that the City must follow. Complaints are initially handled by a department – health, building, etc. After orders are issued for violations, there are avenues of appeal available to property owners. Only after this lengthy process is completed is an item referred to her for “blight” status. There is a Blight Committee that meets quarterly. The Committee determines whether a property is blighted, whether to initiate fines and when to cease the imposition of fines. The fine is \$90 per day. Generally, when the property owner comes to her with a building permit, she recommends to the Blight Committee that the fine cease that day, and the Blight Committee will generally discontinue the fines retroactively to the day the building permit was issued.

For those property owners who do not rehabilitate their properties and who do not pay the fines, she refers those cases to the Law Department for foreclosure. At that point, she has completed her work on the matter. Collection and waiving of fines is under the discretion of the Director of Legal Affairs.

She added that if someone is having financial problems, extra time is usually given. She emphasized that she works with the property owners and that this is a slow process. She added that Attorney Vincent Freccia came in recently and took some folders for potential foreclosure to try and move some of the cases forward. Finally, Ms. Yantorno stated that out of the \$585,000 in issued fines, most of the properties are rehabbed, and it is up to the Law Department to decide whether it will foreclose or wait for the property to be transferred to collect the fines.

Rep. Adams expressed concerns that developers and others could have vacant lots and properties declared “blighted” in order to force owners to sell. Ms. Yantorno stated that this is not possible in that all properties go through the proper department that handles the violation (e.g., health department) and that the declaration of “blight” is lengthy and is made by a committee.

Rep. Figueroa stated that she would like to be notified of properties that are being designated as blighted in her district. Co-Chair Mirkin stated he would follow up on former President Martin’s efforts to have Citizens Service provide quarterly reports to all representatives.

Ms. Yantorno noted that the ordinance was recently updated to allow the City to enter property and perform repairs and bill such work to the homeowner.

A motion to close discussion was made, seconded and approved by a unanimous vote of 8-0-0.

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| 3. PS28.004 | REVIEW; dead zones in North Stamford and power limitations at the Sterling Farms tower for volunteer fire departments. | REPORT MADE |
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A lengthy discussion took place regarding last month's issue on reinstalling a patch on the radio system to provide access to volunteer fire departments. Captain Tomlin distributed a letter he wrote to the Mayor, a copy of which is [attached](#). The Committee agreed that Captain Tomlin's recommendation to have the City's FCC license amended to allow for the use of the patch was the best answer to this problem. A motion to recommend that the FCC license be amended was made, seconded and approved by a unanimous vote of 8-0-0.

The Committee discussed the issue of dead zones in North Stamford. Captain Tomlin stated that this was an issue with the old system, and the new system was designed to solve this. A member of a Big Five station stated that once the leaves are back on the trees, they will absorb some of the frequency and this can cause dead zones. His solution was to institute simulcasting of radio transmissions, and this would involve a financial investment by the City. The Committee decided to wait until the patch was re-activated and then see if problems remain.

Rep. Caterbone expressed frustration with the entire radio installation, noting that the City spent millions of dollars and it seems we have more problems than before the system was installed.

A motion to close discussion was made, seconded and approved by a unanimous vote of 8-0-0.

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| 4. PS28.006 | REVIEW; status of Scofieldtown Park area well contamination; update from Co-Chair of Task Force, Mitchell Kaufman. | HELD IN COMMITTEE 8-0-0 |
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A motion to hold Item No. PS28.006 was made, seconded and approved by a unanimous vote of 8-0-0.

As Secondary Committee

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| 1. A28.002 | Camera Review Committee Rev. Leroy G. Parker (D) New Appointment 817 Newfield Avenue Stamford, CT 06905 Term expires: <i>runs concurrent with the Mayor</i> | NO ACTION TAKEN |
| 2. A28.018 | Fire Commission Vincent J. Freccia, Esq. (R) Repl. Dussault 1200 Summer Street (<i>exp. 11/30/7</i>) Stamford, CT 06905 Term Expires: 11/30/12 | NO ACTION TAKEN |
| 3. A28.019 | Fire Commission | NO ACTION |

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| | Franklin Melzer (D) 180 Turn of River Road #1D Stamford, CT 06905 Term Expires: 11/30/10 | Repl. Lyons (<i>exp. 11/30/10</i>) | TAKEN |
| 4. A28.020 | Fire Commission Rev. Dr. Robert W. Perry (D) 2009 Long Ridge Road Stamford, CT 06905 Term Expires: 11/30/11 | Repl. Rozier (<i>exp. 11/30/10</i>) | NO ACTION TAKEN |
| 5. A28.021 | Fire Commission Leandro Rizzuto (R) 1 Revonah Circule Stamford, CT 06905 Term Expires: 11/30/12 | Repl. Murray (<i>exp. 11/30/7</i>) | NO ACTION TAKEN |
| 6. A28.022 | Fire Commission Prasad Tungaturthy (R) 172 Skyview Drive Stamford, CT 06902 Term Expires: 11/30/11 | Repl. Rizzuto (<i>exp. 11/30/10</i>) | NO ACTION TAKEN |

Because the Appointments Committee has not yet met, the Committee opted not to take a vote on the Fire Commission candidates.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Scott Mirkin, Co-Chair