

*The Regular Meeting of the 26<sup>th</sup> Board of Representatives of the City of Stamford was held **Monday, December 6, 2004** at 8:00 p.m. in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.*

# Minutes

**CALL TO ORDER:** The meeting was called to order at 9:15 p.m. by President David R. Martin.

**INVOCATION:** By Rep. Bryan Munger.

“We are thankful for the many blessings in life, our health, knowledge, family; and the freedom to fulfill our goals in life. Help this board to work together as one, to pave the future for this great city that we proudly serve. This holiday season let us pray for the safe return of our brothers and sisters who are overseas protecting our nation. Bless our family, friends, and the residents of Stamford and give us all a happy healthy prosperous new year.”

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by President David Martin.

**ROLL CALL:** Conducted by Clerk of the Board Annie Summerville. There were thirty-five members present and four members excused (Reps. Hunter, McCullen, Benyus and Pavia); there was one vacancy.

**VOTING MACHING STATUS:** The machine was in good working order.

**MOMENTS OF SILENCE:** For the late: Julius Wilensky, Dr. Bernard O. Nemoitin and Marine Cpl. Kevin John Dempsey by the 26<sup>th</sup> Board of Representatives; Janie Darby by Annie Summerville; Jeffrey J. Docimo by Joseph Coppola; Rick Royle by Rep. Esposito; Richard L. Prescott, Jr. by Rep. McDermott; James S. Coughlin by Reps. Boccuzzi and President Martin; Peter S. DeLaventura, Annie B. Lipscomb, Arthur DeFillippis, Sr., Beverly Ann Dunn, Doris T. Faski and Anna B. Ladestro by Rep. Giordano; Henry V.

Spievak, Henry C. Cognelli, Margaret Bowles Williams, Anthony R. Siggia, Vincenza A. Presti, Mary V. Walsky, Benxon Zinberg and Margaret Marcel by Rep. Zelinsky.

Clerk of the Board Summerville personally wanted to note the passing of a former mayor, Julius Wilensky. Clerk Summerville said she was personally saddened at the loss, adding that they were good friends and she had enjoyed many good times with him. Clerk Summerville added that Mayor Wilensky was a wonderful mayor and did wonderful things for the City of Stamford.

Clerk of the Board Summerville stated that Mr. Greenberg's sister has been ill, and she asked the Board to remember her in prayers.

### **FILLING OF VACANCIES:**

President of the Board Martin declared a vacancy in the 12<sup>th</sup> District.

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| 1. | Sanchia Spadow (D) – 12 <sup>th</sup> District<br>Representative | <b>APPROVED BY<br/>VOICE VOTE</b><br><i>(Rep. Skigen<br/>abstaining)</i> |
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Majority Leader John Boccuzzi moved to nominate Phillip Sweeney to fill the vacancy in the 12<sup>th</sup> District. Said motion was seconded. Mr. Boccuzzi stated that Mr. Sweeney's resume has been forwarded to all board members, and he confirmed that Mr. Sweeney resided in the 12<sup>th</sup> District and was a registered Democrat. Mr. Boccuzzi added that Mr. Sweeney had been educated at Boston College, Fairfield University, Northeastern University and Columbia University and has been involved in quite a few companies, Mr. Sweeney is married with three sons. President Martin declared the nominations closed. The appointment was approved by a voice vote (Rep. Skigen abstaining).

President Martin administered the oath of office.

President Martin declared a vacancy in the position of Constable.

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| 2. | John Gallup (D) – Constable | <b>APPROVED BY<br/>VOICE VOTE</b><br><i>(Reps. Skigen,<br/>Blackwell, Cannady,<br/>Figueroa and Zelinsky<br/>abstaining)</i> |
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Majority Leader John Boccuzzi moved to nominate John Gordon to fill the Constable vacancy. Said motion was seconded. Mr. Boccuzzi stated that Mr. Gordon's resume has been sent out to all representatives. He has been working with Ralph Serafino and Jon Gallup for about five months, learning the trade. He was educated at Norwalk

Community College and Seattle University. Mr. Gordon submitted his name in August and withdrew in favor of Phil Giordano to fill the last vacancy.

Rep. Cannady moved to nominate John Zelinsky to fill the vacancy; Rep. Kernan seconded the motion. President Martin asked for further nominations, and none were forthcoming.

Rep. Lyons stated that he was approached 3-4 months ago by Mr. Gordon, and at that time he offered his unconditional support. Just recently he was approached by Rep. Zelinsky, and he is aware of Mr. Zelinsky's long-standing tenure in the community and his long service on the Board of Representatives, but unknown to Mr. Zelinsky, Mr. Gordon had been lobbying for this position for several months. Rep. Lyons advised Mr. Zelinsky that his commitment to Mr. Gordon would not waver this evening, and this has nothing to do with Mr. Zelinsky personally but just that he had already committed to Mr. Gordon. He stated he would honor his commitment to Mr. Gordon and hoped that all representatives would follow.

Minority Leader DeLuca called for a five-minute recess. Clerk of the Board Summerville called for a five-minute recess.

The meeting reconvened at 9:40 p.m. Mr. Zelinsky removed his name from nomination and thanked all those that would have voted for him and who had encouraged him to run for this position. President Martin announced that the nominations were closed. Majority Leader Boccuzzi confirmed that Mr. Gordon was a registered Democrat and resided in Stamford. The appointment was approved by a voice vote (Reps. Skigen, Blackwell, Cannady, Kernan, Figueroa and Zelinsky abstaining).

President Martin administered the oath of office.

## **COMMUNICATIONS:**

1. President Martin announced that the Thursday morning coffee to meet the new provost for UCONN was cancelled.
2. President Martin announced he would present the Board's resolution at Chief DeCarlo's farewell dinner on Thursday.
3. President Martin announced the Transportation Strategy Board would hold a meeting on December 12, 2004 at Purdue Pharma; details can be obtained from the Board Office. President Martin urged any representative, especially those on Transportation, to attend and advised that public participation was allowed.

4. President Martin announced that Rep. Shapiro delivered his letter of resignation to the Mayor today.
5. President Martin called for a motion to suspend the rules to take up the matter of changing the date of the January meeting; said motion was made by Rep. Skigen and seconded. The motion to suspend the rules failed by a machine vote of 18-17 (note: a 2/3 vote is required) (See [RCS Vote Record No. 563](#)).
6. Clerk of the Board Summerville stated that she would miss Jim Shapiro, and Hartford's gain is Stamford's loss. She added that Mr. Shapiro would be recommending a person of high character to fill his seat on the Board. Clerk Summerville stated that personally she liked Mr. Shapiro's style, she liked his extensive research on issues and as a member of the Board of Representatives. She added that it is quite an accomplishment to move on, and for those who can move on to represent the City of Stamford, it is an honor. Clerk Summerville stated she would be available as Clerk of the Board, as close as a telephone call away, to be of any assistance he may need. Clerk Summerville added that Mr. Shapiro has always been a perfect gentleman, and she knows he will remain that way once he goes to Hartford. Clerk Summerville stated she knows Mr. Shapiro will do well, and she wished him much success. President Martin seconded Clerk Summerville's comments.

**STEERING COMMITTEE:** Meeting: Monday, November 15, 2004  
7:00 p.m. – Democratic Caucus Room

Upon motion duly made and seconded and approved by unanimous voice vote, the Steering Committee Report was waived.

### **STANDING COMMITTEES**

**APPOINTMENTS COMMITTEE: Paul A. Esposito, Chair**

[\(Attendance\)](#)

[\(Votes\)](#)

**Annie M. Summerville, Vice Chair**

Meeting: Tuesday, November 23, 2004

7:00 p.m. – Democratic Caucus Room

- and -

[\(Attendance\)](#)

[\(Votes\)](#)

Meeting: Monday, December 6, 2004

6:30 p.m. – Democratic Caucus Room

Chair Esposito reported that the Appointments Committee met on November 23, 2004. Present were Committee Member Reps. Summerville, Esposito, Clear, Coppola, Layton, Blackwell, DePina and Kernan.

The Appointments Committee also met on Monday, December 6, 2004. Present were Committee Member Reps. Summerville, Esposito, Clear, Coppola, Layton, Blackwell, DePina, Boccuzzi and Kernan.

1. [A26.168](#)     Harbor Management Commission-Alternate  
Arthur H. Ruffels, Jr.  
54 Cook Road  
Stamford, CT 06902  
Term Expires: 08/02/07  
09/30/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Committee approved 7-0-0  
**APPROVED  
ON CONSENT  
AGENDA**
  
2. [A26.172](#)     Traffic Hearing Officer  
Larry F. Ginsberg (D)                      Reappointment  
7 Russet Road                                (Term Exp. 12/01/98)  
Stamford, CT 06903  
Term Expires: 12/01/06  
10/22/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Committee approved 7-0-0  
**APPROVED  
ON CONSENT  
AGENDA**
  
3. [A26.178](#)     Environmental Protection Board – Alternate  
Scott E. Thompson (D)                      Reappointment  
107 Turner Road                                (Term Exp. 06/30/04)  
Stamford, CT 06905  
Term Expires: 06/30/07  
11/01/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Held in Committee 7-0-0  
12/06/04 – Committee approved 9-0-0  
**APPROVED  
ON CONSENT  
AGENDA**  
*(Reps. Day,  
Greenberg,  
Mirkin, Molgano,  
DeLuca and  
Fedeli abstaining)*
  
4. [A26.176](#)     Planning Board  
Claire Fishman (D)                              Repl. Laurie  
1 Clover Hill Drive                                (Term Exp. 12/01/04)  
Stamford, CT 06902  
Term Expires: 12/30/07  
11/01/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Committee approved 7-0-0  
**APPROVED  
ON CONSENT  
AGENDA**
  
5. [A26.177](#)     Planning Board – Alternate  
Jeffrey T. Curtis (D)                              Repl. Fishman  
42 Deacon Hill Road                                (Term Exp. 12/01/05)  
Stamford, CT 06905  
Term Expires: 12/01/05  
11/01/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Committee approved 7-0-0  
**APPROVED  
ON CONSENT  
AGENDA**

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| 6. <a href="#">A26.173</a>  | <u>Fire Commission</u><br>Donald Rozier (D)<br>356 Strawberry Hill Ave.<br>Stamford, CT 06902<br>Term Expires: 01/30/07<br>10/15/04 – Submitted by Mayor Dannel P. Malloy<br>11/23/04 – Committee approved 7-0-0 | Repl. Perry<br>(Term Exp. 11/30/04)   | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>                                    |
| 7. <a href="#">A26.169</a>  | <u>Fire Commission</u><br>Ralph Murray (R)<br>15 Butternut Place<br>Stamford, CT 06903<br>Term Expires: 01/30/07<br>10/26/04 – Submitted by Mayor Dannel P. Malloy<br>11/23/04 – Committee approved 7-0-0        | Reappointment<br>(Term Exp. 11/30/04) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>                                    |
| 8. <a href="#">A26.174</a>  | <u>Fire Commission</u><br>Gaynor E. Brennan (R)<br>241 Fairview Avenue<br>Stamford, CT 06902<br>Term Expires: 01/30/07<br>10/15/04 – Submitted by Mayor Dannel P. Malloy<br>11/23/04 – Committee approved 7-0-0  | Reappointment<br>(Term Exp. 11/30/01) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>                                    |
| 9. <a href="#">A26.175</a>  | <u>Fire Commission</u><br>Marilyn B. Dussault (D)<br>2777 Summer Street<br>Stamford, CT 06905<br>Term Expires: 01/30/07<br>10/15/04 – Submitted by Mayor Dannel P. Malloy<br>11/23/04 – Committee approved 7-0-0 | Reappointment<br>(Term Exp. 11/30/04) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b>                                    |
| 10. <a href="#">A26.170</a> | <u>Police Commission</u><br>Adele Gordon (R)<br>211 West Lane<br>Stamford, CT 06905<br>Term Expires: 01/30/07<br>10/26/04 – Submitted by Mayor Dannel P. Malloy<br>11/23/04 – Committee approved 7-0-0           | Reappointment<br>(Term Exp. 11/30/04) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> <i>(Rep. Franzetti abstaining)</i> |
| 11. <a href="#">A26.171</a> | <u>Police Commission</u><br>Michael A. Berkoff (D)<br>92 Jeanne Court<br>Stamford, CT 06903  | Reappointment<br>(Term Exp. 11/30/04) | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> <i>(Rep. Franzetti)</i>            |

Term Expires: 01/30/07  
10/22/04 – Submitted by Mayor Dannel P. Malloy  
11/23/04 – Committee approved 7-0-0

*abstaining)*

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1 through 11 above, was approved by unanimous voice vote. Rep. Franzetti abstained on Item Nos. 10 and 11; Reps. Greenberg, Day, Mirkin, Molgano, DeLuca and Fedeli abstained on Item No. 3).

**FISCAL COMMITTEE:**     **Randy Skigen, Chair**  
[\(Attendance\)](#)             **Linda Cannady, Vice Chair**  
[\(Votes\)](#)                     Meeting: Monday, November 29, 2004  
7:00 p.m. – Democratic Caucus Room

Chair Skigen reported that the Fiscal Committee met on Monday, November 29, 2004. Present were Committee Member Reps. Skigen, Cannady, DeLuca, DePina, Fedeli, Mirkin, Giordano and Lyons; also present was Rep. Greenberg.

1. <a href="#">F26.455</a> \$1,600,000.00	ADDITIONAL APPROPRIATION (Capital Budget); Office of the Mayor; Housing Development Fund; represents funds received in lieu of set-aside affordable housing units and must be appropriated for affordable housing purposes. 10/05/04 – Submitted by Mayor Dannel P. Malloy 11/08/04 – Defeated by Board of Finance 3-2-1 11/29/04 – Held in Committee 8-0-0	<b>HELD IN COMMITTEE</b>
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*Secondary Committee: Housing/Community Development/Social Services*

Chair Skigen stated that this item was held because the Board of Finance had not yet approved this item.

2. <a href="#">F26.457</a> \$7,886.00	ADDITIONAL APPROPRIATION (Grants Budget); Juvenile Justice Center; Contracted Services. 10/26/04 – Submitted by Mayor Dannel P. Malloy 11/08/04 – Approved by Board of Finance 11/29/04 – Committee approved 6-0-0	<b>APPROVED ON CONSENT AGENDA</b>
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3. <a href="#">F26.458</a> \$800,000.00	ADDITIONAL APPROPRIATION (Capital Budget); Rogers Elementary School Media Center. 10/13/04 – Submitted by Mayor Dannel P. Malloy	<b>APPROVED ON CONSENT AGENDA</b>
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10/26/04 – Approved by Planning Board  
11/08/04 – Approved by Board of Finance  
11/29/04 – Committee approved 8-0-0

*Secondary Committee: Education*

Upon motion duly made and seconded and approved by unanimous voice vote, the Secondary Committee Report was waived.

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 2 and 3, was approved by unanimous voice vote.

Chair Skigen stated that he, too, would miss Jim Shapiro. Chair Skigen reminded the members that if it wasn't for Jim's dedication and steadfastness, this Board would not have the role in the Mill River project nor would it have the housing component. It was through Jim's extraordinary efforts, along with Carmen Domonkos, that this Board prevailed on this matter.

**LEGISLATIVE & RULES COMMITTEE: Maria Nakian, Chair**

[\(Attendance\)](#)

[\(Votes\)](#)

**Jim Shapiro, Vice Chair**

Meeting: Monday, November 22, 2004

7:00 p.m. – Democratic Caucus Room

Chair Nakian reported that the Legislative & Rules Committee met on Monday, November 22, 2004. Present were Committee Member Reps. Nakian, Shapiro, Esposito, Zelinsky, Benyus, Layton and Greenberg; Reps. Munger and Mitchell excused. Also present were President Martin, Reps. DeLuca, Molgano, Fedeli and Lyons; Jeanette Brown; Thomas Cassone; Ben Barnes and Bill Forker.

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| 1. <a href="#">LR26.071</a> | PROPOSED ORDINANCE; <b>for publication</b> ;<br>amending the Ethics Ordinance.09/07/04 –<br>Submitted by Amy LiVolsi, Chair of Ethics<br>Board10/04/04 – Report Made11/08/04 – Held in<br>Committee<br>11/22/04 – Held in Committee   | <b>HELD IN<br/>COMMITTEE</b>   |
| 2. <a href="#">LR26.050</a> | PROPOSED ORDINANCE; <b>for publication</b> ;<br>amending Chapter 200 of the Code of Ordinance<br>to merge the Sewer Commission into the WPCA,<br>define or modify the geographic authority, fiscal<br>process, sewer approval, board representation<br>and other procedures of the WPCA.<br>01/08/04 – Submitted by President Martin<br>01/20/04, 02/02/04, 03/01/04 – Held in<br>Committee | <b>APPROVED BY<br/>MACHINE VOTE<br/>26-9-0</b> (Reps.<br><i>Cannady, Coppola,<br/>Franzetti, Lyons,<br/>McDermott,<br/>Molgano, O'Neill,<br/>Summerville &amp; White<br/>opposed</i> ) |

07/13/04 – Placed on Pending Agenda  
09/20/04, 10/04/04 – Held in Committee  
11/22/04 – Committee approved 7-0-0

Chair Nakian moved Item No. LR26.050; said motion was seconded. Chair Nakian stated that this 21-page ordinance is very complex with several objectives: it is eliminating the Sewer Commission and conveying its authorities and responsibilities to the Water Pollution Control Authority; it is establishing a geographic jurisdiction (which is mainly south of the Merritt Parkway) and the WPCA has the authority to construct and maintain a sanitary sewer system in this jurisdiction; the Board may, by a  $\frac{3}{4}$  vote, extend this jurisdiction. The ordinance will define a private lateral, which was discussed by the Board during the Northeast School sewer project. The ordinance will eliminate the Director of Legal Affairs as a member of the WPCA and replace him/her with a fifth member who represents the City at large. It will also modify the budget process so that the City and the Board of Representatives will have greater control over the budget. The Board of Representatives will also be able to override any cuts the Board of Finance make to the proposed WPCA budget. The Committee approved the ordinance 7-0-0.

Rep. Lyons stated that he recognized a perfect ordinance is not always easy, but he believes this ordinance should be returned to committee or approved with the condition that certain amendments are going to be included. He is disturbed that we are creating an ordinance that requires a  $\frac{3}{4}$  vote threshold when a simple majority or a  $\frac{2}{3}$  vote is the normal rule. He also questions the wisdom in dissolving the Sewer & Water Commission. He had heard that they weren't meeting was used as logic for eliminating them, but the Board has created this authority that is beholden to the State DEP – not to the citizens of Stamford. The Sewer and Water Commissioners are appointed by this Board. Time and time again we see the erosion of this Board's importance, and the appointees of this Board, via the commissions that are dissolved. We dissolved the Social Services Commission dissolve and then recreated two years later. Mr. Lyons also questions the wisdom of the Director of Legal Affairs. He heard he wasn't attending the meetings, but this may be because he was a non-voting, ex-officio member. He would prefer a cabinet member be on the Board rather than another member of the public.

Rep. Lyons stated he spoke to several people at DEP, and they told him that the geographical jurisdictions are actually called *sewer avoidance areas* by the DEP, and they are included in several municipalities throughout the state. They should not be defined through voting regulations but with strict linear and lineal, either longitude and latitude, or through physical demarcations and street demarcations as opposed to zoning regulations which change over time. The DEP must also grant approval of these areas.

Rep. Lyons stated that the WPCA was created, it resides in his district, he is proud to have it there and they do a good job. It has a \$13 million annual budget, and this Board has very little control over it. He realizes that this ordinance will help strengthen some of that control. Every time he goes to the ballot, people see this as a tax and this Board has no control over the user fees. Several years ago, Tom Hamilton came to the Board and asked if it wanted to phase in the increase, and he will propose in this ordinance that the WPCA user fees be approved by this Board.

Rep. Lyons urged that these changes be included via amendment form tonight or that the ordinance be returned to committee.

President Martin stated that while it is inappropriate for him to engage in debate, he would rather that this go to publication and amendments later after publication so that the ordinance can be passed within a 3-month time frame. President Martin stated that Mr. Lyon's point that the Committee consider amendments at the public hearing is well taken, and he accepts that scenario.

The item was approved for publication by a vote of 26-9-0 (Reps. Cannady, Coppola, Franzetti, Lyons, McDermott, Molgano, O'Neill, Summerville and White opposed) (See [RCS Vote Record No. 564](#)).

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| 3. <a href="#">LR26.072</a> | PROPOSED ORDINANCE; <b>for publication</b> ;<br>amending Chapter 238 of the Code of Ordinances<br>designating the WPCA as the Water Commission.<br>10/12/04 – Submitted by Rep. Nakian<br>11/22/04 – Committee approved 7-0-0 | <b>APPROVED BY<br/>MACHINE VOTE<br/>25-9-0</b> (Reps.<br>Cannady, Coppola,<br>Franzetti, Lyons,<br>McDermott,<br>Molgano, O'Neill,<br>Summerville & White<br>opposed) |
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Chair Nakian moved Item No. LR26.072; said motion was seconded.

Rep. Lyons reiterated his point stated earlier that he has strong reservations about eliminating this Commission.

The item was approved for publication by a vote of 25-9-0 (Reps. Cannady, Coppola, Franzetti, Lyons, McDermott, Molgano, O'Neill, Summerville and White opposed) (See [RCS Vote Record No. 565](#)).

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| 4. LR26.073 | RESOLUTION; regarding typographical error in<br>Charter Section Ct-40-2(b)(2) – should say “limit”<br>instead of “omit.”<br>10/19/04 – Submitted by Rep. Martin<br>11/22/04 – No action reported | <b>NO ACTION<br/>TAKEN</b> |
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Chair Nakian stated that this matter had been taken up by the previous Board, but was never corrected during codification. Therefore, no action is necessary and the matter will be sent to the codification company.

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| 5. <a href="#">LR26.075</a>                | PROPOSED ORDINANCE; <b>for publication</b> ;<br>amending Ordinance No. 628 concerning the<br>creation of the Downtown Special Services<br>District.<br>10/28/04 – Submitted by Sandy Goldstein<br>11/22/04 – Held in Committee   | <b>HELD IN<br/>COMMITTEE</b> |
| 6. <a href="#">LR26.076<br/>Resolution</a> | RESOLUTION; <b>for public hearing</b> ; approving a<br>lease agreement between the City of Stamford<br>and the Glenbrook Community Center.<br>11/01/04 – Submitted by Mayor Dannel P. Malloy<br>11/09/04 – Approved by Planning Board<br>11/22/04 – Committee approved 6-0-0 (as<br>amended by deleting Paragraph 29 6-0-0)<br>12/09/04 – To be considered by Board of Finance   | <b>HELD IN<br/>COMMITTEE</b> |
| 7. <a href="#">LR26.077<br/>Resolution</a> | RESOLUTION; <b>for public hearing</b> ; approving a<br>lease agreement between the City and the<br>Stamford Urban Redevelopment Commission for<br>space in the Government Center.<br>11/01/04 – Submitted by Mayor Dannel P. Malloy<br>11/09/04 – Approved by Planning Board<br>11/22/04 – Committee approved 6-0-0<br>12/09/04 – To be considered by Board of Finance   | <b>HELD IN<br/>COMMITTEE</b> |
| 8. LR26.078                                | REVIEW of senior citizens and veterans tax relief<br>programs; PROPOSED ORDINANCES;<br>amending Sections 220-8 through 220-13 to allow<br>additional veterans to be eligible for property tax<br>reductions; to add B(4)(a) establishing a Tax<br>Freeze category for qualifying seniors and the<br>disabled; and to allow co-op owners to participate<br>in the senior citizen tax relief program.<br>10/19/04 – Submitted by Reps. Nakian and<br>DeLuca<br>11/22/04 – No action reported | <b>HELD IN<br/>COMMITTEE</b> |
| 9. LR26.079                                | REVIEW; of senior citizen tax deferral program.<br>11/08/04 – Submitted by Chair Nakian.<br>11/22/04 – No action reported  | <b>HELD IN<br/>COMMITTEE</b> |

**PERSONNEL COMMITTEE:**

**Mary Lisa Fedeli, Chair**

[\(Attendance\)](#)

Meeting: Wednesday, December 1, 2004

[\(Votes\)](#)

7:00 p.m. – Republican Caucus Room

[\(Report\)](#)

Chair Fedeli reported that the Personnel Committee met on December 1, 2004. Members present were Co-Chair Fedeli, Representatives Layton, Cannady, Boccuzzi and Skigen. Representatives Figueroa, Munger, Pavia and McCullen were absent. Also present were Dennis Murphy and Fred Manfredonia from the Human Resources department, Chief Robert McGrath from Stamford Firefighters, Pepe Barbarota from Park Facilities, Lucy Corelli and Alice Fortunato from the Registrar of Voters office and Donna Porstner from the Advocate.

1. [P26.064](#)

PROPOSED ORDINANCE; **for publication;**  
amending the ordinance re: residency points for  
entry level fire fighter examinations.10/21/04 –  
Submitted by Chief McGrath  
12/01/04 – Committee approved 4-1-0

**APPROVED BY  
MACHINE  
VOTE 34-1-0**

Chair Fedeli moved Item No. P26.064; said motion was seconded. Chair Fedeli stated that in 2002 the Board passed a one-time ordinance that awarded an extra five points for Stamford residents who took the firefighter exam. They are getting ready to hold another test and would like to put this ordinance in permanent effect. Chief McGrath spoke about the trouble he has getting non-resident firefighters to return to Stamford for emergency situations, and it takes up to two hours to get people back in. During the 2002 tests where they awarded the five extra points, the number of residents who applied increased by four percent. The number who sat for the test rose from 22 to 26 percent. In 1998, 8 percent of the residents group who were eligible for appointment by score vs. 2002 when the points were awarded, 79% of the resident group was certified. In 2002, out of the 39 hired, 19 were Stamford residents. The Committee approved this 4-1-0.

Rep. Skigen stated he was in opposition. He opposed this in 2002, and he opposes it today. He stated either one believes in civil service or s/he doesn't. He doesn't believe it is wise to give bonus points for mere residency. A person can take the exam, be awarded the bonus points, and move out of town the day after the exam. He recognizes that the Board is not with him on this matter, but due to the fact that the Department and the Human Resources Department were unable to provide the type of data that would be necessary to adopt this on a permanent basis, he moved to change paragraph 1 to read: "Five (5) bonus points shall be added to the final earned score of Stamford residents who pass a written Firefighter examination **during calendar year 2005.**" The amendment was seconded.

Rep. Zelinsky stated that he is against the amendment. He understands that Chief McGrath believes this is very important in emergency situations to protect our residents. Many present firefighters live quite far from Stamford, and an emergency would take them a long time to get back to assist our residents. Rep. Zelinsky stated that New York City requires that all of their firefighters have to reside in the City. Rep. Zelinsky stated that this should be a permanent situation so that we don't have to take it up every time a test is held. Rep. Zelinsky urged his colleagues to adopt this ordinance as amended.

The amendment was approved by a machine vote of 21-14-0 (See [RCS Vote Record No. 566](#)).

Rep. Coppola stated that he doesn't believe the extra five points will do anything to keep people in Stamford, but he believes that we should have a permanent five-point bonus for residents. This is done in most other communities. In New York City, you have to live within a certain radius.

Rep. Lyons stated that he knows of at least five individuals, from ages 22 to 38, who took the last firefighter test and who were Stamford residents, and at least 3 or 4 of those individuals took an interest in the test because of the added residency points, and now one of those individuals is a firefighter in the City of Stamford. This person is a life-long resident of Stamford. Rep. Lyons stated that the residency point system should be favorably looked upon.

The main motion was approved by a machine vote of 35-1-0 (See [RCS Vote Record No. 567](#)).

- |                            |   |                                  |
|----------------------------|---|----------------------------------|
| 2. <a href="#">P26.062</a> | PROPOSED ORDINANCE; for publication;<br>amending the Benefits Ordinance with regard to<br>the Registrars of Voters.8/23/04 – Submitted by<br>Fred Manfredonia10/04/04 – Held in<br>Committee10/27/04 – Held in Committee<br>12/01/04 – Committee approved 5-0-0 | <b>RETURNED TO<br/>COMMITTEE</b> |
|----------------------------|---|----------------------------------|

Chair Fedeli moved to return Item No. P26.062 to committee; said motion was seconded and approved by unanimous voice vote.

- |            |   |   |
|------------|---|---|
| 3. P26.065 | APPROVAL; of a clerk of the works employment<br>agreement with Richard O'Neill.10/29/04 –<br>Submitted by Mayor Dannel P. Malloy<br>12/01/04 – Committee approved 5-0-0 (as<br>amended) | <b>APPROVED ON<br/>CONSENT<br/>AGENDA</b> |
|------------|---|---|

Chair Fedeli stated that the Committee made two amendments: 1) the beginning date will be 7/1/2004, and 2) to include the word *pension* under *non-benefits*.

4. P26.066      APPROVAL; of a clerk of the works employment agreement with James J. Arrico. 11/02/04 – Submitted by Mayor Dannel P. Malloy 12/01/04 – Committee approved 5-0-0 (as amended)      **APPROVED ON  
CONSENT  
AGENDA**

Chair Fedeli stated that the Committee amended the contract to include the word *pension* under *non-benefits*.

Chair Fedeli moved the Consent Agenda, consisting of Item Nos. 3 and 4; said motion was seconded and approved by unanimous voice vote.

**LAND USE COMMITTEE:**

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

**Patrick White, Co-Chair**

**Harry Day, Co-Chair**

Meeting: Monday, November 29, 2004

7:30 p.m. – Republican Caucus Room

Co-Chair White reported that the Land Use Committee met on November 29, 2004. Present were Committee Member Reps. Boccuzzi, Day, Mitchell, Greenberg and White. Also present were Rep. O'Neill and John Pugliesci of Frataroli's Surveying.

1. LU26.047      REVIEW; of the feasibility of instituting an architectural review board or commission as part of the land use permitting process. 11/14/03 – Submitted by Reps. Browne & O'Neill 01/05/04 – Held in Committee 03/01/04 – Report Made 04/07/04; 06/07/04, 07/06/04 – Held in Committee 08/02/04 – Report Made & Held in Committee 11/29/04 – Held in Committee      **REPORT  
MADE**

Co-Chair White reported that Mr. Day submitted a list of questions, and the subcommittee will study the questions and report back at a later date.

2. [LU26.055](#)      RESOLUTION; approving a street acceptance for Golden Farm Road. 11/01/04 – Submitted by Mr. Frattaroli 11/29/04 – Committee approved 6-0-0      **APPROVED ON  
CONSENT  
AGENDA**



[\(Votes\)](#)

7:00 p.m. – Democratic Caucus Room

Chair Lyons reported that the Public Safety & Health Committee met on December 2, 2004. Present were the following committee members Chairperson Lyons II, Clear, Coppola, DeLuca, Kernan, Mirkin and Zelinsky. Excused were Reps. Adams, Blackwell, and Pia. Also present were Acting Police Chief Frank Lagan, Director of PS & H - Bill Callion, Fire Chief Bob McGrath, Emergency Director Capt. Thomas Lombard, Robin Stein and Erin McKenna – Land Use Department, Darrel Scott from SWRPA and Sandra Dennies.

1. PS26.051      REVIEW; regulation and use of pocket bikes in the City of Stamford.07/06/04 – Submitted by Reps. Boccuzzi, Fedeli & Loglisci08/02/04 – Report Made & Held in Committee10/04/04 – Report Made  
12/02/04 – Held in Committee      **HELD IN COMMITTEE**

Chair Lyons reported that this item is still in the Legal Affairs Department, and will be discussed next month.

2. [PS26.061 Resolution](#)      RESOLUTION; approving Stamford's pre-disaster mitigation Strategy Document – Connecticut's Southwestern Region. 10/19/04 – Submitted by Bill Callion  
12/02/04 – Held in Committee      **HELD INCOMMITTEE**

Chair Lyons reported that the Committee reviewed the item and voted to hold the item as members did not have copies. When this plan is formally accepted, the City will be allowed to apply for state and federal grants that would provide aid for many city land use and development efforts to prevent natural disasters.

**As Co-Committee:**

3. PS26.060      REVIEW; school emergency plans.10/09/04 – Submitted by President Martin & Reps. Skigen and Day  
12/02/04 – Held in Committee      **HELD IN COMMITTEE**

*Co-Committee: Education*

Chair Lyons reported that there was a good showing from the City side of government, but no one from the Superintendent's office appeared, so many committee members felt it was unfair to review it without representation from the education side of government.

**PARKS AND RECREATION COMMITTEE:**      **Linda Cannady, Co-Chair**

**Steve McDermott, Co-Chair**

No meeting; No report.

**EDUCATION COMMITTEE:**

[\(Attendance\)](#)

**Brian O'Neill, Co-Chair**

**Thomas Hunter, Co-Chair**

Meeting: Thursday, December 2, 2004

7:00 p.m. – Republican Caucus Room

Co-Chair O'Neill stated that the Education Committee met on December 2, 2004. Present were Committee Member Reps. Day, Molgano and Rauh. Excused were Reps. Hunter, Mitchell and Pia.

- |            |   |                              |
|------------|---|------------------------------|
| 1. E26.020 | DISCUSSION; formulating recommendations to the Search Committee for the new Superintendent of Schools. 11/10/04 – Submitted by Rep. Hunter<br>12/02/04 – No action reported | <b>HELD IN<br/>COMMITTEE</b> |
|------------|---|------------------------------|

Co-Chair O'Neill stated a discussion was held.

**As Co-Committee:**

- |             |  |                              |
|-------------|--|------------------------------|
| 2. PS26.060 | REVIEW; school emergency plans. 10/09/04 – Submitted by President Martin & Reps. Skigen and Day<br>12/02/04 – No action reported | <b>HELD IN<br/>COMMITTEE</b> |
|-------------|--|------------------------------|

*Co-Committee: Public Safety, Health & Welfare*

Co-Chair O'Neill stated that the Committee had no information before it regarding emergency plans, so the item was held.

**HOUSING/COMMUNITY DEVELOPMENT/**

**SOCIAL SERVICES COMMITTEE:**

[\(Report\)](#)

**Elaine Mitchell, Chair**

**Philip Giordano, Vice Chair**

Meeting: Monday, November 29, 2004

6:30 p.m. – Democratic Caucus Room

Chair Mitchell reported that the Housing/Community Development/Social Services Committee met on November 29, 2004. Present were Committee Member Reps. Mitchell, Giordano, Munger, Rauh, McCullen and Molgano. Rep. McDermott was excused. Also in attendance were Reps. Greenberg, DePina, DeLuca, President Martin, O'Neill, Skigen; Robin Stein, Ben Barnes, Bill Callion and Tim Beeble.

1. [HCD26.25](#) PROPOSED ORDINANCE; for publication; **APPROVED BY UNANIMOUS VOICE VOTE**  
amending the Linkage Ordinance.  
08/05/04 – Submitted by Tim Beeble  
09/07/04, 10/04/04 – Held in Committee  
11/08/04 – Returned to Committee  
11/29/04 – Committee approved 6-0-0 (as amended)

Chair Mitchell read the changes made by the Committee: 1) the threshold is changed from 3.3% to 2.5%; 2) the amount over 2.5% is divided 50% between the general budget and the housing fund; 3) the HCD/SS Committee will determine the allocation of funding; and a 2/3 vote of the board is required to change the formula. Chair Nakian moved the item; said motion was seconded and approved by unanimous voice vote.

2. HCD26.30 APPROVAL; and review of the Year 31 Planning/Budgeting Schedule. **NO ACTION REQUIRED**  
11/11/04 – Submitted by Tim Beeble  
11/29/04 – Committee approved 6-0-0

Chair Mitchell stated that this sets the dates for the public hearing, and the Committee approved the schedule 8-0-0.

3. HCD26.31 REVIEW; of the historical use of capital budget funds for housing. **REPORT MADE**  
11/11/04 – Submitted by Tim Beeble  
11/29/04 – Report Made

Chair Mitchell stated a report will be sent to all Board members.

**STATE & COMMERCE COMMITTEE:** **Jim Shapiro, Chair**  
[\(Attendance\)](#) **John Morrow, Vice Chair**  
[\(Votes\)](#) Meeting: Monday, November 22, 2004  
8:00 p.m. – Democratic Caucus Room

Chair Shapiro reported that the State & Commerce Committee met on Monday, November 22, 2004. Present were Committee Member Reps. Day, Esposito, Fedeli, Greenberg, Martin, Morrow, Shapiro and Skigen; excused were Reps. Summerville, DeLuca and Nakian.

1. [SC26.009](#) RESOLUTION; regarding State legislative action on conveyance tax.10/19/04 – Submitted by President Martin **APPROVED BY VOICE VOTE** (Reps. Mirkin & Zelinsky abstaining)  
11/22/04 – Committee approved 6-0-0

Rep. Shapiro state that we are currently at .25 today and on July 1, 2005, all of the towns will go to .11, but certain jurisdictions can add an additional .25, so if the Board chooses to raise it, it will have to go to .36. There is no allowance for any other rates. This was most likely unintentional on the part of the State, Mr. Shapiro reported.

Upon motion duly made and seconded, Item No. SC26.009 was approved by unanimous voice vote.

Chair Shapiro thanked President Martin, Clerk Summerville, Majority Leader Boccuzzi and Minority Leaders Loglisci and DeLuca for their support during his service on the Board. Mr. Shapiro stated he will take the lessons he learned here up to Hartford. He learned that everyone on the Board has something to contribute. We have car salesmen, masons, Republicans, Democrats, men, women, young, older, and everyone has contributed something. On this Board he learned that we should take a good idea wherever it comes from. He learned that despite the rumors of the demise of public service in this country, it is alive and well here. There are 40 members on the Board who do tremendous work, who attend the Board meeting on the first Monday of every month and that is an amazing thing. Mr. Shapiro stated that he has learned that he will never let anyone tell him that a small group of people can't make a difference – in fact it is the only thing that does.

Mr. Shapiro stated that it has been a privilege to work with everyone on the Board, and he will continue to serve the citizens of Stamford.

**TRANSPORTATION COMMITTEE:**

[\(Attendance\)](#)

[\(Report\)](#)

[\(Attendance\)](#)

[\(Votes\)](#)

**Robert “Gabe” DeLuca, Chair**

Meeting: Thursday, November 18, 2004

7:00 p.m. – Republican Caucus Room

- and -

Meeting: Monday, December 6, 2004

6:30 p.m. – Republican Caucus Room

Chair DeLuca reported that the Transportation Committee met on November 18, 2004, and no action was taken.

The Committee also met on Monday, December 6, 2004, and the Committee voted on Item No. 1.

1. [T26.059](#)

RESOLUTION; approving a lease agreement between the City of Stamford and St. John's Roman Catholic Church for parking lot space.  
11/01/04 – Submitted by Mayor Dannel P. Malloy  
11/09/04 – Approved by Planning Board  
11/18/04 – No action reported & meeting rescheduled to 12/6/4  
12/06/04 – Committee approved 5-0-0

**HELD IN  
COMMITTEE**

12/09/04 – To be considered by Board of Finance

Chair DeLuca stated that this item would be held because the Board of Finance had not yet voted on the item.

### **SPECIAL COMMITTEES**

**CHARTER COMMITTEE: Maria Nakian, Co-Chair  
Robert “Gabe” DeLuca, Co-Chair**

### **RESOLUTIONS**

1.            [SENSE OF THE BOARD RESOLUTION](#)            **NO ACTION  
TAKEN**  
              regarding Moira Lyons.11/15/04 – Submitted by  
              26<sup>th</sup> Board
  
2.            [SENSE OF THE BOARD RESOLUTION](#) thanking    **APPROVED BY  
UNANIMOUS  
VOICE VOTE**  
              Chief DeCarlo for his service.11/22/04 –  
              Submitted by 26<sup>th</sup> Board

### **MINUTES**

1.            [November 8, 2004 Regular Board Meeting](#)            **APPROVED BY  
UNANIMOUS  
VOICE VOTE**

### **OLD BUSINESS**

### **NEW BUSINESS**

1.        Rep. Zelinsky read a 11/19/04 press release announcing that Deputy Fire Marshall Terry Shay was named Fire Investigator of the Year and Police Officers Gretory Holt and Angel Gonzales were honored at an awards dinner held by the International Association of Arson Investigators for their work in obtaining an arrest and conviction in a series of arson fires.

### **ADJOURNMENT**

Upon motion duly made and seconded and approved by unanimous voice vote, the meeting was adjourned at 10:55 p.m.

