

**STAMFORD PLANNING BOARD
APPROVED MINUTES - TUESDAY, OCTOBER 26, 2021
CAPITAL BUDGET
VIA THE INTERNET & CONFERENCE CALL
6:30 P.M.**

JOIN ZOOM MEETING
<https://us02web.zoom.us/j/86201575283>

Meeting ID: 862 0157 5283
Passcode: 718372

Web & Phone Meeting Instructions

- *If your computer/smartphone has mic and speaker then:
Type in, paste or click the following link: <https://us02web.zoom.us/j/86201575283>; **OR***
- *If not, then **Call-in** using the **phone number & password** provided above.*
- *Sign-up for Planning Board meeting updates by emailing lcapp@stamfordct.gov.*

Web Meeting Ground Rules:

- *The meeting shall be recorded and the video shall be posted on the City of Stamford website http://cityofstamford.granicus.com/ViewPublisher.php?view_id=8*
- *The Planning Board shall moderate the audio for attendees.*
- *Attendees shall be on mute and will be unmuted when called to speak by the Planning Board members.*
- *Applicants will have 20 minutes to make their presentation.*
- *Any applicant wishing to submit written testimony can send it prior to the meeting to lcapp@stamfordct.gov or submit through a Chat message to the Planning Board Chair during the meeting.*

Stamford Planning Board Members present were: Voting Members: Theresa Dell, Chair; Jay Tepper, Vice Chair; Jennifer Godzeno, Secretary; Michael Buccino and Michael Totilo. Alternates: William Levin and Stephen Perry (Joined the meeting at 7:05 p.m.). Present for staff: Vineeta Mathur, Acting Principal Planner; Lindsay Miller, Board of Representatives, District #7 and Gary Palomba, Board of Representatives, District #16.

Also present as Capital Budget presenters (in order of appearance):

- Sandy Dennies, Director of Administration
- Tracy Kay, Chief Executive Officer, Bartlett Arboretum
- Marc Teichman, Director, Human Resources & Facilities Services, Childcare Learning Center
- Leigh Shemitz, President, SoundWaters
- Alice Knapp, CEO & Cheryl Harper, Director of Administrative Services, Ferguson Library
- Randall Thomas, Director of Production & Facilities, Stamford Center for the Arts
- Dr. Thomas A. Zoubek, Chair, Social Sciences, King School, Stamford Historical Society
- Frank Fedeli, Chief Compliance Officer, Stamford Harbor Management Commission
- Melissa H. Mulrooney, Executive Director & CEO; Peggy Baim, Director of Finance & Michael Fedele, Chair of Campaign for Future Generations, Stamford Museum

Ms. Dell called the meeting to order at 6:30 p.m., introduced the members of the Board and staff present and introduced the first item on the agenda.

PLANNING BOARD MEETING MINUTES:

October 19, 2021: After a brief discussion, Mr. Tepper moved to recommend approval of the Planning Board Regular Meeting Minutes of October 19, 2021; Mr. Totilo seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Buccino, Tepper and Totilo).

Ms. Dell opened the Capital Budget presentations and introduced Lindsay Miller and Gary Palomba from the Board of Representatives. Ms. Dell also noted that the Board of Finance is invited by Charter but has declined to attend.

Ms. Dell introduced Jay and Tony and thanked them for all the preparation and attending the meetings. Ms. Dell stated that the safe debt limit will be set at \$40M of which \$10M is dedicated to two projects that are pending. The \$30M available will be confirmed after the new mayor is elected. Ms. Dell stated that projects to be submitted are those which will be finished within one-year of funding and any projects financed with bonds which have a useful life equal to or exceeding the bond repayment period. Requests submitted should be clearly prioritized based on those that provide the greatest value to the City and to the taxpayers; departments also need to identify alternate options as to why they are not pursuing or modifying those projects already proposed and why they are not being resubmitted. If a project is State funded, Federal funded or partially funded through fundraising, please make that known which will put those requests at the top of the list for consideration. All requests will be reviewed in conjunction with last year's forecasts and approved amounts. Finally, All Capital requests need to be submitted through Mr. Romano or Mr. Fountain for approval before they come to the Planning Board

Ms. Dell introduced Ms. Dennies to begin the presentations.

CAPITAL BUDGET PRESENTATIONS:

1. Office of Administration - Director of Administration: Sandy Dennies, Director of Administration
2. Bartlett Arboretum: Tracy Kay, Chief Executive Officer
3. Childcare Learning Center: Marc Teichman, Director, Human Resources & Facilities Services
4. SoundWaters: Leigh Shemitz, President
5. Ferguson Library: Alice Knapp, CEO & Cheryl Harper, Director of Administrative Services
6. Short Term Financing - Ferguson Library: Alice Knapp & Cheryl Harper
7. Scofield Manor: Peter Stothart, Procurement & Modernization Coordinator
NOTE: Scofield Manor was not discussed due to the pending sale to Center Management Group.
8. Stamford Center for the Arts: Randall Thomas, Director of Production & Facilities
9. Stamford Historical Society: Dr. Thomas A. Zoubek, Chair, Social Sciences, King School
10. Stamford Harbor Management Commission: Frank Fedeli, Chief Compliance Officer
11. Stamford Museum: Melissa H. Mulrooney, Executive Director & CEO; Peggy Baim, Director of Finance & Michael Fedele, Chair of Campaign for Future Generations

OLD BUSINESS:

Ms. Dell called for a motion to *Walk-on* the Scofield Manor Lease Agreement.

Mr. Tepper made a motion to *Walk-on* the Scofield Manor Lease Agreement, Mr. Buccino seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

AMENDED & RESTATED LEASE FOR THE SMITH HOUSE SKILLED NURSING FACILITY AND SCOFIELD MANOR THE RESIDENTIAL CARE HOME - 88 ROCK RIMMON ROAD. Ms.

Dell stated she had received a letter from Richard Freedman, Chairman, Board of Finance notifying the Planning Board that at a Special Meeting held on October 25, 2021 they made a change to the Lease, which was forwarded to all Planning Board members. The letter received reads as follows:

At a special meeting on October 25, 2021, the Board of Finance approved the Lease between the City and Smith House Operating, LLC for 614 Scofieldtown Road, also known as Scofield Manor. The Board of Finance made one change to the Lease as approved by the Planning Board and so pursuant to the City Code of Ordinances Sec. 9-6.A.(2), I am providing notice of such to the Planning Board.

The changed language is underlined below:

Tenant shall have an option to acquire the Property fee simple free and clear of all liens and encumbrances excepting a deed restriction limiting the use of the property for 15 years from the Original Lease date as a CCNH and RCH and thereafter for public purposes, for 50 years from the Original Lease date, which shall include use for a CCNH, RCH or Skilled Nursing Facility, Senior Assisted Living, or any other similar healthcare related facility or other public purpose or as otherwise permitted pursuant to an amendment to the Lease, approval for which shall not be unreasonably withheld, for a purchase price of \$1,000.00 until the end of the Term of this Lease with marketable and insurable title by delivery of a Quitclaim Deed and Landlord covenants that for so long as the Property is used for a tax-abatable public purpose the Property shall benefit from an abatement of any Real Property Taxes. To avoid all doubt, the parties hereto agree that the Tenant shall not be responsible for payment of Real Property Taxes related to the Property until such time as the Tenant purchases the Property pursuant to this section and uses the Property for same purpose, public or otherwise, that is not eligible for a tax abatement pursuant to Connecticut law. The provisions of this Paragraph 7 shall survive the term of this Agreement.

The Lease commits the City to abate taxes in the event of a sale if the facility is used for a "public purpose". However, not every use that is a "public purpose", as that term is defined in the Lease, qualifies for a tax abatement under state law. The City cannot abate taxes unless authorized by state law and the Board of Finance did not want to obligate the City to a commitment not permitted under state law. The revised language eliminates this conflict.

The Planning Board has 30 days to reconsider their approval given this change. If you take no action, the change is deemed accepted. Thank you.

Very truly yours,
Richard K. Freedman, Chairman

Ms. Dell explained that the Board of Finance felt this change would benefit the City and that no other changes were made to the Lease.

Ms. Dell asked if there were any questions and there was no response.

Ms. Dell asked Ms. Dennies if she would like to make any comments. Ms. Dennies stated that this was decided by the Board of Finance with the full support of the City.

After a brief discussion, Mr. Buccino recommended approval of the change made by the Board of Finance at their Special Meeting held on October 25, 2021 to the Amended and Restated Lease for The Smith House Skilled Nursing Facility and Scofield Manor the Residential Care Home - 88 Rock Rimmon Road. This request has been reviewed pursuant to Connecticut General Statute Section 8-24 and the City Charter Section C6-30-13 and finds this request to be consistent with CGS Section 8-24, and the City Charter Section C6-30-13, as well as consistent with the adopted 2015 Master Plan; Mr. Tepper seconded the motion and passed unanimously with eligible members present voting, 5-0 (Dell, Buccino, Godzeno, Tepper and Totilo).

NEW BUSINESS:

Next regularly scheduled Planning Board meetings are:

- November 3, 2021 - SPECIAL MEETING (Wednesday) - Capital Budget
- November 9, 2021 - Capital Budget
- November 16, 2021 - Regular Meeting & Capital Budget-Potential Call-back
- November 30, 2021 - Regular Meeting & Public Hearing (Tentative)

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:18 p.m.

Respectfully Submitted

November 1, 2021

Theresa Dell, Chair
Stamford Planning Board

NOTE: These proceedings were recorded on video and are available for review on the Planning Board website at http://cityofstamford.granicus.com/ViewPublisher.php?view_id=20