

CITY OF STAMFORD

19TH CHARTER REVISION

COMMISSION

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SPECIAL MEETING REPORT

Saturday, July 29, 2023

9:00 a.m.

Meeting Held in the Democratic Caucus Room,
4th Floor Stamford Government Center,
888 Washington Boulevard, Stamford, CT and Remotely

1. **Call to Order** - Chair Lombardo called the meeting to order at 9:08 a.m.
2. **Roll Call** - In attendance in person were Chair Lombardo, and Commissioners Bowser, Camporeale, Halpern, Lane, Loeb, McMullen, Pioli, Pramberger and Williams; In attendance via Zoom were Commissioners Bilicznianski, Kolenberg, Larobina, Martinez, and Michelson, and Attorneys Mednick and Roberts. Chair Lombardo confirmed that a quorum was present. Comm. Michelson left the meeting at 11:00 a.m.; Comm. Pioli left the meeting at 11:25 a.m. and returned at 1:25 p.m.; Comm. Williams left at 1:00 p.m.

Also present in person were BOR Reps. Mays and Weinberg and remotely BOR President Curtis and Reps. Adams, Boeger, Curtis, de la Cruz, Garst, Jacobson, Ley, Morson, Patterson, Sherwood, Stella, and Summerville.

3. Review of Board of Representatives [Resolution 4224](#)

Mr. Mednick explained that the Commission could only consider the items proposed by the Board of Representatives to be considered by the Commission. It was noted that President Curtis had sent the Commission a [transmittal memo](#) containing the resolution and underlying materials.

The Commission first heard from members of the Board of Representatives who submitted the items to be considered by the Commission contained in the resolution regarding their submissions (each Representative was given 15 minutes to speak): Reps. Ley¹, Jacobson², Weinberg³; Sherwood⁴; Stella⁵; de la Cruz⁶; Mays⁷; Adams⁸.

The Commission took a 10 minute break at 10:24 a.m.

¹ Video Pt. 1 Time Stamp 00:08:25

² Video Pt. 1 Time Stamp 00:22:35

³ Video Pt. 1 Time Stamp 00:28:48

⁴ Video Pt. 1 Time Stamp 00:39:50

⁵ Video Pt. 1 Time Stamp 00:52:53

⁶ Video Pt. 1 Time Stamp 00:57:51

⁷ Video Pt. 1 Time Stamp 01:04:14

⁸ Video Pt. 1 Time Stamp 01:10:45

The Commission then heard from BOR members with comments on any of the submissions in the following order: Rep. Weinberg⁹; Rep. Goldberg¹⁰; Rep. de la Cruz¹¹; Rep. Ley¹²; Rep. Sherwood¹³; and Rep. Summerville¹⁴

The Commission then discussed future dates on which the Commission would meet to continue its review. This meeting will continue on August 1st remotely and additional proposed dates are August 10th and August 12th.

The Commission then proceeded to discuss the items contained in the [Resolution 4224](#).¹⁵ The Commission reviewed the recommendations in the order on the resolution as follows:

1. **Review the concern over the multi-board public hearings.**¹⁶

No action was taken. The Attorneys will put together a list of the new multi-board public hearings for the Commission to review.

2. **Preamble. Delete "revolutionary" from #4.**¹⁷

A motion to delete the term "revolutionary" from #4 in the Preamble, as follows, was made, seconded, and approved by a vote of 15-0-0 (Comms. Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, Michelson, Pioli, Pramberger and Williams in favor).

The multiracial and multiethnic nature of our city is our strength. We honor and respect the cultures, languages, and histories of all who call and have called Stamford home, and we celebrate the ~~revolutionary~~ imagination, courage, and resiliency of our citizenry.

3. **Sec. C1-50-3. Acquisition and Disposition of Real Estate - "Leases" should be a defined term, and there should be a distinction between short-term and long-term leases. It should be clear that short-term use of City property/buildings for a public benefit (e.g., Little League, concession stands at parks) can be approved administratively subject to existing rules and regulations.**¹⁸

Attorney Roberts stated that he would want to ensure that any change regarding the disposition of land would need to be viewed to ensure it is not barred by Public Act 23-205.

The Commissioners discussed that the City uses a permit process rather than short-term leases. It was noted that leases could be defined by ordinance by the Board of Representatives.

A motion to reject this recommendation, with the recommendation that the Board of Representatives address this by ordinance, was made, seconded, and approved by a vote of 12-1-0 (Comms. Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Lane, Larobina, Loeb, Martinez, McMullen, Pramberger and Williams in favor; Comm. Kolenberg opposed).

⁹ Video Pt. 2 Time Stamp 00:01:52

¹⁰ Video Pt. 2 Time Stamp 00:07:20

¹¹ Video Pt. 2 Time Stamp 00:10:33

¹² Video Pt. 2 Time Stamp 00:15:00

¹³ Video Pt. 2 Time Stamp 00:18:25

¹⁴ Video Pt. 2 Time Stamp 00:25:10

¹⁵ Video Pt. 2 Time Stamp 00:41:40

¹⁶ Video Pt. 2 Time Stamp 00:44:23

¹⁷ Video Pt. 2 Time Stamp 00:49:09

¹⁸ Video Pt. 2 Time Stamp 00:51:25

4. **Sec. C1-50-3. Acquisition and Disposition of Real Estate -Delete the requirement for joint public hearings.**¹⁹

No action was taken on this recommendation. (The Chair stated that the Commission was discussing C1-50-1 rather than C1-50-3, which Attorney Roberts stated was barred under Public Act 23-205).

5. **Sec. C6-30-004. Delete in its entirety. However, should it proceed, it should be modified as follows to account for the ~95% of applicants at the EPB and ~65% of applicants at the ZBA that are single family homeowners looking to make minor adjustments to their homes with no opposition from their neighbors:**

This should only apply to the first public hearing (e.g., if the public hearing is adjourned or continued to another date, this rule should not apply).

This should not apply to single-family homes

This should not apply to as-of-right uses

This should not apply when there is zero public comment (written or oral)²⁰

Attorney Roberts noted that this item is precluded from remaining in as to the Zoning Board, and Planning Board under Public Act 23-205. It can remain in as to the ZBA and EPB.

Committee members discussed doing a sunrise provision. Under the statute, the changes to certain provisions are prohibited. If they were going to do a sunrise provision, there would have to be a discussion as to what sections would be included in the sunrise provision.

Commission members discussed wanting to see what this language would look like as to the ZBA and the EPB.

This item was held without a motion.

6. **Sec. C6-30-4. This section is inconsistent with Section 8-23 of the Connecticut General Statutes (CGS) which requires each municipality to prepare or amend and adopt a plan of conservation and development (POCD) at least once every ten years (Stamford's Charter refers to the POCD as a "Master Plan"). The City of Stamford's practice in recent cycles (as is the case with many municipalities) has been to adopt a new Master Plan every 10 years. This is a practice that makes sense for a City like Stamford which is growing and changing. Also, more innovative municipalities have been moving to more interactive POCDs with performance metrics/action steps such that a simple amendment or redline of an old document would be impractical (example: <https://planbridgeport.com/intro>). Section C6-30-4 should be revised to be consistent with State Law and should treat the decennial Master Plan as a new document, as opposed to an amendment.**

Please see the State's guidance on POCDs/Master

Plans: <https://portal.ct.gov/OPM/IGPP/ORG/Conservation-and-Development-Policies-Plan/Municipal-Plans-of-Conservation-and-Development#:~:text=Section%208%2D23%20of%20the,least%20once%20every%20ten%20years.>²¹

¹⁹ Video Pt. 2 Time Stamp 01:27:00

²⁰ Video Pt. 2 Time Stamp 01:27:29

²¹ Video Pt. 2 Time Stamp 01:44:57

7. **Sections C6-40-2, C6-40-3, C6-40-4.** The US Supreme Court long established in *Fasano v. Board of County Commissioners of Washington County*, 507 P.2d 23 (Or. 1973) that zoning must be based in accordance with a well-reasoned comprehensive plan (which in Stamford is the "Master Plan"). As such, municipalities will oftentimes review their Master Plan and zoning changes in conjunction with each other. Such that the land use recommendations in the Master Plan (a policy document that guides land use) can be implemented with the adoption of new zoning regulations (the laws that regulate land use) shortly after the adoption of the Master Plan (since Stamford has a separate Planning and Zoning Board, the Zoning would need to follow the Master Plan, but it could be very shortly thereafter). Many municipalities find this to be beneficial for a variety of reasons, such as:

- 1) The adoption of a new Master Plan typically involves a lot of public outreach and engagement. By doing the Master Plan and Zoning at the same time, the public is more likely to stay informed and engaged in the process (which would be shorter than doing one after the other).
- 2) The Master Plan goals can be achieved more quickly.
- 3) If the City uses consultants for either document there would be cost savings in a combined process.

The proposed changes to C6-40-2 through C6-40-4 seem to muddy the process, and seem to be based on the incorrect premise that a Master Plan is a stagnant document as opposed to one that should be replaced or substantially updated every 10 years in accordance with State Law.

A motion to hold recommendation 6 and 7 was made, seconded, and approved by a vote of 12-0-1 (Comms. Lombardo, Bilicznianski, Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, and Williams in favor; Comm. Pramberger abstaining).

The Commission took a break at 12:30 p.m. and resumed at 1:00 p.m.

8. **Section C6-40-4. Revert to 12 months.**²²

Attorney Roberts stated that this amendment to the Charter is prohibited by Public Act 23-205.

9. **Section C6-120-3. There should be consistency between the definition of a long-term lease in this section and Sec C1-50-3.**²³

Attorney Mednick stated that this amendment to the Charter is prohibited by Public Act 23-205. It was noted that this was discussed previously under Sec. C1-50-3 and the recommendation was not accepted.

10. **Section C6-120-3. It should be clear that short-term use of City property/buildings for a public benefit (e.g., Little League, concession stands at parks) can be approved administratively subject to existing rules and regulations.**²⁴

It was noted that this was discussed previously under Sec. C1-50-3 and the recommendation was not accepted.

²² Video Pt. 3 Time Stamp 00:04:06

²³ Video Pt. 3 Time Stamp 00:07:51

²⁴ Video Pt. 3 Time Stamp 00:08:26

11. Section C6-120-3. C6-120-3(f) - should specifically include school buildings as an "other purpose"²⁵

Attorney Roberts stated that this amendment to the Charter is prohibited by Public Act 23-205. Comm. McMullen would like to add a section that specifically defines "transfer" in this section. Attorney Mednick stated that the Commission can only consider what is in the recommendations from the Board of Representatives. Comm. McMullen's recommendation could be a recommendation to the Board of Representatives.

12. The BoR tasked the Commission with looking into a stipend for BoR members and it was dismissed. However, in the interest of diversity, equity, and inclusion, the Charter should at a minimum consider establishing a method for reimbursable expenses for volunteer board and commission members. Eligible expenses could include: childcare while attending a meeting (with a reasonable per hour rate), eldercare while attending a meeting (with a reasonable per hour rate), and bus fare or mileage reimbursement for traveling to meetings.²⁶

It was noted that leases this item could be considered by ordinance by the Board of Representatives. Attorney Mednick noted that approval of any increase in compensation would require a referendum.

A motion to reject this recommendation and to direct the Board of Representatives to take this up by ordinance was made, seconded, and approved by a vote of 11-1-1 (Comms. Lombardo, Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, and Pramberger in favor; Comm. Bilicznianski opposed; Comm. Pioli abstaining).

13. Preclude multiple office holding by any member of Stamford's elected boards, including membership on political committees, including but not limited to the democratic city committee and/or the republican town committee.²⁷

Attorney Mednick stated that this is not precluded by State law, although there may be constitutional issues. Commissioners expressed concerns about the Charter controlling the DCC or RTC and what "multiple office holding" means. The political committees should handle this issue.

A motion to reject this recommendation and that it should be taken up by the political bodies was made, seconded, and approved by a vote of 8-4-1 (Comms. Lombardo, Bilicznianski; Halpern, Lane, Larobina, Loeb, McMullen, and Pioli in favor; Comms. Camporeale, Kolenberg, Martinez, and Pramberger opposed; Comm. Bowser abstaining).

14. Two Tiers of Board Committees Divide Board committees into two tiers, excluding Steering and Special Committees. Tier 1 includes Appointments, Fiscal, Legislative & Rules, and Operations. Tier 2 includes Personnel, Parks & Recreation, Education, Transportation, and State & Commerce. Each representative may serve as a voting member of only one Tier 1 Committee at a time. Each representative may serve as a voting member of only one Special Committee at a time.²⁸

²⁵ Video Pt. 3 Time Stamp 00:08:58

²⁶ Video Pt. 3 Time Stamp 00:18:25

²⁷ Video Pt. 3 Time Stamp 00:31:09

²⁸ Video Pt. 3 Time Stamp 00:56:30

Commission members discussed that the Board of Representatives can address this in its own rules.

A motion to reject this recommendation was made, seconded, and approved by a vote of 12-1-0 (Comms. Lombardo, Bilicznianski; Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, and Pioli in favor; Comm. Pramberger opposed).

15. **Public Outreach - Replace the Commission's recommendations on required public outreach by requiring the Planning and Zoning Boards to consider an applicant's public outreach efforts and achievements as a factor in evaluating the applicant's proposal. The PB or ZB may deny the applicant's proposal or defer its decision if it concludes that the applicant's public outreach efforts or achievements were inadequate.**²⁹

Attorney Mednick stated that this amendment to the Charter is prohibited by Public Act 23-205.

16. **Expense Reimbursement for Members of Elected Boards to Attend Board and Committee Meetings in Person - Reimburse members of elected boards for expenses arising from attending a Board or Committee meeting in person. Reimbursable expenses would include childcare and eldercare expenses while attending a meeting in person.**³⁰

A motion to reject this recommendation and have the Board take this up by ordinance was made, seconded, and approved by a vote of 12-0-1 (Comms. Lombardo, Bilicznianski; Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, Pioli, and Pramberger in favor; Comm. Bowser abstaining).

17. **Expense Reimbursement for Members of Appointed Boards and Commissions to Attend Board and Commission Meetings in Person - Reimburse members of appointed boards and commissions for expenses arising from attending a board or commission meeting in person. Reimbursable expenses would include childcare and eldercare expenses while attending a meeting in person.**³¹

A motion to reject this recommendation and have the Board take this up by ordinance was made, seconded, and approved by a vote of 13-0-0 (Comms. Lombardo, Bilicznianski; Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, Pioli, and Pramberger in favor).

18. **Members of Elected Boards Earning Compensation for Serving on a Campaign Staff -Prohibit members of an elected Board from earning compensation (other than expense reimbursement) from another office seeker's election campaign, provided that the campaign receives public funding.**³²

Commissioners discussed that conflicts of interest are addressed in the Code of Ethics. This does not belong in the Charter.

A motion to reject this recommendation was made, seconded, and approved by a vote of 11-0-2 (Comms. Lombardo, Bilicznianski; Bowser, Camporeale, Halpern, Lane, Larobina, Loeb, Martinez, McMullen, and Pramberger in favor; Comms. Kolenberg and Pioli abstaining).

²⁹ Video Pt. 3 Time Stamp 01:08:51

³⁰ Video Pt. 3 Time Stamp 01:15:54

³¹ Video Pt. 3 Time Stamp 01:20:58

³² Video Pt. 3 Time Stamp 01:23:42

19. **Define “Quorum” in the Charter - Define “quorum” in the Charter as “more than 50% of the elected and appointed members of a Board or Commission, with duly elected or appointed alternates included when they substitute for a member.”**³³

Commissioners noted that this is already defined in the Charter for the Board of Representatives and the Board of Finance and is defined in Robert’s Rules. Attorney Mednick noted that including this might inadvertently violate Public Act 23-205.

A motion to reject this recommendation was made, seconded, and approved by a vote of 11-2-0 (Comms. Lombardo, Bilicznianski; Bowser, Halpern, Lane, Larobina, Loeb, Martinez, McMullen, Pioli and Pramberger in favor; Comms. Camporeale and Kolenberg opposed).

20. **Consequences for Failing to Meet Deadlines for Filing Campaign Finance Disclosure Reports - Suspend voting privileges at Board and Committee meetings for elected officials who have failed to file campaign finance disclosure reports on time, until such time as those tardy reports have been filed.**³⁴

Attorney Mednick stated that this is covered by the State Elections Enforcement Commission and that suspending voting privileges is not within the purview of the Charter Commission. It is not clear how this would be enforced.

A motion to reject this recommendation was made, seconded, and approved by a vote of 13-0-0 (Comms. Lombardo, Bilicznianski; Bowser, Camporeale, Halpern, Kolenberg, Lane, Larobina, Loeb, Martinez, McMullen, Pioli, and Pramberger in favor).

21. **“Of the Entire Membership” Voting Requirements for Elected Boards - To the extent permissible by law, eliminate all “of the entire membership” voting requirements for elected boards and replace them with “all members present and voting.”**³⁵

Commission members discussed that these requirements were put in place because someone thought a higher bar was needed. There are multiple standards in place, and it would require time to determine why each standard was applied. This provision is in the Charter in 32 places. Only 2 were added by this revision.

A motion to reject this recommendation was made, seconded, and approved by a vote of 12-0-0 (Comms. Lombardo, Bilicznianski; Bowser, Camporeale, Halpern, Lane, Larobina, Loeb, Martinez, McMullen, Pioli, and Pramberger in favor).

The Commission will continue this meeting at 5:00 p.m. on Tuesday, August 1, 2023.

Commissioner Lombardo adjourned the meeting at 3:11 p.m.

Respectfully submitted,
Thomas Lombardo, Chair

This meeting is on video (Pt [1](#), [2](#), [3](#), and [4](#))

³³ Video Pt. 3 Time Stamp 01:34:30

³⁴ Video Pt. 3 Time Stamp 01:44:47

³⁵ Video Pt. 3 Time Stamp 01:50:30