

MINUTES OF JANUARY 5, 197614th BOARD OF REPRESENTATIVESSTAMFORD, CONNECTICUT

A regular monthly meeting of the 14th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, January 5, 1976, in the Board's meeting room on the second floor of the Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the President, Frederick E. Miller, Jr., at 9:12 a. m., after both political parties had met in caucus.

INVOCATION: Rev. Vaughn Purnell of Turn-of-River Presbyterian Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: The President led the members in the Pledge of Allegiance to the Flag.

MOMENT OF SILENCE: Mr. Blois asked for a moment of silence to be observed for James Mulreed, a former member of the Board, as well as the State Legislature. Mr. Mulreed passed away recently.

ROLL CALL: Roll Call was taken by the Clerk, Linda Clark. There were 38 members present, and 2 absent. The absent members were:

Leonard Hoffman
Jeremiah Livingston

The President declared a quorum.

MR. SIGNORE: "On behalf of the Republican members of the Board of Representatives, I wish to apologize for the delay in starting this meeting."

CHECK OF THE VOTING MACHINE: A check of the voting machine was conducted and it appeared to be in good working order.

PAGES: Chris Dyer, a student at King School.
Keith Lowden, son of City Rep. Lynn Lowden, a student at Rogers School.

ACCEPTANCE OF MINUTES:

The President stated he was not calling for Acceptance of the Minutes of the December 1, 1975 meeting since the members did not have sufficient time to read them; therefore, he would defer voting on the minutes.

STANDING COMMITTEE REPORTSSTEERING COMMITTEE:

MR. DeROSE MOVED to waive the reading of the Steering Committee Report of its meeting held on December 15, 1975, which appears below: SECONDED and CARRIED.

STEERING COMMITTEE REPORTMEETING HELD MONDAY, DECEMBER 15, 1975

A meeting of the Steering Committee was held Monday, December 15, 1975 in the Democratic Caucus Room, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the Chairman and President of the Board, FREDERICK E. MILLER, JR., at 8:40 P. M. There was one member absent, Thomas D'Agostino.

The following matters on the tentative agenda were acted upon:

(1) MAYOR'S APPOINTMENTS

The one appointment on the tentative agenda submitted by the Mayor, that of Vincent J. Rotondo for Public Works Commissioner, was ORDERED ON THE AGENDA under APPOINTMENTS COMMITTEE.

(2) ADDITIONAL APPROPRIATION ITEMS

There were twenty fiscal items on the tentative agenda which were ORDERED ON THE AGENDA under FISCAL COMMITTEE, with those over \$2,000 being referred to a secondary committee.

Two additional fiscal items were requested be put ON THE AGENDA by Fiscal Chairman Michael Morgan as follows:

\$64,859.00 - BOARD OF EDUCATION - Code 305.3002 - School System Food Program.

Above item ORDERED ON THE AGENDA under FISCAL; also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

\$58,833.96 - BOARD OF EDUCATION - PROPOSED RESOLUTION - Request to transfer funds to purchase cafeteria equipment, trucks, etc., from Stillmeadow School Capital Project and from Davenport Ridge School Capital Project to a new Capital Project entitled "School - \$53,833.96 System Food Program Capital Project 1975-76.

Above item ORDERED ON THE AGENDA under FISCAL; also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

LEGISLATIVE MATTERS

- (3) Proposed ORDINANCE CONCERNING "FREEDOM OF INFORMATION" - Amendment to the Code of Ordinances, Section 2-4, Town & City Clerk, Custodian of Records; regarding filing of minutes of all meetings within 72 hours.

Above ordered NOT on the Agenda; Held in LEGISLATIVE & RULES COMMITTEE for further study.

- (4) CONTINUING INQUIRY INTO CIRCUMSTANCES CONCERNING CERTAIN APPOINTMENTS WITHIN THE CIVIL SERVICE SYSTEM - Re: Appointments in the Law Department; Barry J. Boodman, Deputy Corporation Counsel; requested by Majority Leader Joseph DeRose.

Above ordered ON THE AGENDA and referred to PERSONNEL COMMITTEE.

- (5) CONTINUING INQUIRY INTO CIRCUMSTANCES CONCERNING THE MATTER OF A STONE WALL ERECTED ON EDEN ROAD - Continued from 13th Board - requested by Majority Leader Joseph DeRose.

Above ordered ON THE AGENDA and referred to PERSONNEL COMMITTEE.

- (6) CONTINUING INVESTIGATION REGARDING TOILSOME BROOK and continued current illegal dumping on Genovese Property; City Representative Jean Raymond and Sandra Goldstein presented this matter.

Above ordered ON THE AGENDA and referred to the PUBLIC WORKS COMMITTEE.

- (7) PETITION submitted by Attorney Joseph K. Sherman from "Committee of Concerned Citizens to sponsor the re-naming of the Hubbard Heights Municipal Golf Course as "The E. Gaynor Brennan, Sr., Municipal Golf Course."

Above ordered NOT on the Agenda - referred to PARKS & RECREATION COMMITTEE for further study.

- (8) INVESTIGATION REQUESTED regarding relocation of families in urban redevelopment area progressing too slowly and unsatisfactorily, and report to be submitted. Requested by Jeremiah Livingston.

Above ordered ON THE AGENDA, and referred to PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE.

- (9) LETTER of 12/9/75 from City Rep. Marie J. Hawe regarding conditions on Iroquois Road caused by patrons of THE HUDDLE TAVERN.

Above ordered NOT on the Agenda, and referred to HEALTH & PROTECTION COMMITTEE.

- (10) LETTER of 12/12/75 from City Rep. Barbara McInerney regarding status of new Washington Boulevard Fire Station and why it is not in use.

Above ordered NOT on the Agenda; and referred to HEALTH & PROTECTION COMMITTEE.

- (11) LETTERS presented by City Rep. Lois-Jeanne Santy; one date 10/17/74 from Gov. Thomas J. Meskill, and another dated 10/25/74 from Jos. P. Burns, Comm. of Transportation, regarding the construction of a sidewalk on High Ridge Road in the vicinity of the Merritt Parkway.

Above ordered NOT on the Agenda; and referred to HEALTH & PROTECTION COMMITTEE.

- (12) LETTER dated Dec. 15, 1975 from City Rep. Handy Dixon regarding a car burglary committed at the home of a constituent on 11/23/75, wherein the alleged reluctance of the Police Dept. to investigate should be looked into.

Above ordered NOT on the Agenda; and referred to HEALTH & PROTECTION COMMITTEE for investigation.

- (13) LETTER from Mayor Clapes 12/11/75 requesting that Charter Revision procedures be instituted.

Above ordered ON THE AGENDA under COMMUNICATIONS FROM THE MAYOR.

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STEERING COMMITTEE REPORT (Continued)

- (14) LETTER from Mayor Clapes 12/11/75 requesting a re-districting study to determine whether equal representation exists in Stamford for all citizens.

Above order ON THE AGENDA under COMMUNICATIONS FROM THE MAYOR.

- (15) LETTER from THE LEAGUE OF WOMEN VOTERS from Margaret Nolan dated 12/10/75 supporting open voting on appointments and protesting the 14th Board of Representatives' Rules of Order which permit secret ballots.

Above ordered ON THE AGENDA under COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS.

There being no further business to come before the STEERING COMMITTEE, on motion, duly seconded and CARRIED, the meeting was adjourned at 12:30 a.m.

Frederick E. Miller, Jr.
Chairman, Steering Committee

APPOINTMENTS COMMITTEE - Theodore J. Boccuzzi

(Section 706 of Charter requires vote on suspension of residency requirements for Commissioner of Public Works, a resident of Westport, Connecticut.)

MUR. BOCCUZZI MOVED for SUSPENSION of Residency Requirements. MOTION was CARRIED by a voice vote, with a very few nays.

MR. BOCCUZZI: "Since the only appointment, that of Mr. Vincent Rotondo to the position of Commissioner of Public Works hinges upon an item previous to that on the agenda, I'd like to, as indicated on the agenda, and as indicated in Section 706 in the Charter, which requires a vote on suspension of residency requirements since Mr. Rotondo is a resident of Westport, I would like to MOVE that we vote on this question." SECONDED.

MR. MILLER: "The question before the Board is on suspending the residency requirement spelled out in Section 706 of the Charter. Since there is no motion to do otherwise, I assume we can go ahead with a voice vote on this, so I will call for the vote. All those in favor say "AYE"; all those opposed "NO". The MOTION was CARRIED with a few nays. We will now proceed with the other motion. Mr. Boccuzzi?"

MR. BOCCUZZI: "Thank you, Mr. President. APPOINTMENTS met this past Saturday morning (January 3, 1976) here in the Democratic Caucus Room. Present were Reps. Dixon, Carlucci, Ravallese, Costello, Walsh, Cosentini, Signore, Sherer, Wiesley, and Miller. Also present was Mr. Barbara Foman, Executive Aide to the Mayor.

"As I indicated earlier, Mr. President, the only appointment before us this evening is the name of Vincent J. Rotondo who is seeking approval as Commissioner of Public Works. What I'd like to do, Mr. President, is make it a very special point, as I've already indicated, of reading some of Mr. Rotondo's qualifications and some of his background, that I would hope would give a good indication to other Board members of his qualifications and the rest of his background, so I'd like to proceed with that.

APPOINTMENTS COMMITTEE (Continued)

"Although it's very lengthy, but as I said, I'd like to make it a special point to do that. Mr. Rotondo, as we all know, is a resident of Westport, and lives at 15 Mansfield Place, and is 46 years old. He is married, and has two children. As far as his educational background is concerned, Mr. President, he holds an Associate Science degree and high honors from Norwalk College, having completed them in June of 1969. He completed a course in Basic Principles of Sewage Treatment from the University of Connecticut in April 1963 at Storrs. He also completed courses in Laboratory Training, Connecticut State Department of Health in June 1970; and courses in Effective Supervisory Practices and Labor Relations, again at the University of Bridgeport, Stamford, in June, 1974.

"We find Mr. Rotondo's work experience to be quite extensive. He is a former Public Works Director in Westport, where he was in charge of all Public Works and Engineering for a period of three years. He was the Superintendent of the Town of Westport Pollution Control Division, and that was for a period of twelve years. Instructor and Program Developer for the State of Connecticut, Department of Education Manpower Development Training Course, are also among his credentials.

"He has been recognized in his field by a number of sources and agencies, both locally and throughout the State. And I'd like to again, Mr. President, make it a point to single some of these recognitions out if I can. He received certification from the State of Connecticut for Operation of Pollution Control Facilities; and he also received the E. Sherman Chase Award for excellence of maintenance and operations of water pollution control facility. I might also point out that he is only one of four to be so honored in the last seven years in the entire New England area. He received a Special Award from the Connecticut Water Pollution Abatement Association for promotion of advanced education in control of water pollution. This occurred in 1971.

"He was appointed to the Department of Environmental Protection Agency Sewage Plant Operator Certification Board, also. In addition to my past comments, he was a Candidate for "Ten Best Public Works Men of the Year" which is an award given by the American Public Works Association, and this was done a couple of years ago in 1974.

"The Environment Protection field was the first in Connecticut to use TV inspection of sewers to locate and eliminate sources of tidewater infiltration. He served for a period of three years, from 1969 to 1971, on the Board of Directors of the Connecticut Water Pollution Control association.

"The Committee found him to be steeped in civic responsibility; and again just to mention a couple of items, Mr. President, he was, in June of 1972, during the flood we had at that time, appointed by the First Selectman to act as Public Works Coordinator; and a year later, 1973, initiated drainage improvements to correct deficiencies brought out by June floods.

"I hope in going over some of his qualifications, Mr. President, I have given the Board members a good indication as to Mr. Rotondo's background; and as I mentioned in caucus, to be very honest, he has quickly become, even though he's not officially the Commissioner has quickly become a source of controversy in the City of Stamford.

"And the Committee, the majority of the Committee, found him to be eminently qualified for the position of Public Works Commissioner. We found him to be very frank, very open, very forthright, and he impressed me personally as a person who is a doer, not a talker. I say that pointedly because I'd like to see if I can find some of my past notes. He has already made it a point to meet with a number of his subordinates to go over what he considers to be his priorities.

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APPOINTMENTS COMMITTEE (Continued)

"I'd just like to go over some of these comments on some of his priorities. In meeting with some of his subordinates, he has announced he would like to implement what he calls a "Four C's Program" incorporating Communication, Cooperation, Constructive Criticism and Cost Containment Techniques, incorporating the problem of trying to hold the tax rate steady, and trying to maintain essential services.

"And again the majority of the Committee, and I, myself, Mr. President, got the very distinct impression that he is committed entirely to the City of Stamford and the taxpayers of this town. Recognizing that he is an out-of-town resident, the majority of the Committee felt that he would make this kind of commitment. We addressed ourselves to the report brought out by a fellow Board member, Mr. Morgan. We went into this very extensively and as I said also earlier, Mr. President, Mr. Rotondo was extremely open in response to many, many pointed questions on the part of Committee members. To be very frank and honest, we found that his presentation, his answers, his feelings are in complete contradiction to that report submitted by various officials of the City of Westport. We felt that... a majority of the Committee felt that some part, a couple of the comments may well have been, although we can't document it, may well have been politically motivated, and we'd like to think that we would deal strictly and only with the competency and with the credentials of the appointment before the Appointments Committee.

"And I'd like to think, Mr. President, in giving the Board an extensive reading into Mr. Rotondo's background, I'd like to think they deliberated with great care and considered this a very serious, important point in this case, especially so; and with those comments, I would like to put his name in nomination now for approval."

MOVED and SECONDED.

MR. MORGAN: "Thank you, Mr. President. As Mr. Boccuzzi noted, last week I forwarded to the Appointments Committee of the Board, a copy of the Town of Westport's Public Works Department Report for fiscal year ended June 30, 1975. This report, prepared by Kenneth J. Keister, Westport's current Director of Public Works, raised some questions in my mind with regard to Mayor Clapes' designate for Commissioner of Public Works, Vincent J. Rotondo. Mr. Keister succeeded Mr. Rotondo as Public Works Director of Westport and in the report I forwarded to the Appointments Committee, he made some comments about the condition of the Westport department upon his arrival which I believe can be characterized as unfavorable.

"It is important, I think, to point out that the document is a report prepared by the Public Works Director each and every year, and that is included in the Town of Westport's Comprehensive Annual Report to its citizens. Although I may be only a resident of Glenbrook and therefore perhaps not so sophisticated as someone who lives in Westport, I believe I am able to recognize the difference between a political campaign leaflet and an official municipal publication, which is exactly what this report is.

"Let me quote from the last page of the Westport report: 'I would like to set forth my considered impressions of the Department upon my arrival. Generally, they were not good. I felt that morale was low. Working conditions of two divisions (particularly the Highway Division) were atrocious; and generally operating procedures outmoded. There appears to be no system. Each division was utilizing procedures which had grown into operation over a period of years. The bookkeeping within the Department did not reflect the actual expenditures retained by the Controller. Personnel records of sick and vacation time were in some cases questionable. While mostly accurate, they were not tabulated or centralized. Files of most divisions were spotty and without cross references for easy data search.'

APPOINTMENTS COMMITTEE (Continued)MR. MORGAN: (Continued)

"I've not prejudged this appointment in any way. I planned to wait until tonight, when we have the facts around, to make my decision on how I would vote. My reason for making the material available for the Appointments Committee was to give Mr. Rotondo an opportunity to comment on what I have just read to you. I do not know how accurate this report is. Mr. Rotondo is listed as being politically motivated, but I think that the whole episode points out how difficult it is for us to find out about an individual who comes from out of town and is being considered for an appointment in Stamford's municipal government. The basic question, nevertheless, in my view, is if Mr. Rotondo had difficulty in administering the Westport Department of Public Works, would he be able to administer a much larger department in Stamford. The validity of the report's criticisms have not been resolved in my mind. I think that it should be looked into further by the Board before Mr. Rotondo is confirmed. Therefore, Mr. President, in the interests of open voting, I would like to announce that I will vote "NO" on this appointment. My "NO" vote does not represent unequivocal opposition, but it is merely an effort to delay confirmation. If the Mayor desires to resubmit this name in February, when the Board will have another month to look into the whole question of Mr. Rotondo's performance in Westport, and his capability for the same position in Stamford; after that review, Mr. President, it may very well be that I will gladly vote "Yes" on Mr. Rotondo's appointment. Thank you."

N.B. (There was a substantial gap at the end of Tape #1, as well as at the beginning of Tape #2, of undetermined origin.)

MR. BOCCUZZI: "We'd like to move this to vote, Mr. President, but I'd like to make it a point, for the record, that while the Appointments Committee shared Mr. Morgan's valid concern and we felt that we've acted in very good faith, and I don't recall who the Committee members were, but a couple of Committee members made it a very special point of calling other officials in the City of Westport and at least talk to some of the residents of Westport, and came away with a very different kind of picture as to the qualifications and credentials of Mr. Rotondo. And finally, I'd like to point out that in this report forwarded by Mr. Morgan, that indeed I agree that it might possibly be a reflection on Mr. Rotondo but in no way, but no where have I seen where it points to him personally or names him as being the person who is not qualified and is responsible for these inequities that exist in the Public Works Department in Westport. Although I do recognize that as the Director he would ultimately be responsible for the administration of the department. But I do think that this gentleman should have, if he intended it to be criticism of Mr. Rotondo, should have mentioned that very specifically in his report and he hasn't done so. And I think that he has an obligation to do so, if he feels that way. Thank you."

MR. FLANAGAN: "Thank you, Mr. President. I think that some of the items in that report from Westport are miniscule compared to the report that could be given on the Stamford Public Works Department. After any Commissioner was in, Republican or Democrat, I think by the very nature of Public Works Depts., they tend to be inefficient. I think that we have in Mr. Rotondo, though, a person who has been a professional Public Works Administrator for a number of years, and he has recognized so far in this program to improve the Stamford system, some of the problems, some of the areas of communication that have to be strengthened. I think that we have in Mr. Rotondo a person starting off and he has already exhibited, for nearly a month, experience that will give him a leg up on a person, no matter how well intentioned, that is not a professional public works person, and is starting cold. And I do feel that this perhaps one of the better appointments that could be made in this very difficult position. Thank you."

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APPOINTMENTS COMMITTEE (Continued)

MR. MORGAN: "Thank you, Mr. President. I do not necessarily oppose the appointment of Mr. Rotondo. I just want to reiterate that I think at the present time the waters are cloudy, and given another month will give us an opportunity for those waters to become still and clear, and have a clearer idea of whether or not this is the appointment that we want to vote in support of."

MR. LOBOZZA: "I'd like to support Mr. Morgan on that. Being Republican, I think that we should take a month to look at him and get an opportunity to see his performance. It wouldn't hurt."

MR. SIGNORE: "I support Mr. Morgan's statement."

MR. MILLER: "I think we can proceed to a vote then. Mr. Boccuzzi, you have something else?"

MR. BOCCUZZI: "The vote of the Committee was 8-0 with 2 abstentions."

MRS. McINERNEY: "Yes, Mr. President, if I may. I don't have any political axes to grind, and I have witnessed the examination of a man considered for the Public Works Commissioner, and I have been quite impressed with some of his answers. Most especially, that he has already initiated an investigation into our garbage collection problems, both public and private, in Stamford. And I think that every other Mayor who has been in office in quite a few years, has had the opportunity to pick the man with whom he can work the most closely to be a part of his cabinet, and I would like the Board members to realize that is nothing out of the ordinary. We did it for Commissioner of Finance."

MR. CONNORS: "Being a Democrat, I feel this way. Over a period of years, we have made many Public Works Commissioners. Now here we have a chance to get a Public Works Commissioner who has a little experience. We have taken people right off the street who didn't know an iota about public works work, and now here is a man who is an experienced man. They can say what they want. I think in reading the articles I read in the paper, a lot of them were used for political purposes. After all the man did run for office, and I feel the man is justified. The man is quite qualified to take the job and I feel he should get the job. Thank you very much Mr. President."

MR. DIXON: "Thank you, Mr. President. I would go on record as being one of the members of the Committee that supports Mr. Rotondo. I have sat in on many, many interviews on the Appointments Committee, and Mr. Rotondo is one of the most outstanding persons that I have interviewed yet. I don't know what the Mayor's reasons were for going out of town for getting Mr. Rotondo, but I do know he acted out of great wisdom in choosing him. I know he is a very qualified person and I know he will do a good job for Stamford."

MR. RAVALLESE: "I also voted for Mr. Rotondo, and in regards to all these charges we had in the newspaper clippings of Westport clearing him of any wrongdoing, and I still think it's a witch-hunt. Thank you."

MR. BLUM: "I would like to say that I'd like to find out more, and I go along with Mr. Morgan. I'm reading the items in the newspaper, and lo and behold, I see an appointment for director, and prior to that it's Westport. I just wonder if we have any capable expertise left in Stamford."

APPOINTMENTS COMMITTEE (Continued)

MR. MILLER: "I think we can proceed to a vote. The machine has been cleared. The question is on confirmation of Vincent Rotondo as Commissioner of Public Works. Cast your vote UP for YES; DOWN for NO. Is there anyone who has not voted? Mr. Rotondo has NOT been confirmed. We have 20 NO votes; 18 YES votes.

MR. BOCCUZZI: "Mr. President, that concludes my report. And with that I'd like to ask, as I mentioned before, in light of the late hour and because it's in the last part of the Agenda, I'd like to make a motion that we move Items 21 and 22 from FISCAL to now, if we can. I make that motion."

MRS. CLARK SECONDED the motion. MOTION CARRIED TO SUSPEND THE RULES to consider Items 21 and 22 under FISCAL immediately.

(21) \$64,859.00 - BOARD OF EDUCATION - Code 305.3002 - School System Food Program - To be partially subsidized by State/Federal/City funding, as well as revenues generated by food sales, per letters from Ben Reed Asst. Supt./Business dated 12-9-75; 12-10-75; 12-15-75; Bid Specifications of 12-17-75; Canteen Corporation's proposal of 12-9-75; this funding for elementary and middle schools from February through June 1976 (87 days). This appropriation may be reduced by an expected surplus from the School Milk Program, Code 305.0000 by the end of fiscal 1975-76 in the sum of + or - \$41,000.00

MR. MORGAN: "The Fiscal Committee considered this item on December 18, 1975 at its regular meeting. The Board of Finance considered it on December 11, 1975, and APPROVED it UNANIMOUSLY. The Fiscal Committee voted 7-0 in favor of this request. And I would so MOVE."

MR. WIESLEY: "We met jointly on the 18th, and we had a quorum at that time of our EDUCATION, WELFARE & GOVERNMENT COMMITTEE, and we agreed with the decision rendered by the Fiscal Committee at that time."

MR. MILLER: "It has been MOVED and SECONDED. Is there any discussion?"

MR. RAVALLESE: "I'm against this item. I just got a letter from a young lady home from college and I will read it; if she took the trouble to send it, I feel it should be read. We want the young people's view on this lunch program..."

'Being home from college for the holidays has given me an opportunity to catch up on what is happening in Stamford. Many times I have felt frustrated because there is little I can do to improve this city. On the impending decision concerning the hot lunches, I feel it is my duty as a citizen of Stamford to voice my opinion. Because I graduated only a year ago, I have not been out of the Stamford Public School system long enough to forget the effects of a hot lunch program. I wonder how long ago supporters of this program graduated from high school, or if any of them even attended schools in Stamford. I know what it is like to have a hot lunch program and not to have one. With this knowledge, I am for the following reasons, strongly in favor of every effort opposing any type of cafeteria program. Anyone from the ages of 5 to 18 knows how easy it is to throw food away, especially when only 20 out of 100 lunches were appealing enough to eat. No matter how supervised a cafeteria can be, there is always evidence of food on the floor and in the hallways. With a hot lunch program, this problem will be increased, not decreased. Lunch lines are another cause of problems. Among other things, discipline problems develop from the pushing and shoving that goes on in line. On the days when the food was decent, the lines were so long that by the time you'd gotten your food,

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APPOINTMENTS COMMITTEE (Continued)MR. RAVALLESE: (Continued)

there was only ten minutes left in the lunch period in which to eat it. The amount of pilferage that goes on in the schools is unbelievable, particularly in Junior High and Senior High Schools. Most students are aware of this problem and avoid going to the bathroom because of it. Everybody learns, "A borrower nor a lender be." If you are carrying money, then you definitely avoid the bathroom. If this sounds like I'm exaggerating, I'm not, remember I've been there. I know. As far as the elementary school children are concerned, let's face it. Half the time, they either forget their money, or lose it anyway. It's a lot easier to lose small change than it is to lose a brown bag or a tin lunch box. Most parents feel it is much easier to give their children money, than to wake up in the morning and make their lunches. In the same respect, it is much easier for kids to spend the money in other ways than to use it for a hot lunch. For example, many groups, B'nai, B'rith, cheerleaders, S-Club, Class Officers, PTA, etc., sell lollipops, donuts, or candy bars, at any time of the school day. Or you can hold on to your money and later on in the day, you can buy bubble gum or cigarettes. A suggestion to take a poll among the students was carried out about two years ago. They wanted to find out if they were in favor of re-opening the cafeteria to hot lunches. Some of the students couldn't understand half of the questions, and there were others who honestly did not know some of the answers. There were very personal questions asked concerning such families matters as financial status, and very approximate annual income. Only those students fortunate enough, or poor enough, will be having a hot lunch often enough to constitute having a program at all. Instead of wasting money on such a costly program, I suggest the money be spent on something that every single student can benefit from. All I can do is tell it like it is. I cannot vote. You have to decide for me. But maybe I shouldn't be so concerned. After all, I made it through all the pushing and shoving, and transfer money, and food flies. But for my younger brother, he's not as fortunate as me. Thank you."

MR. DeROSE: "Mr. President, with regard to items #21 and 22, I would like the record to show that I intend to refrain from all discussion on these matters and abstain from voting.

MR. MILLER: "The minutes will indicate that Mr. DeRose is abstaining from discussing and voting on items 21 and 22."

MR. BAXTER: "Thank you, Mr. President, I'd like to say a few words concerning the hot lunch program for the City of Stamford. During the last two or three weeks, and particularly during the last week, I have received numerous visits, telephone calls, and letters regarding this proposal. I have talked to various school board members, school teachers, administrators local and city-wide parent-teacher organizations, various other civic organizations including someone from the YWCA and the Bishop's Human Rights Commission, etc. Except for one instance, all of the calls that had originated from private individuals from within my district have been strongly against the program. And also with one exception, all of the communications that I have received from outside my district, or that I could identify as being from without my district, have been for the program and appeared to represent organized lobbying efforts directed towards the entire Board of Representatives, so that I imagine many of you here have also received some of those calls. I have attempted to give this matter a great deal of painful thought, and I have attempted to listen to and to question each of the callers with an open mind, reserving a final decision until tonight. I'd like to point out that during the Education Committee meeting, I voted for this proposal, but due to the input I received from the

APPOINTMENTS COMMITTEE (Continued)MR. BAXTER (Continued)

calls, and due to a chance to examine the bid which was sent out, which I didn't have at the time, and the facts contained therein. I began to reconsider my initial decision. I would like to summarize the objections to this proposal that I have understood. First, the problems of the old program. A large portion of the objections that I received centered around waste, labor problems and the potential for a large deficit that the last program engendered.

"Secondly, the people that I spoke to appeared to perceive that this proposal has been sprung on them over the Holiday Season. Admittedly, the Board of Education and others concerned, have considered this proposal for some time, but the public doesn't see that. They regret that no one has come into their schools and to the administrators regarding their perception of the problem, and their experience with the old program. They also regret that a current survey of all the parents, having children in the school system, they regret that that has not been conducted in order to realistically assess the degree of support and participation that can be anticipated, which I believe is critical to the financial success of the program. I have been told that the parent teacher council of the City of Stamford can contribute help in this survey should the Board decide, or should we decide to have such a survey.

"Number three, the people are concerned, in the face of reports in today's paper, I was told (I haven't read the paper today) with a two million dollar reported deficit in the offing, they doubt that this is the time to embark upon another spending program. Taxes must not go up. If the program does not produce a deficit, they say to me, that's fine, but otherwise we should continue as we have for the past four years.

"Number four, some people have pointed out that hot lunches do not equal nutrition.

"Number five, lastly, it appears to many who have called me that the apparent rush for this to pass for the February start, precludes consideration by this Board and many suspect who have talked to me, that we would end up being the rubber stamp for the other elected bodies who have approved this measure. Those are the arguments that I have heard against it.

"The arguments FOR it are as follows, that I know of. There may be some more:

"One, the common arrangement appears to be well thought of and founded upon the mistakes of the past in that, for instance, the management company, whoever gets awarded this contract, will put its own fee and profit at risk.

SECOND, labor which was a large problem last time is now to be the problem of the contractor and not of the city, and presumably, other than a work stoppage, in which we would all suffer, the financial burden would fall on whoever is awarded our contract.

THREE, the City can bail out of this contract within thirty days if it discovers that the deficit is going to go badly.

FOUR, the menus would receive student input, which is particularly important in the high school area where they have a more varied menu. And in the grammar schools, the trash will be inspected, since they don't have as much of a broad menu and the problem of waste comes when they get one serving and drink what they want to drink and throw the rest out. All of this would be done in order to make sure that we can see what is being eaten and what is not being eaten, to see what is not selling to change the menu so that waste would be reduced.

FIVE, there are, I am told, and my eyes tell me, a lot of poor and moderate-income people who need this program, or at least I see that there are a lot of people in the City and presumably they need the program. We are currently taxed federally for this program and rather than representing an...

(End of tape - a few words got mangled)

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FISCAL COMMITTEE (Continued)MR. BAXTER (Continues speaking)

"is relatively small in comparison to the benefit to be received. The capital appropriation, as I understand it, which is coming up, Item #22 for \$93,000.00 receives Federal offset which would make the net cost of new money to us, as I understand it of \$23,000.00. The \$65,000.00, roughly, operating budget for the next five months, would receive monies that would otherwise go into the Milk Program, and would make only \$25,000.00 of new money required to run the program for those five months. And lastly, the \$90,000.00 for the next school year would require \$35,000.00 of new money since approximately \$55,000.00 with no money appropriated to support the Milk Program would not be needed to support.

"And, number four, it is a convenience item, and provides a varied diet for all of the children in the program. Number five, a cold lunch program. The Board of Education has examined a cold lunch program and found it would be as expensive, or almost as expensive as a hot lunch program. And I'm told a cold lunch program was inaugurated during the waning hours of our last hot lunch program in desperation went to a cold lunch program for a while and that was totally unpopular with the students. Well, in the face of these, well, I think, good reasons, or at least good arguments on either side, I've formed a number of conclusions, the first of which is in my opinion an atrocious public relations job has been done to the average person in the street as to the details of this program. It is my feeling that while there is a lot of concern regarding the cost, it is very slight to the benefit to be received by a large segment of our population, not just the poor. Taking into account the money that we would otherwise appropriate for the Milk Program, and using the figures provided by the Board of Education, it would appear to me that it would cost less than fifty cents per year for the average household to finance the new money that is needed to run the program for one year, excluding the capital appropriation that we have to make....

"Well, if we are convinced that this program has a chance to succeed, I think that we are obligated to ourselves and to our children to attempt the program, because we appear to have, it seems to me a group that has learned from the mistakes of the past and the program seems appropriate. My remaining concern is that we have not all our homework to be sure, that is to be reasonably sure that the program can succeed, and that is in the area of student participation. The figures that were provided indicate that we expect and need to have forty per cent participation in order for this program only to cost us the \$65,000.00 gross figures for the next five months. And in line with the objections that I have gotten, I feel that we should take the time in order to have a survey of all the students with the PTA's assisting, and the cooperation of the School Board, to find out what the parents of the students as well as the administrators in the schools, but particularly the parents of the students feel, how many of them would support the program.

"Accordingly, I'd like to move that, I'm not sure of the technical way to do this, and I ask your assistance, Mr. President, but I'd like to move that the consideration of this item be deferred until next Wednesday, the 14th of this month, to give a chance for this survey to be made, the lack of which I think is fatal to this program."

MR. MILLER: "The Chair would suggest, Mr. Baxter, that you make a move to send it back to Committee. If we have a Special Meeting, there are three ways a Special Meeting can be called. It can be called by the Mayor, or by the President of the Board, or by ten members of this Board. I'm willing to call a Special Meeting if this motion of Mr. Baxter's is adopted this evening, but I don't see us having a meeting next week. I would be willing call a meeting on the 12th, but I have heard from some people that that wouldn't give us

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FISCAL COMMITTEE (Continued)

MR. MILLER (continues speaking)

"sufficient time to take the survey on Tuesday and Wednesday of next week, I believe the Personnel Committee has meetings scheduled and people have already been invited to those meetings. And on Thursday of next week, I have already committed myself to Mrs. Mitchell, the Development Coordinator, in having a 'Committee of the Whole Meeting' of this Board on Development questions. That would simply be an informational meeting, no votes will be taken that evening. So I would say the best time to have a Special Meeting would be on Monday, the 19th, January 19th. Now I hope that wouldn't be too late for the Board of Education to do whatever they would have to do on this program assuming it would be approved by the Board. But I think it would be appropriate, Mr. Baxter, that you simply move this item back in committee and I will try to work out an appropriate date for a meeting within the next two weeks."

MR. BAXTER: "Thank you, Mr. President. It is not my intention by this to delay it to a point where it can't be implemented. I would like to have the meeting as soon as a reasonable survey could be made. Based on my comment preceding, and on your comments, I so MOVE."

MR. MILLER: "MOVED and SECONDED to put this back in committee."

MRS. COSENTINI: "Yes, I would compliment Mr. Baxter for his very articulate and very well reported facts on both sides of the issue. And that his conclusions, by and large, are valid ones based on the data that he presented. I want to add this little bit of information, however, which I just double-checked with the Board of Ed members who are sitting in the audience. At the conclusion of the dismally unappetizing A.R.A. program, I am told that the percentage of participation was 39%. I would prefer to see a special meeting because people do not feel that they are reassured. I would vote for it tonight, but I would be delighted to postpone it rather than have it go down on the basis of misinformation."

MR. MILLER: "We are now considering Mr. Baxter's motion which is to put this item back into committee and not consider it tonight. The motion I believe, Mr. Baxter, was addressed only to item 21. We have a request for a roll call vote. The Chair sees a sufficient number of hands. This vote will be taken by roll call. If there is no further discussion, we can proceed to a vote on putting this back into committee."

MR. MORGAN: "Thank you, Mr. President. Mr. Baxter has made a couple of very good points and I'd just like to comment on one of them. I think that this program is a worthwhile one that would do much to benefit the school children of Stamford. Operating deficits are of major concern to a lot of people who called me. It was operating deficits that essentially killed the program before. The Fiscal Committee and the Board of Finance both set a limit on that when they approved this item the last time. Now the problem as I see it, not enough people have had an opportunity to review the Board of Education's proposal, the contract the bid specifications, and everything else. Now I think that Stark School PTA, for example, is one of those groups that if they had a chance to look at all the material that the Board of Education, rather than the Board of Representatives people have had an opportunity to look at, they might very well change their previously announced position of being opposed to being in favor of it. Well, I think we could gain a great deal, therefore, by re-committing this to the Fiscal Committee and to the Education, Welfare and Government Committee, and taking it up later on in the month of January."

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FISCAL COMMITTEE (Continued)

MR. MILLER: "Keep in mind, ladies and gentlemen, we are now addressing our remarks to Mr. Baxter's motion, not to the merits of the original proposal."

MR. WALSH: "I'd just like to go along with Mr. Baxter's motion for the simple reason to give the people who claim they didn't get a chance to see the facts and figures of this contract, to give them ample time to review it."

MRS. RAYMOND: "I have several points I'd like to make. I'm impressed with the information we've received from the Board of Education. I thought that it was very thorough. However, I do agree with Mr. Baxter's comments with regard to the amount of information that has been available to the general public. I have found, in the people that I have talked to, a great deal of lack of information, and a lack of accurate information with regard to this program. I would be most disappointed to see this program defeated tonight and if taking it back to Committee for additional discussion would help to insure its passage, I would vote for that. However, I would like to ask Mr. Baxter, if, I may, through you, Mr. Miller, correct me, what does he want from this survey, what kinds of information is he specifically looking for out of this survey, and how valid a survey does he expect to be produced in this period of time?"

MR. BAXTER: "Thank you, Mr. Chairman, I would expect from this survey something that would go to the parents of each of the students in the school and ask them questions like "how many children do you have in the school" with a simple, rough outline of the school lunch program, "Would your children support it?" - "yes or no" and "How many times a week for each child?" So, that we, the Board of Representatives, could have a better idea as to what kind of participation we could anticipate. You see the last month of the old program got a 25% participation according to the records contained in the document that was sent out for bidders to review. That was the high point of that program. Prior to that it was significantly less than 25%. There were all sorts of reasons for that I'm told... that make it an invalid, supposedly, prediction for what we can expect in the future. I don't want, personally, to spend either \$23,000.00 or \$24,000.00 for capital improvements and \$60,000.00 for... I'm sorry a total of \$50,000.00 for a program for five months when we take a risk, when we bet on what the participation will be, when we have at our disposal a means of getting some input from those parents we're told are so concerned about it. If we find out that there are a lot who will accept it, then let's go ahead and do it even if it costs us 50¢ a household a year in taxes."

MRS. RAYMOND: "In regards to Mr. Baxter's comments, I, too, would very much like to have the information that he is looking for. However, I have three children in the public schools of Stamford, and I could not honestly answer the questions he wants answered prior to the inception of the program. I have no way of knowing until that program is in existence whether my children will buy their lunch once a week or five times a week. And I think a much more valid way to survey the participation would be a trial period which is what the Board is proposing. Thank you."

MRS. McINERNEY: "Yes, Mr. President. I think in all fairness to Mr. Baxter's suggestion, in all fairness to the people who put us in these seats, a survey of both the school children and our constituents might be appropriate at this point. I know I tried, in all my deliberations, to contact as many people, and have as many people contact me, as possible in my district. And the response was well over 100, well, 103. One particular figure which we all received, and it came by way of a letter from a lobby group, indicate that 24% of all children attending public schools in Stamford are in need of free or reduced rates for lunches. And it really threw me a little bit, and I tried to establish where the figure came from, so I called Welfare, and other agencies in the city and no one could give me that figure. This afternoon I called Hartford and when I asked them... to

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FISCAL COMMITTEE (Continued)

MRS. MCINERNEY (Continued) know what was the criteria, how did Stamford have 24%, it just did not seem right, and if you remember correctly, this figure was published in the papers a number of times. I was told that a particular piece of paper that was put out by the Connecticut State Department of Education, Child Nutrition Program was indicating the number of schools not participating in the National School Lunch Program, and in that case, when we came to Stamford, over 5% and that was 24 schools not 24% of all children; and then I asked her if she could give me somewhat of a definition as to how many children ate lunch and what the percentage might be, and we came out to a figure more like 9%. So I think there are a lot of things we should read and research before we vote on something. Thank you."

MRS. GOLDSTEIN: "Thank you, Mr. Chairman. I would like to compliment Mr. Baxter on his very, very thorough report; and I must say I agree very strongly with his conclusions in relation to the benefits of a cafeteria program. I would also like to say, though in relation to his motion, and the motion to which we are addressing ourselves now, that if I were certain that the mechanics of this kind of survey were feasible and that they would have a degree of accuracy, I would very, very strongly support his call for additional time. After all, we have waited for five years and another week, or a week and a half, won't hurt us. But as one who has been involved in PTA's, PTA Councils, I very, very strongly question how we are going to go about these surveys, the accuracy of our information, and what, after all, this information will mean."

MR. ROSE: "Thank you, Mr. President. I would like to congratulate the Board of Education for at least giving us all the facts and working out a program that didn't seem to be workable. Now to speak to the motion, I think the first thing we have to consider is that we have, the Board of Education has, something to sell. They have something to offer and they have pupils that they want to satisfy. And until they can get this commodity working and get it to the pupils, there's no way of knowing how many lunches they're going to sell. If we take a survey now, and everyone says I will take a hot lunch twice or three times a week, and it turns out that they are not able to satisfy their pupils, then their survey is no good anyway. First we have to get the program in operation, and it seems to be the type of program where it will be feasible for the children to make their own decision and to work out the program after it gets in, that they will know what is the weakness and what not. And this is the only way that we're going to be able to know how many lunches are going to be sold. Thank you, Mr. President."

MR. DIXON: "Mr. President, I, too, would like to compliment Mr. Baxter for his very excellent presentation. However, though, it is my feeling that to put this back in committee would cause many unnecessary and costly delays. I'm sure, though, that Mr. Baxter has the best interest of the City at heart, but I think that we as a Board tend to use hindsight in rejecting proposals for a new cafeteria, a new hot lunch program, in the schools. I am equally sure that the Board of Education has had some very sad experiences, and they also use hindsight to help improve their programs. I know that the Board of Education has put a lot of work and effort into setting up this kind of program, and I think that the Board is, judging from my past experiences, somewhat prone to rejecting such proposals due to past experience. If the Board can assure us, as they have been, that they will not be coming back to the Board for further support, that they can in fact cancel the contract, if it is not working, I do believe that this Board ought to go along with them and give them a chance. However, though, I am of the opinion that if any further saving would be of any benefit whatsoever to the promotion of the approval, I would go along with a short delay, if it's not going to be detrimental to the program. Thank you."

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FISCAL COMMITTEE (Continued)

MR. LOOMIS: "Yes, Mr Baxter started out by telling us that one of the major problems was that the people didn't know what was going on. I guess he said it was a botched up job of public relations, and then he proceeded to tell us that we then had to poll the very people who didn't know what was going on to find out what should go on, which is a mystery to me. I think Sandra Goldstein put it very well and I have had some experience in polling, that the idea that we can get an accurate indication of what the people think who Mr. Baxter told us they didn't know what they were thinking about, in a period of two weeks, you suggest we meet on the 19th, is really absurd, we're not going to, let's face it, we're not going to get any information by that time that is surely going to shed any more light on the subject that we don't already know. And I'd like to compliment the Board of Education people for doing such a thorough job in re-searching and presenting to the Fiscal Committee, the Board of Finance, and to all the Board of Reps members, the various issues involved in this whole proposal. Someone said that indeed when Leonard Vignola votes with everybody else, something has to be right.

And I guess the last thing, and the important thing, is the assumption of Mr Baster that we have to rush back to the people to get their assurance on how we are to vote. My understanding is that when the people in my district voted for me, they had some faith in my ability to make judgments and decisions here rather than going back to them, polling them, and so on. If we make the wrong decisions here over the next couple of years, then maybe they should throw us out. I guess getting back to the point Mr. Baxter's motion, Mr. Miller, for reasons that I spelled out, I am opposed to it"

MR. WIESLEY: "Thank you, Mr. President. I don't think there's any question but what Mr. Baxter gets the gold star for presentation tonight and I compliment him on it. It's a beautiful job. However, as far as the surveys we're talking about, I'm wondering again about the timing that is involved in this, because the people I talked to who were against this, seemed to be violently against it. They seemed to be against it to the point that there was very little explanation or reasoning that they could give as to why they were really against it other than the fact that it didn't work before, so it will never work again, I think that instead of a poll, there has to be some sort of an advertising program of our own that goes out to these people, to convince them why we have to have this program, why it's good, why those of us who had hoped to sit with Fiscal and other committees and listen to these things and be sold by the kind of program that they apparently have for us now, that's the kind of information that needs to get out, that's what it takes to get our voters to agree with this kind of thing, not a survey that would say would you use it, or wouldn't you. Because I think we'll get most of them torn up and no answers back!"

MR. BLUM: "I would just like to say, in talking for the people in need, the people that need the program now, I think, that the Board of Education has tried to give us the facts, our Fiscal Committee has come out in favor of this, a survey, as Mr. Wiesley, has said, how far can we go? The time is short. We need the program now. I think we ought to vote on the program."

MR. LOBOZZA: "On the question of the survey, if there is a survey to be taken, I think it shouldn't be done primarily through just the public schools. There are many people in the City of Stamford that do not have children in the public schools, or they do not have children or they're in parochial schools, or they're in private schools, or out of schools. I think if we're going to do a program of this sort, it's going to have to take in a very good part of the populace of the City of Stamford, not just the public schools."

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FISCAL COMMITTEE (Continued)

MR. HAYS: "Thank you, Mr. President. I think the only practical survey that's going to give the only tangible results to us is the trial program that the Board of Education has proposed. People in favor of the survey, I suggest, then must be in favor of the trial program. In fact, the Fiscal Committee has analyzed both proposal requests by the Board of Education and suggests that the net new money that the City is expending is approximately \$25,000, if both Item 21 and 22 are approved. Not only does that \$25,000 give us a six-month trial program with the stipulation from the Board of Education that it will make it or break it on that, and request no more money for the City, but will terminate the program, point one.

"Point two, is supplemental to the main reason for the grants, that will provide somewhere between 90 and 100 new jobs within the City for the same six-month period the program is being tried. Thank you, Mr. President."

MRS. SANTY: "Oh, I would like to compliment Mr. Baxter on his report, and I also have a little disagreement with my cohort, Mr. Wiesley. We have an excellent survey in the 18th District and our constituents took the time to contact Mr. Signore and myself, and have truly spoke out twelve to one (12-1) against the lunch program proposed. They have given us many valid reasons, not emotional reasons, why they opposed the lunch program at this time. And I think we're here to represent them, and I also think we have to think about them when we vote. And if no one calls you, you should reach out and talk to your constituents, because many of them have children in school. Many of them are senior citizens. Many different reasons. But it's our responsibility to reach out to them and we vote for our district, not personal votes."

MR. D'AGOSTINO: "I think now is the time to try it out, because you have five months to go and if it's gonna work, it's better to try it now rather than a full school year. I think we would stand to lose less than if we committed ourselves to a full year; a full term would cost us a lot more money."

MRS. CLARK: "Yes, Mr. President, I have to agree with Mr. D'Agostino, as far as sending out surveys or pamphlets on this type of lunch program, you would get a very limited amount of input from the parents. I have been volunteering in the schools for quite a few years. I now have four products in the school system. You seem to forget as a parent the amount of money that goes into packing a brown bag lunch. Quite honestly, I could not sit down and say my children would buy X number of lunches a week. I think the only sure way, constructive and most logical way is to try the program out. So let's get it going."

MR. BLOIS: "Thank you, Mr. President. Speaking to many of my constituents, over the phone, and personally, most of the people in the 14th District are against this lunch program, but I am very much surprised that of the people who live in the Stark School area I'm taking the time to read a letter from the PTA president, which I think answers a lot of the remarks that were made here tonight. And I would like to take a moment or two to read a few paragraphs....."

MR. MILLER: "Well, Mr. Blois, we're trying to stay away from the merits of the question itself, we're really talking about Mr. Baxter's motion."

MR. BLOIS: "Well, I think it has a lot to do with Mr. Baxter's statement. My remarks pertain to Mr. Baxter's motion. It pertains to surveys and the results of. The first paragraph reads, and it is directed to you, Mr. President, of the Board of Representative 'We, the parents of the Stark School P.T.A., are asking you to vote against implementing a hot lunch program in our schools. After speaking to parents, teachers, and administrators alike, they are not in favor of this program.'

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FISCAL COMMITTEE (Continued)

MR. BLOIS (Continuing): "Why? Then it goes on to say: 'Parents I have spoken to said they would not support a hot lunch program. If the parents don't support it then who will?' That answers some of the questions that have been kicking around here tonight. Also regarding the money to buy the equipment and trucks with, I, personally, would like to know what happened to all the equipment that was supposed to be stored for future use? Why do we have to invest all this money to get new equipment? It seems like a lot of schools had cafeterias and to implement a lunch program, I should think we could use some of that stuff." A hot lunch program seems to be very successful in the surrounding towns but they do not have the free lunch giveaway that Stamford has."

"Now you can go to Darien, if you people listen to the radio, to Don Rustici, in the morning, he gives the menus for most of the schools in the area, and I think Greenwich and Stamford's Wright Tech have a wonderful lunch program. Hot food and good food. But they're not in the red. They don't come to the city looking for money. Instead of spending taxpayers' money, just pay attention. A survey of about 83% of the parents (enrollment of about 865 children) did not want a lunch program. 'Doesn't this show we do not need and want a hot lunch program? In time of such a tight economy a program like this should not be started. As it stands now, it will start at a deficit.' A program like this should be understood by everybody, all the taxpayers concerned, the parents, the children. Do they need this lunch and will they buy it? If you read this letter, 90% of the kids throw the food away, and eat the dessert and milk, and the cookies."

I never saw a kid starve to death, taking a paper bag lunch to school. I did it for many years. And I enjoyed it with milk and cookies. And you take any kid from 5 to 12 to 14 years old, they'll tell you the same thing. So I think rather than a motion to table for five months, if you're going to start a cafeteria program, let's do it on a solid basis, let's look into it, and start off on the right foot. Thank You."

MR. PERILLO: "Yes, Mr. President, after hearing all the thinking, I think I'll move the question."

MR. MILLER: "We'll take a vote on that. Mr. Perillo would like to move the previous question. All those in favor, say AYE; all those opposed No. The motion is carried. The vote now is on Mr. Baxter's motion, which is to move this item #21 under FISCAL back into committee. And we have had a request for a roll call vote, and there was a sufficient number desiring a roll call vote."

MR. MORGAN: "Mr. Chairman, I have a question I'd like to direct to Mr. Baxter through you, I wonder if he would accept as a friendly amendment the separation of the request for delay in considering action on this item, separating that from the request for a survey? We're really discussing two issues here wrapped around one motion and I think that possibly we should vote on them separately or in some other fashion."

MR. MILLER: "Well, I think we're very late to be considering division of Mr. Baxter's motion. I really think it has come up too late, Mr. Morgan. However Mr. Baxter might be willing voluntarily to go along with that I don't know; Mr. Baxter?"

MR. BAXTER: "Thank you, Mr. Chairman. Because my reasons for asking for the delay are rather specific, I'd rather not cloud the issue by making an amendment."

MR. MILLER: "O.K. you'll have to bear in mind the Board of Representatives is not compelling anyone to conduct a survey. We would be providing the time in which a survey could be taken. So we'll vote on Mr. Baxter's motion, and we'll have to take a roll call vote. A Yes vote would be for putting this item back into committee;

FISCAL COMMITTEE (Continued)

MR. MILLER: (Continuing): "A NO vote would be in opposition. Necessary for passage would be a majority of those present and voting. the CLERK will call the roll.

There were 20 votes IN OPPOSITION; there were 17 in FAVOR; there was one abstention. The MOTION WAS LOST.

THOSE VOTING IN FAVOR:

BAXTER, George	(D-7)
CONNORS, George	(D-8)
COSENTINI, Audrey	(R-13)
DIXON, Handy	(D-2)
FLANAGAN, William	(R-19)
FOX, John Wayne	(D-15)
GLUCKSMAN, L. Morris	(D-11)
GOLDSTEIN, Sandra	(D-16)
HAWE, Marie	(R-1)
LOWDEN, Lynn	(D-1)
McINERNEY, Barbara	(R-20)
MORGAN, Michael	(D-12)
NIZOLEK, Christine	(D-2)
RAYMOND, Jean	(R-16)
RYBNICK, Gerald	(D-4)
SANDOR, John	(D-4)
WALSH, Peter	(D-7)

THOSE VOTING IN OPPOSITION

BLUM, David	(D-12)
BLOIS, Julius	(D-14)
BOCCUZZI, Theodore	(D-9)
CARLUCCI, Leo	(D-5)
CLARK, LINDA	(D-6)
COSTELLO, Robert	(D-6)
D'AGOSTINO, Thomas	(D-17)
HAYS, George	(R-20)
LOBOZZA, James	(R-17)
LOOMIS, Ralph	(R-19)
MILLER, Frederick E.	(D-3)
OSUCH, Adam	(R-14)
PERILLO, Alfred	(D-9)
RAVALLESE, George	(D-8)
RITCHIE, Mildred	(R-10)
ROSE, Matthew	(D-3)
SANTY, Jeanne-Lois	(R-18)
SHERER, Donald	(R-10)
SIGNORE, S. A.	(R-18)
WIESLEY, Vere	(R-13)

THOSE ABSTAINING:

DeROSE, Joseph	(D-15)
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MR. MILLER: "The record will indicate that Mr. DeRose was not present on the floor and did not answer the roll call when called."

MR. MILLER: "We will now proceed to a discussion of the main motion, if there is anything left to discuss."

MR. MORGAN: "I move the question."

MR. MILLER: "The MOTION to MOVE THE QUESTION was seconded and CARRIED."

MRS. CLARK: "Yes, Mr. President, I'd like to move for a Roll Call Vote, please."

MR. MILLER: "We have a request for a Roll Call Vote. The CHAIR sees a sufficient number of persons wishing a Roll Call Vote. The question is on #21 under FISCAL: \$64,859.00 BOARD OF EDUCATION - Code 305.3002 - School System Food Program. A YES vote is for this item; a NO vote is in opposition to this item; necessary for passage two-thirds (2/3rds) of the members present. The CLERK will call the Roll."

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FISCAL COMMITTEE (Continued)

"There were 22 votes IN FAVOR; there were 15 votes in OPPOSITION; there was one abstention. A two-thirds vote was required (25). The MOTION WAS LOST. The record will indicate that Mr. DeRose was not present on the floor and did not answer the roll call when called."

THOSE VOTING IN FAVOR:

BLUM, David	(D-12)
BOCCUZZI, Theodore	(D-9)
CARLUCCI, leo	(D-5)
CLARK, Linda	(D-6)
COSENTINI, Audrey	(R-13)
COSTELLO, Robert	(D-6)
D'AGOSTINO, Thomas	(D-17)
DIXON, Handy	(D-2)
FLANAGAN, William	(R-19)
FOX, John Wayne	(D-15)
GLUCKSMAN, L. Morris	(D-11)
GOLDSTEIN, Sandra	(D-16)
HAWK, Marie	(R-1)
HAYS, George	(R-20)
LOOMIS, Ralph	(R-19)
LOWDEN, Lynn	(D-1)
MILLER, Frederick E.	(D-3)
MORGAN, Michael	(D-12)
NIZOLEK, Christine	(D-2)
RAYMOND, Jean	(R-16)
ROSE, Matthew	(D-3)
WIESLEY, Vere	(R-13)

THOSE VOTING IN OPPOSITION:

BAXTER, George	(D-7)
BLOIS, Julius	(D-14)
CONNORS, George	(D-8)
LOBOZZA, James	(R-17)
McINERNEY, Barbara	(R-20)
OSUCH, Adam	(R-14)
PERILLO, Alfred	(D-9)
RAVALLESE, George	(D-8)
RITCHIE, Mildred	(R-10)
RYBNICK, Gerald	(D-4)
SANDOR, John	(D-4)
SANTY, Jeanne -Lois	(R-18)
SHERER, Donald	(R-10)
SIGNORE, S.A.	(R-18)
WALSH, Peter	(D-7)

THOSE ABSTAINING:

DeROSE, Joseph	(D-15)
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Several of the Board members, in voting on item #21, voted "NO" and stated that their constituents wished them to vote "NO"

MR. MILLER: "The CHAIR would like to remark that the CHAIR was rather indulgent while the Roll was being called, and I would like to state that your constituents might have opinions but at this meeting, only the Representatives vote, so please, in the future: yes, no or abstain. No speeches. The time for the speeches is during debate. The motion is lost. Mr. Morgan?"

FISCAL COMMITTEE (Continued)

(22) \$53,833.96 - BOARD OF EDUCATION - PROPOSED RESOLUTION - Request to Transfer funds to purchase cafeteria equipment, trucks, etc., as follows:

FROM: Stillmeadow School Capital Project	\$ 23,712.01
Davenport Ridge School Capital Project	<u>30,121.94</u>
(Both approved in 3 fiscal years - 69/70, 70/71, 71/72; bonded in 1973.	\$ 53,833.96

TO: A new Capital Project entitled "School - \$53,833.96
System Food Program Capital Project"
1975-76.

(Letter dated 12-18-75 from Corporation Counsel Robert B. Wise advising this cannot be legally done in this manner.) Letter 12-17-75 from S. J. Bernstein, Planning Board, that bid process might lessen amount needed.)

MR. MORGAN: "Thank you, Mr. President. The next item is that of #22 we are considering. This is also in connection with the Hot Lunch Program. It is \$93,114.00 for Board of Education. This originally appeared on our agenda as sent down from the STEERING COMMITTEE as a \$53,833.96 item but 'because of the Corporation Counsel's opinion on December 18, 1975 that a transfer from a capital project account to a not-yet-created capital projects account was not permitted, the Board of Education has re-submitted this proposal in a form acceptable to the Corporation Counsel, which is why we have this \$93,114.00 item in front of us. This is 75% reimbursable under the Federal Nutrition Program and the Board of Education has been assured that these funds are available to them within thirty to forty-five days with which to purchase trucks, cafeteria equipment and other things in connection with the cafeteria program."

MR. MILLER: "The CHAIR would like your attention please. The CHAIR would observe that we have a rather unusual situation here, since we have two items which are companion items, and it is conceivable that we would adopt item 22 although we have rejected item 21, but I really don't know if that would make sense, and I think it would be reasonable for Mr. Morgan to just not make any further motions."

MR. MORGAN: "I withdraw the matter."

MR. MILLER: "Unless there is some objection to that, it is conceivable that we could adopt this item, but I think it would be better if you held it."

MR. MORGAN: "All right."

MR. MILLER: "Unless somebody wishes to make a motion to the contrary. Will you hold that? O.K."

MR. MORGAN: "In that case, we'll go back to number one of the FISCAL COMMITTEE's agenda. The next item for \$1,145.00 for the Board of Education. This item was held in Committee on December 8, 1975 pending action by the Board of Finance, which approved it on December 11, 1975. The Fiscal Committee voted 7-0 in favor of this request on December 18, 1975 and I SO MOVE."

MOVED and SECONDED. MOTION is CARRIED.

MINUTES OF JANUARY 5, 1976

FISCAL COMMITTEE (Continued)

- (1) \$40,000.00- CORPORATION COUNSEL Code 110.0901- Special Professional Services-
(Mayor's letter 12-3-75)- Letter 12-3-75 from Corporation Counsel Robert B. Wise states there is \$8,010.09 indebtedness now, plus legal fees to be billed by Atty. Wechsler on Berube matter. Estimated total unfunded indebtedness may run up to \$20,000.00

MR. MORGAN: "This item is a request from the Corporation Counsel for \$40,000.00; It breaks into two categories: \$20,000 for the balance of the fiscal year for routine expenditures such as sheriffs, constables, publications, etc. The additional \$20,000 is requested to cover anticipated billings incurred by the City in connection with the use of outside counsel. This was approved by the Board of Finance on Dec. 11, 1975, and the Fiscal Committee voted 7-0 in favor on Dec. 18th, and I would SO MOVE.

MR. WIESLEY: "The EDUCATION, WELFARE & GOVERNMENT COMMITTEE met with FISCAL jointly. We had a quorum there, and we voted 3-0 in favor of this proposal."

MR. MILLER: "MOVED AND SECONDED. The CHAIR would observe that we have a long agenda ahead of us and we need 21 people on the floor to continue with our business. We are now dealing with item 1 under FISCAL. It has been MOVED and SECONDED. If there is no discussion, we will proceed to a vote. The question is on \$40,000 Corporation Counsel, Code 110.0901 Special Professional Services. All those in favor say AYE, all those opposed NO. The MOTION is CARRIED."

- (2) \$6,143.00- BOARD OF EDUCATION - 100% Prepaid Federal Grant- under Title II Elementary & Secondary Education Act, for Library and Audio Visual Resources representing a carry over figure from 1974-75. To be used solely for purchase of library books for the four middle schools. (Letter 11-26-75 from Asst. Supt. Business B.R. Reed; this request submitted under terms of Resolution No. 648- approved by Bd. of Reps. 12-8-69) - (Held in Committee 12-8-75)

Mr. MORGAN: "The next item is \$6,143.00; a Board of Education request. This item was held in committee in December, pending action by the Board of Finance. The Board acted and approved this item on December 11, 1975. The FISCAL COMMITTEE voted 7-0 in favor of this request on December 18, 1975."

MR. WIESLEY: "At the same meeting, Education, Welfare & Government Committee voted 3-0 in favor of this item."

MOVED and SECONDED. MOTION is CARRIED.

- (3) \$1,145.00 - BOARD OF EDUCATION - 100% Prepaid Grant under P. L. 90-576 from State of Connecticut to be used for purchase of Business/Office Equipment for Business Department of Rippowam High School for period 9-1-75 through 6-30-75, for purchase of one electric typewriter at \$655 and one electric calculator at \$490. Request submitted per Resolution No. 648 approved 12-8-69 Board of Representatives. (Letter 11-26-75 from Asst. Supt./Business B.R. Reed) - (Held in Committee 12-8-76)

MINUTES OF JANUARY 5, 1976

FISCAL COMMITTEE (Continued)

- (4) \$ 1,000.00 - BOARD OF EDUCATION - 100% Prepaid Grant under P. L. 90-576 from State of Connecticut to be used for purchase of Business/Office Equipment for Business Dept. of Stamford High School for period 9-1-75 through 6-30-76, for purchase of 1 Module #33 Calculator Package at \$1,000. Request submitted per Resolution No. 648 approved 12-8-69 Bd of Representatives. (Letter 11-26-75 from Asst. Supt./Business B. R. Reed) - (Held in Committee 12-8-75)

MR. MORGAN: "Item #4 is \$1,000 for the Board of Education and also a prepaid grant, under the same program as item #3. Fiscal Committee held this item in December, pending action by the Board of Finance. That Board approved this item on December 11th. On December 18th the Fiscal Committee voted 7-0 in favor of this request, and I SO MOVE.

MOVED and SECONDED. MOTION IS CARRIED.

- (5) \$ 1,270.00 - BOARD OF EDUCATION - 100% Prepaid Grant under P. L. 90-576 from State of Connecticut to be used for purchase of Business/Office Equipment for Business Dept. of Westhill High School for period 9/1/75 through 6/30/75 for purchase of 2 self-correcting Selectric Typewriters at \$635 each for a total of \$1,270.00. Request submitted per Res. #648 approved 12-8-69 Bd. of Reps. (Letter 11-26-75 from Asst. Supt./Business B. R. Reed) - (Held in Committee 12-8-75)

MR. MORGAN: "Item #5 is for \$ 1,270.00, also for the Board of Education. This is also a similar request to Items 3 and 4. Fiscal Committee held this item in December pending action by the Board of Finance which approved the request on December 11th. Fiscal Committee voted 7-0 in favor of this item on December 18, 1975. I SO MOVE.

MOVED and SECONDED. MOTION is CARRIED.

- (6) Proposed Resolution BOARD OF EDUCATION requests authorization of preliminary application for State Aide Grant - for leasing of private school building under provisions of P. A. 74-344. (State aid re: leasing St. Mary's School for \$200,000 necessitated during Roger's School renovation) (Letter 12-2-75 from B. Reed, Asst. Supt./Education - Mayor's letter of 12-5-75)

MR. MORGAN: "This is to obtain a grant of a yet undetermined amount which will represent partial reimbursement for the cost of leasing St. Mary's School during Rogers' School renovation. This kind of resolution does not require Board of Finance approval. The Fiscal Committee voted 7-0 in favor of this request and I would so MOVE.

MR. WIESLEY: "The EDUCATION, WELFARE & GOVERNMENT COMMITTEE voted 3-0 in favor of this also."

MOVED AND SECONDED. MOTION CARRIED.

MINUTES OF JANUARY 5, 1976FISCAL COMMITTEE (Continued)RESOLUTION NO. 1036

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, pursuant to and within the limitations of Public Act No. 493 entitled "An Act Concerning Application for School Building Grants" (1969 Session of General Assembly) that the Board of Education is hereby authorized and directed to apply for state aid on behalf of the Board of Education, for grant for leasing private school buildings (St. Mary's School used to house Rogers School students) under the provisions of Public Act 74-344, in the name of the City of Stamford for such expense.

(This Resolution was approved by UNANIMOUS VOTE, there being 38 present and 2 absent at said meeting of January 5, 1976).

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- (7) \$ 652.90 - ENVIRONMENTAL PROTECTION BOARD - to offset matching funds already deposited into General Fund from EPB Seminar on dredging, which generated the income (this is a "wash" transaction to reimburse EPB for money expended.)

(Mayor's letter 11-6-75; EPB's letter 11-3-75)

MR. MORGAN: "This request is to cover expenses incurred in connection with EPB's Seminar on dredging. Since EPB charged for ten days of seminar, this amount has already been paid to the General Fund and this is merely a bookkeeping transaction which would put the funds back into EPB's accounts. The Board of Finance approved the item on November 20, 1975. The Fiscal Committee voted 7-0 in favor of this and I would SO MOVE.

MOVED and SECONDED. The MOTION is CARRIED.

- (8) \$ 110.87 - HEALTH DEPARTMENT - Code 512.5203 - To reimburse for education expenses for nurse toward B. S. degree in nursing, per labor contract provisions. (Mayor's letter of 10-3-75. Dr. Gofstein's letter of 8-27-75)

MR. MORGAN: "This request was approved by the Board of Finance on December 11, 1975 and the Fiscal Committee voted 7-0 in favor of the request, and I would so MOVE.

MOVED and SECONDED. MOTION was CARRIED.

- (9) \$ 202.63 - HEALTH DEPARTMENT - Code 512.5203 - To reimburse for educational expenses for two nurses working toward B. S. in nursing per labor contract terms - (Mayor's letter 12-4-75 - Dr. Gofstein's letter of 12-1-75)

MINUTES OF JANUARY 5, 1976

FISCAL COMMITTEE (Continued)

MR. MORGAN: "The Board of Finance approved this item on December 11, 1975 and the Fiscal Committee voted 7-0 in favor, and I SO MOVE.

MOVED and SECONDED. MOTION was CARRIED.

- (10) \$ 10,000.00 - HEALTH DEPARTMENT - Totally reimbursable - for E.P.S.D.T. Head Start Collaborative Outreach Program - Code 510.0939 - 1975-76 (\$6,000 already received from HEW/Headstart/CTE) Mayor's letter 12-5-75; Dr. Gofstein's letter 12-4-75; CTE Carmen Domonkos 12-1-75)

MR. MORGAN: "The Board of Finance approved this item on December 11, 1975 and the Fiscal Committee voted 7-0 in favor, and I SO MOVE.

MR. ROSE: "Mr. President, HEALTH & PROTECTION COMMITTEE hasn't met on this but since its a grant..."

MR. MILLER: "You don't have a report, Mr. Rose."

MOVED AND SECONDED. MOTION was CARRIED.

- (11) \$420,000.00 - HEALTH DEPARTMENT - Totally reimbursable - State Grant - For 1-1-76 through 6-30-76 for continuation of WIC Program, mandated by Federal Law 93-105. This is a "Special Supplemental Food Program" for pregnant women, infants and young children. (Mayor's letter of 12-5-75; Dr. Gofstein's 12-5-75) - (Resolution No. 582 approved 10-7-68 by of Reps. enables Health Dept. to make such applications for grants.) - (Letter 12-3-75 from WIC Program Director Suzanne Van Vechten breaking down figures)

MR. MORGAN: "The Board of Finance approved this on December 11, 1975, and the Fiscal Committee voted 7-0 in favor of the request and I SO MOVE.

MR. ROSE: "I'll SECOND that, Mr. President."

MOVED and SECONDED. MOTION was CARRIED.

- (12) \$50,000.00 - INSURANCE - General - Code 132.0000 - Employees' Medical and Hospital Insurance - Workmen's Compensation - (Mayor's Letter 12-4-75; Benefits Mgr. Kilgrow's letter of 12-1-75) (City is self-insured on Workmen's Compensation and this is to pay judgments awarded; pending judgments, and regular monthly payments.)

(This item originally requested \$200,000 and Board of Finance approved \$50,000.00 and DEFERRED \$150,000.00 pending additional data.)

MR. MORGAN: "The Board of Finance approved this on December 11, 1975 and the Fiscal Committee voted 7-0 in favor of the request and I would SO MOVE."

MRS. GOLDSTEIN: "PERSONNEL voted in favor of this appropriation also. However, we feel we have many questions in relation to the City's insurance policies and because of those questions, we will have Mrs. Kilgrow speak to us when we can go into depth on them with her."

MINUTES FOR JANUARY 5, 1976

FISCAL COMMITTEE (Continued)

MR. MORGAN: "I appreciate Mrs. Goldstein's concerns and I would be happy to see a report of the Personnel Committee with respect to what Mrs. Kilgrew has to say. In regard to this particular request, however, these are actual judgments that have already been awarded to employees of the City against the City and must be paid. And I am concerned about the entire insurance program of the City, too. This is a separate issue, I believe."

MR. MILLER: "Well, we're voting on this item #12 now. I think Mrs. Kilgrew would be glad to meet with any of the committees and go into this in depth, but we're voting on this item of \$50,000 insurance."

SECONDED and MOTION is carried.

(13) \$ 2,892.50 - PARKS DEPARTMENT - Funds needed to comply with O.S.H.A. requirements (due to recent inspection) to correct violations.

Code 710.1701 - Auto Operation & Maint.	\$ 2,540.00
Code 710.1801 - Maint. of Buildings	352.50
	<u>\$ 2,892.50</u>

(Items include fire extinguishers, rollover bars for tractor, hand rails, plus electrical repairs) - (Mayor's letter 11-6-75; Parks Dept. Mr. Condon's letter of 11-17-75)

MR. MORGAN: "The Board of Finance approved this request on December 11, 1975 and Fiscal Committee voted 7-0 in favor of the request and I would SO MOVE."

MR. BLOIS: "The Parks Committee concurs 5-0" MOVED and SECONDED.

MRS. McINERNEY: "Excuse me, Mr. President, I thought it was also with the stipulation that all bills be rendered to our Committee and we have a special category for O.S.H.A."

MR. MILLER: "Will you comment on that, Mr. Morgan or Mr. Blois?"

MR. MORGAN: "Mrs. McInerney is not a member of my Committee, Mr. President, I am not aware of the stipulation to which she is referring."

MR. BLOIS: "Just wait a minute while I look at my notes."

MR. LOBOZZA: "I was present at that meeting and I think the question on it was that that the money was to go into one special account or there would be no way of controlling how the money was spent. There is no bid on the project itself and we just want to make sure that the money was used for what it was specified and not used for other things besides that."

MINUTES FOR JANUARY 5, 1976

FISCAL COMMITTEE (Continued)

MR. BLOIS: "Well, thank you, Mr. President. On December 28, Parks & Recreation Committee met. Our recommendation is whatever money is appropriated and not spent must go back to the General Fund. Parks & Recreation Committee will be sent copies of all bills. And we voted 5-0 on this. That was our recommendation that all monies left over go back to the General Fund."

MR. MILLER: "Well, really, I think, Mr. Blois, you would have to make an amendment to Mr. Morgan's motion on behalf of your Committee because Mr. Morgan did not report what you had reported. So we will have to take a vote on your motion. I assume you have checked this out and that the Board has a right to do what it is doing."

MR. BLOIS: "The Park Dept. agreed to all of this so I will put this in my motion. And our recommendation. And if it takes a motion, I will SO MOVE."

MR. MILLER: "All right, Mr. Blois. Will you state your motion?"

MR. BLOIS: "Yes, Parks & Recreation Committee have recommended that of the money that is appropriated, any money not spent will go back to the General Fund."

MRS. McINERNEY: "Yes, I would like to have Mr. Blois' amendment to read that we have a separate account set up for O.S.H.A."

There was some discussion between Mr. Loboza and Mr. Blois regarding this stipulation to the effect that the money be spent for the items specified.

MRS. COSENTINI: "Just from the discussion with those members of the Committee, I think the safeguards that are desired here are (1) there would be a fund set aside just for O.S.H.A. monies; and that there would be a very close accounting of how the money is spent; and the accounting to be separate and clear, and specified as needed, but I don't think it should be so restrictive that the amount per item is too rigid."

MR. MILLER: "Why don't we repeat your motion, together with the addition by Mrs. McInerney, so we all know what we're talking about, Mr. Blois?"

MR. BLOIS: "I think the last sentence 'Committee will be sent copies of the bills, or whoever they should go to, will take care of O.S.H.A.'"

MR. MILLER: "But let's get the language of this proposed amendment so we'll know exactly what we're talking about."

MR. BLOIS: "O.K. Our recommendation for Parks & Recreation: Whatever money is appropriated, the money not spent, will go back to the General Fund. The Committee will be sent copies of all bills, pertaining to this one item, the O.S.H.A. regulations."

MR. MILLER: "Are you happy with that, Mrs. McInerney, with what Mr. Blois just read?"

MRS. McINERNEY: "Yes, put with what I said. That a separate account for O.S.H.A. items be established."

MR. MILLER: "Yes, yes, that a separate account be established for O.S.H.A. regulations. Now, Mr. Loboza, do you still want to add something?"

MR. LOBOZZA: "No, O.K., let it go."

MINUTES FOR JANUARY 5, 1976FISCAL COMMITTEE (continued)

MRS. RAYMOND: "Yes, thank you. I would support this amendment, but I would like to comment, as a new member on this Board, that I find it disturbing that we have to add items like this to any City Department. I assume that when I vote for an appropriation for any department, that that department will use those funds for the reason that is stated on their application. And I would like, frankly, to go on record that if I ever become aware of a department that uses an appropriation for other purposes than stated, that I would look with great disfavor on any future appropriations from that department."

MR. BLUM: "I'd like to ask Mr. Loboza is he assuming that the department was not going to do their own work?"

MR. MILLER: "Mr. Loboza, would you care to respond?"

MR. LOBOZZA: "Yes, I would. That's not what I'm saying. What I'm saying is that the money approved as is, will go into their auto operations account. They can spend that money any way they please. I'm just trying to get a couple of safeguards in there that where we can be sure that the needs they brought to the meeting are met, and what money is left over is put back into the General Fund."

MR. BLOIS: "May I add that the money they're asking for will go for fire extinguishers, roll-over bars for tractor, handrails and electrical repairs, and that's what the money should be spent for, nothing else."

MR. WIESLEY: "Speaking from experience, if you're talking O.S.H.A., and you've got an O.S.H.A. inspection, there are items that you've got to buy; you have to spend the money for that, and there will be another O.S.H.A. inspection, just to see if the violation was corrected. You don't have to worry where the money will go."

MR. BLUM: "You'll have to remember, O.S.H.A. is required as a safety feature, and whatever this inspector finds, that has to be repaired."

MR. SHERER: "Mr. President, may I call the question?"

MR. MILLER: "Mr. Sherer wants to MOVE THE QUESTION. All those in favor say AYE; all those opposed NO. The MOTION is CARRIED. We'll proceed to a vote on the amendment proposed by Mr. Blois and Mrs. McInerney and Mr. Loboza."

MR. DIXON: "Mr. President, could you sort of clean it up a bit?" (delighted laughter)

MR. MILLER: "Yes, yes, Mr. Blois, would you repeat the motion? It's basically your motion with the additional words by Mrs. McInerney."

MR. BLOIS: "Who should I direct this to, Mr. President?" There's so much . . . O.K. Recommendations from the Parks & Recreation Dept. You want my amendment, right?"

MR. DIXON: "The whole thing. I want the whole thing."

MR. BLOIS: "I'll give you mine, and then the secretary can give you the amendment's amendment. (more laughter) We recommend that any money that is appropriated for this particular item, and any money not spent goes back to the General Fund. The Committee shall be sent copies of all the bills. Now this money should be spent for fire extinguishers, roll-over bars for tractor, hand-rails and electrical repairs. Period."

MR. MILLER: "The motion is, it should be the amendment."

MR. SHERER: "The motion is, it should be the amendment. The motion is, it should be the amendment. The motion is, it should be the amendment."

MINUTES FOR JANUARY 5, 1976

FISCAL COMMITTEE (continued)

MR. MILLER: "Mrs. McInerney, your amendment to the amendment?"

MRS. McINERNEY: (with a giggle) It quite simply stated that there be a separate account set up for O.S.H.A. requirements."

MR. MILLER: "Is that O.K., Mr. Dixon?"

MR. DIXON: "Mr. President, speaking specifically to the amount that is on the Agenda, Item 13, well then, does Mrs. McInerney's amendment set up a special account, is she talking about setting up a special account out of these funds?"

MRS. McINERNEY and MR. DIXON had some further discussion. Also MR. BLOIS.

MR. MILLER then called for a vote on the MAIN MOTION, which is Item 13 for \$2,892.50 for the Parks Department. MOVED, SECONDED, and CARRIED, with the following stipulation:

"The funds appropriated (\$2,892.50) for the Parks Department are to be spent for the items listed (fire extinguishers, rollover bars for tractor, hand rails, and electrical repairs) to comply with OSHA regulations. This is to correct violations cited in recent inspection. Any money not expended for OSHA requirements is to be returned to the General Fund of the City, with a separate accounting kept of this appropriation. All bills pertaining to this item are to be submitted to the PARKS & RECREATION COMMITTEE."

(14) \$1,500.00 - PUBLIC WORKS DEPARTMENT - Code 602.0901 - Special Professional Services Account to conduct a Class A-2 survey of the Levine Property on Long Ridge Road. This is a State-required survey in order for the City to receive grant money (75%) toward purchase. (Mayor's letter of 9-29-75; DPW Commissioner's letter 9-22-75.)

MR. MORGAN: "The Board of Finance approved this request on Nov. 20, 1975, and Fiscal Committee voted 7-0 in favor, and I so MOVE." MOVED and SECONDED. MOTION is CARRIED.

(15) \$9,000.00 - PUBLIC WORKS DEPARTMENT - Code 624.0624 - Bureau of Sanitation - Division of Collection - Funds to carry out terms of contract with City Wide Refuse Company - (Mayor's letter 9-30-75; DPW Commissioner's letter 9-17-75)

MR. MORGAN: "The Board of Finance approved this on Nov. 20, 1975; however, the Fiscal Committee voted 6-0, with Mr. Rybnick abstaining, to hold this item in Committee pending further study."

MR. PERILLO: "We move to hold in committee."

(16) \$ 500.00 - RECREATION DEPARTMENT - Code 726.0401 - Printing and Advertising - Ethel Kueskin Theatre - For newspaper advertising, tickets, programs, flyers. (Mayor's letter 11-6-75; Recreation Supt. Giordano's letter 10-30-75)

(Note: This request originally for \$2,000.00 and Board of Finance approved \$500.00, and deferred \$1,500.00)

MR. MORGAN: "The Board of Finance approved on 11/20/75, and Fiscal Committee voted in favor 7-0, and I would so MOVE."

MINUTES OF JANUARY 5, 1976FISCAL COMMITTEE (continued)

MR. BLOIS: "Parks and Recreation Committee voted 5-0 in favor."

MOVED and SECONDED. MOTION is CARRIED.

- (17) \$1,700.00 - RECREATION DEPARTMENT - Code 720.1701 - Equipment, Operation and Maintenance - Repairs, parts, etc. for 1968 Chevrolet Truck and for International Truck - (Mayor's letter 11/6/75; Recreation Supt. Giordano's letter 11/5/75)

(Note: This request originally for \$2,500.00 and Board of Finance approved \$1,700.00, and deferred \$800.00.)

MR. MORGAN: "The Board of Finance approved this request on 11/20/75, and Fiscal Committee voted in favor 7-0 and I would so MOVE."

MR. BLOIS: "The Parks and Recreation Committee voted 5-0 in favor."

MOVED and SECONDED. MOTION is CARRIED.

- (18) \$7,500.00 - RESOLUTION #1037 - AMENDING CAPITAL PROJECTS BUDGET AS FOLLOWS: To effect TRANSFER to purchase badly-needed truck - maintenance -

FROM: 1974-75 Budget #13 - Tennis Court - - - - - \$5,208.00
1973-74 Budget #10 - Paont Bldgs., Sterling Farms - - 2,292.00
\$7,500.00

TO: 1975-76 Budget # 7 - Mechanical Equipment - - - - - \$7,500.00

(Mayor's letter 11/7/75; Chairman Lopriore's letter 11/7/75;)
(Planning Board's letter 11/26/75 unanimously approving.)

MR. MORGAN: "The Board of Finance approved on Dec. 11, 1975. The Fiscal Committee voted 5-0, with Mrs. Cosentini and Mrs. Raymond, abstaining, in favor of the request, and I so MOVE."

MR. BLOIS: "Parks and Recreation concur."

MR. FLANAGAN: "Point of Information, Mr. President, since this is a transfer between unrelated capital accounts, and since tonight we had a similar situation with the Board of Education on the Westhill High School transfer from the Stillmeadow School, at which time a two-thirds vote was required to effect such a transfer, do you suppose this will also require a two-thirds vote?"

MR. MILLER: "It's not a pure transfer. You were amending a capital projects budget, so you would need two-thirds of the members present and voting to approve it."

MRS. RAYMOND: "The fact that it is a capital transfer, I have several reservations, which is why I abstained in Fiscal. Corporation Counsel, I believe, has ruled that this kind of a transfer is not an appropriate transfer. So I have reservations in that direction. I also have reservations with regard to the amounts of money left in these accounts. I don't think we are appropriately budgeting accounts when someone is over-estimating their needs. I think \$5,000.00 left in an account is an awful lot of money and I think \$2,200. is a large amount of money. At this time I would not be willing to vote for this transfer until I would be completely assured that these funds would not be needed in these accounts in which they now sit."

MINUTES OF JANUARY 5, 1976FISCAL COMMITTEE (continued)

MR. MILLER: "The CHAIR would observe that a distinction can be made between this item #18 and the item Mr. Wise was considering when he rendered his opinion, and I think Mr. Morgan can comment on that."

MR. MORGAN: "Thank you, Mr. President. I think the situation with respect to Mr. Wise's opinion with regard to the Board of Education's request which we sort of considered under item #22, this was a request for a City agency to move money from one capital budgets account into a capital projects account that had not yet been created. This situation is merely a transfer between two existing capital projects accounts, both existing accounts, and it is an entirely different situation. I appreciate Mrs. Raymond's concern, but I think it is apples and oranges."

MRS. RAYMOND: "Yes, I understand what Mr. Morgan is saying, but I was under the impression that the Corporation Counsel further stated that any money left in a capital account at the end of a fiscal year, reverted back to the General Fund and one of these is for a 73-74 budget."

MR. MORGAN: "Mr. Wise was not the Corporation Counsel, for example, in 73-74. I don't believe his opinion, which is exactly what the issued on December 18, 1975, is retro-active, and therefore doesn't apply in this case."

MR. MILLER: "Well, I won't get into that, Mr. Morgan, but you know, I don't think retroactivity has anything to do with it, really. I mean if the Corporation Counsel is addressing himself to a particular issue, it really isn't something we would approach the way you have, but I think that is something that is up to this Board. I think other people want to speak."

MR. MORGAN: "I'd like to point out the request pre-dates the Corporation's opinion in any case."

MR. MILLER: "Well, I know, but I don't think that that in itself really is what we have to talk about, Mr. Morgan; I'll move on to Mrs. McInerney and Mrs. Cosentini."

MRS. MCINERNEY: "I'd like to ask Mr. Blois a question. What particular tennis courts, where are they located? From what particular projects budget, what was it earmarked for, what tennis courts?"

MR. BLOIS: "I defer to Mr. Morgan."

MR. MORGAN: "I'd be happy to follow Mr. Blois." (laughter)

MR. MILLER: "I'd like to hear from Mrs. Cosentini."

MRS. COSENTINI: "I, like Mrs. Raymond, abstained in committee because of the issuance of the opinion by Corporation Counsel, and was waiting for information. And the information that Mr. Morgan presented is not to the issue, as far as I am concerned. The issue here is whether or not this Board is going to operate consistently in handling capital projects transfers of money that have been lying in accounts past ninety days from the year for which they were appropriated and unencumbered. I don't think that question is half-answered. I don't think it has to do with retroactivity here. It's a question of whether we will accept as an operating rule a consistent posture in this regard or not. Now I'm not saying that this posture has to be an acceptance of the Corporation Counsel's opinion, because I hear from many experienced Board members that they have often acted without regard to Counsel's opinion."

MINUTES OF JANUARY 5, 1976FISCAL COMMITTEE (continued)

MRS. COSENTINI (continued): "I, however, feel that the Fiscal Committee ought to consider this and make recommendation to the Board and it can be accepted or rejected in terms of accepting that ruling as a legitimate and valid one, or not. And, for this reason, I am going to vote against this, not because I am against the actual equipment involved, but I do think that procedures are something we have been questioning in terms of other boards, in terms of what our operation up and down the line is. And I think this is a major procedural issue before the community, not only in terms of these little transfers, but in terms of all kinds of money left in all kinds of capital accounts, and I do think this is more serious than this one small item, and that this Board should have some kind of articulated position on this issue."

MRS. McINERNEY: "I don't know if either one of you can answer me, but it's my understanding that the tennis courts were constructed at Southfield. Is that right? Southfield Park?"

MR. BLOIS: "I really can't answer that. I don't know. Really."

MRS. McINERNEY: "Well, in that case, I'd like to back Mrs. Cosentini and Mrs. Raymond."

MR. MILLER: "Well, I think the solution to this problem, and I don't like to enter into the debate, but perhaps if this item could be referred back to committee, there would be time, if people feel so strongly about this, to explore the legal issue involved. That's up the Board."

MR. BLOIS: "Through the CHAIR, to Mrs. McInerney, I just was informed that balance came from the Southfield tennis courts. Before I go on, I'd just like to say that the Park & Recreation Committee approved this resolution for \$7,500.00 and that the purpose was for the purchase of a badly-needed truck. We recommended to approve the \$7,500 pending Corporation Counsel's recommendation. I just wanted to insert that, just would like that to go in the records."

MR. MILLER: "The problem is do you make a motion to that effect, Mr. Blois, and I must say, well, we have a motion made by Mr. Morgan, and you, on behalf of your Committee, seconded it."

There was more discussion between Mr. Miller, Mr. Blois, and others, and a recess was granted in order to have Mr. Blois poll his committee.

RECESS began at 11:20 P.M. (George Connors left at 11:25 P.M.)

RECESS was over at 11:30 P.M.

MR. MILLER: "We are now dealing with item #18 under FISCAL. Mr. Morgan made a motion to approve this item. Mr. Blois was talking about an amendment, making this approval conditional upon approval of the Law Department, and there was a desire expressed at that time to then make a motion to have the item moved back into committee. Mr. Blois? I think I should call on you."

MR. BLOIS: "I just polled my Committee, and by a vote of 4-1, we will remove the recommendation and proceed with the voting."

MR. MILLER: "All right, we are now dealing with just the Main Motion. Now if somebody wants to make a motion to move it back into committee, that would be appropriate."

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FISCAL COMMITTEE (continued)

MRS. COSENTINI: "Yes, I so MOVE that we move the item back into Committee until such time as we can remove the cloud from the issue before us."

SECONDED by Mr. Signore and Mr. Boccuzzi.

MR. MORGAN: "We have only been talking around this central issue here, and that's the Corporation Counsel's opinion in regard to Capital Projects transfers. And it's just that. It's just an opinion. It's not binding. It happens to be an opinion with which I do not agree, and I don't think City government should stop because of this opinion. I think it's up to the Board of Representatives to make these kinds of policy decisions, and I'm opposed to holding this in Committee because we should act on it now and act favorably."

MRS. RAYMOND: "I'm afraid I do not agree with Mr. Morgan in terms of his feelings about the Corporation Counsel's ruling. However, in addition, I also have a second question about this money, and that relates to the money left in the tennis court account. I have been given information tonight that I have not had an opportunity to check into, but it's been indicated to me that this money was originally appropriated for a tennis court, but another department was kind enough to build this tennis court instead, which is why this money is left over. I would like to verify that before I would be willing to transfer that money."

MR. RYBNICK: "I'd like to MOVE THE QUESTION." SECONDED.

The MOTION was CARRIED.

MR. MILLER: "We are now voting on Mrs. Cosentini's motion to put item #18 back into Committee. The CHAIR is in doubt. We will take a division, using the machine. The MOTION is LOST; there are 17 YES votes, and 19 NO votes. We will now proceed to vote on Mr. Morgan's motion."

MR. BLUM: "I'd like to ask a question of Mr. Blois with relation to item #17 with regards to a 1968 Chevrolet Truck. Now this is going to be costing the City a lot of maintenance. Will this new truck eventually take the place of this 1968 truck?"

MR. BLOIS: "Well, Mr. Chairman, through the Chair to Mr. Blum, I believe Mr. Blum was present when Mr. Giordano, Superintendent of Recreation, was in. As you people all know, the Board of Recreation has taken on a lot more work than they had two, three, or four years ago. They don't have half the equipment that they need. Now this repair, operation and maintenance for this 1968 truck, and International Truck, believe me, these people don't have the equipment they need to take care of 70,000 ballplayers, many ball parks, all the fields and the playgrounds, the school ballfields, and if we expect these people to do a half-way decent job, we'd better give them a couple of pieces of equipment to work with. They are badly in need of this equipment. They need this 1968 truck, they need the International truck, not only to take care of ballfields, they do plowing also, during the winter months. If you want your children to be able to go out and play; and I believe there are 20,000 children and grown-ups who go through the Board of Recreation-sponsored programs in the course of a year. Daily, night programs, day programs, week-end programs, holiday programs. It's a question whether you want your kids to be taught by supervisors, or whether you just want them to run around in the playgrounds, unchecked, with no supervision. This is what it amounts to. If we want these things for our children, and it's a very limited amount that they're asking for, then maybe all you people should vote in favor of this. I don't see there is anything wrong with this capital projects transfer

MINUTES OF JANUARY 5, 1976FISCAL COMMITTEE (continued)

MR. BLOIS (continued): "request. The money is going back into the City and we're getting it back in another form, by the purchase of a truck. The Board of Finance approved it and the Planning Board also approved it."

MR. COSTELLO: "I had an opportunity to speak to the members of the Board of Recreation over the weekend about this truck, and it is used for plowing, and I am in favor of the appropriation."

MRS. GOLDSTEIN: "I agree with Mrs. Cosentini's assertion that we must have a uniform posture in relation to Corportion Counsel's decision, and I also understand that FISCAL will address itself to this during this month with Mr. Wise there for guidance in relation to this opinion. Therefore, because we will address ourselves to this issue, and from then on in, hopefully, maintain a uniform posture in relation to this, I believe that this badly-needed truck, and every indication that we have gotten from people within the Recreation Department tell us we need this desperately, I believe we should vote for this appropriation."

MR. LOBOZZA: "I MOVE THE QUESTION."

SECONDED and CARRIED.

MR. MILLER: "We are now voting on Item 18. The question is on \$7,500.00, RESOLUTION AMENDING THE CAPITAL BUDGET. All those in favor say AYE; all those opposed NO. The MOTION is CARRIED UNANIMOUSLY."

RESOLUTION NO. 1037

AMENDING 1975-1976 CAPITAL PROJECTS BUDGET OF THE RECREATION DEPARTMENT BY ADDING \$7,500.00 to 1975-1976 BUDGET #7 ENTITLED "MECHANICAL EQUIPMENT", FOR THE PURCHASE OF A TRUCK, TO BE FINANCED BY THE TRANSFER OF \$5,208.00 FROM 1974-1975 BUDGET #13 ENTITLED "TENNIS COURTS" AND BY THE TRANSFER OF \$2,292.00 FROM 1973-1974 BUDGET #10 ENTITLED "STERLING FARMS - PAINTING OF BUILDINGS".

BE AND IT IS HEREBY RESOLVED BY THE Board of Representatives of the City of Stamford in accordance with the City Charter:

1. To adopt an amendment to the 1975-1976 Capital Projects Budget by adding the amount of \$7,500.00 to a project known as "Mechanical Equipment", said sum to be used for the purchase of a truck for the Recreation Department of the City of Stamford.

2. To finance said project by a TRANSFER of funds from the following accounts in the amounts so indicated:

FROM: 1974-1975 Budget #13 - Tennis Courts	\$5,208.00
FROM: 1973-1974 Budget #10 - Sterling Farms - Paint Buildings. .	\$2,292.00
	<u>\$7,500.00</u>

3. That this resolution shall take effect upon enactment.

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FISCAL COMMITTEE (continued)

- (19) RESOLUTION NO. 1038 HEALTH DEPARTMENT - To grant benefits (Hospitalization and major medical, etc.) to Laboratory Assistant in Forensic Drug Laboratory; also Senior Care coverage in coordination with Medicare for the Ombudsman in the SHAPE PROGRAM. (Letter from Dr. Gofstein 12-2-75)

MR. MORGAN: "The Board of Finance's approval is not required for this item. The Fiscal Committee voted 7-0 in favor of the request, and I so MOVE.

MRS. GOLDSTEIN: "The Personnel Committee concurs."

MR. FOX: "Legislative and Rules Committee concurs."

MOVED and SECONDED.

MR. MILLER: "The question is on this RESOLUTION giving these benefits to these two employees of the Health Department. All those in favor say AYE; all those opposed NO; the MOTION is CARRIED UNANIMOUSLY, there being 38 present, 2 absent.

RESOLUTION NO. 1038

CONCERNING MEDICAL BENEFITS FOR
HEALTH DEPARTMENT EMPLOYEES (2)

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford that the Laboratory Assistant in the Forensic Drug Laboratory and the Ombudsman in the SHAPE PROGRAM, of the Health Department of the City of Stamford shall be included in the group life, dental, health, hospitalization and major medical policies available to other City employees.

- (20) PROPOSED RESOLUTION CONCERNING THE INITIATION OF ACTION FOR THE CONSTRUCTION OF AN INDUSTRIAL SERVICE ROAD (VIADUCT ROAD) - To construct a new traffic artery extending Viaduct Road northerly through industrially-zoned property along the Noroton River as recommended in Stamford's Master Plan since 1953 and as approved in the 1975-76 Capital Budget (Mayor's letter 9/8/75 - Held In Committee 10-6-75 and 11-8-75)

MR. MORGAN: "Item 20, Mr. President, is for a resolution for the construction of an industrial service road, the Viaduct Road. This resolution was held in our committee. We received several letters, as well."

MR. PERILLO: "Public Works Committee concurs."

MR. BAXTER: "At a meeting on December 29, 1975 with 3 members present, 2 members absent, the Planning & Zoning Committee voted to hold in committee.

FISCAL ITEM #20 was HELD IN COMMITTEE.

MR. MORGAN: "That completes my report."

MINUTES OF JANUARY 5, 1976LEGISLATIVE AND RULES COMMITTEE:

PROPOSED ORDINANCE CONCERNING "FREEDOM OF INFORMATION" - Amendment to the Code of Ordinances, Section 2-4, Town & City Clerk, Custodian of Records; Providing that all minutes shall be filed with the Town Clerk not later than seventy-two (72) hours following the holding of such regular meeting, special meeting, and every emergency special meeting. (Letter 9-25-75 from Lois Pont-Briant; Letter from Planning Board 10-24-75) - (Held in Committee 11-8-75) (Presented by Barbara McInerney)

MR. FOX: There was one item on the Agenda that came before the L&R Committee at a meeting we had on Thursday, December 18, 1975. There were five members present at that meeting. This is in connection with a proposed ordinance concerning Freedom of Information. There were a number of questions which were raised at that meeting of the L&R Committee in connection with this proposed amendment to the ordinance. In particular there were questions in connection with the definition, to begin with, of "a public agency"; definition of "minutes"; and most importantly, I think, the question relating to the cost to the City of such an amendment.

"We are in the process of getting in contact and getting some feedback from each and every Board and Commission in the City of Stamford here, in terms of the time involved in abiding by this ordinance, and hopefully in terms of the money involved. Consequently, it was the unanimous vote of the 5 members present to hold this amendment to the Code of Ordinances in committee until it can get some feedback."

The above item was HELD IN COMMITTEE.

PERSONNEL COMMITTEE:

- (1) CONTINUING INQUIRY INTO CIRCUMSTANCES CONCERNING CERTAIN APPOINTMENTS WITHIN THE CIVIL SERVICE SYSTEM - Re; Appointments in the Law Dept.: Barry J. Boodman, Deputy Corporation Counsel, requiring testimony from former Personnel Commission members: Jacqueline Frisbie, Richard Comerford and William Napolitano (continued from 13th Board of Representatives).

MRS. GOLDSTEIN: "Thank you, Mr. President. The Personnel Committee voted 7-0 to continue the inquiry into the waiving of certain qualifications in the appointment of Barry Boodman as Deputy Corporation Counsel. As part of our inquiry, the Committee will invite the following people to speak before it: Mrs. Frisbie, Mr. Comerford and Mr. Napolitano are the 3 former Personnel Commission members. They will be invited to speak on January 13th; Mr. Bromley, former Corporation Counsel, and Mr. Boodman will be invited to speak on January 14th.

"I would like the Board to know it is the intention of the Personnel Committee to settle this inquiry with all due haste and not to have it drag out unnecessarily over the proceeding months. It is also the feeling of the Committee that if the Board believes there are other documented instances of irregularities with relation to the hiring practices within the Civil Service system that are worthy of inquiries, then the Committee will look into such cases with the same dispatch as it is using in relation to Mr. Boodman. Mr. Rinella, who is the present chairman of the Personnel Commission, and Mr. Stobbie, who is the Acting Director of the Personnel Department, spoke before the Committee, and many abuses of the Civil Service System were identified. Now these abuses have been identified by the Commission, by the Department, and by written report to the Mayor from the U. S. Civil Service Commission. It, therefore, appears to our Committee that the most constructive course of action would be to work diligently to prevent irregularities from occurring ever again in our City's Civil Service system. In light of

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PERSONNEL COMMITTEE (continued)

MRS. GOLDSTEIN (continued): "this, the Committee votes to present to the Board, a "Sense of the Board" Resolution for which we will need a SUSPENSION OF THE RULES."

MOVED and SECONDED. MOTION CARRIED.

MRS. GOLDSTEIN read the following:

A SENSE OF THE BOARD RESOLUTION

BE AND IT IS HEREBY RESOLVED THAT it is the "Sense of the 14th Board of Representatives" of the City of Stamford that the Mayor proceed with all due haste to appoint a Special Committee to study the City's Civil Service System in light of the Federal Civil Service Commission's report and to instruct the Committee to make specific proposals in relation to organizing the Civil Service Department in line with current general standards of personnel management practices and thinking."

MRS. GOLDSTEIN: "Mr. President, I would like to inform the members of the Board who may not be aware of it, I'm sure most are, that in everybody's packet tonight, there was a copy of the resolution."

The "Sense of the Board" Resolution was MOVED, SECONDED, and CARRIED UNANIMOUSLY.

MR. MILLER: "The resolution will be forwarded to the Mayor.

MRS. GOLDSTEIN: "There is one other important feeling that the Committee had, and that is in relation to appointing a new Director, and we feel that in all due haste the Mayor does this; and in no sense do we mean to imply that he is not, we just would like to see the Civil Service System in our City begin functioning again."

(2) CONTINUING INQUIRY INTO CIRCUMSTANCES CONCERNING THE MATTER OF A STONE WALL ERECTED ON EDEN ROAD - Continued from 13th Board of Representatives.

MR. MILLER: "There is a mistake on our Agenda. This Item #2 was committed only to Parks & Recreation Committee. Thank you, Mrs. Goldstein. Mrs. McInerney?"

MRS. McINERNEY: "Yes, Mr. President. At this time I would like to ask that the Personnel Committee extend its investigation to include the eight names of other Civil servants which were previously examined by the Mayor's Committee. If it is our intention to drop all past disparities, we would destroy the health of our Civil Service System. We should look into these. In my opinion, selective investigation based on prejudice does an injustice to all civil servants. Either we gather all the facts about all questionable city employees and let the chips fall where they may, or we will accomplish nothing and we may just as well end the investigation here tonight with Mr. Boodman and all employees who have gone long past the probationary period. Thank you.

MR. RYBNICK: "Shouldn't an item like this go before the Steering Committee?"

MINUTES OF JANUARY 5, 1976PERSONNEL COMMITTEE (continued)

MR. MILLER: "If Mrs. McInerney puts it in writing and gets it to me by the 19th of this month, I will put it on the Tentative Agenda for consideration by the Steering Committee."

DR. LOWDEN: "Is it absolutely necessary for anything, any issue, to go before a Standing Committee to go through a Steering Committee first? Is that the only way?"

MR. MILLER: "I would say so, yes. Because we do have a Steering Committee and it's only function really is to set up an Agenda. That's its purpose."

DR. LOWDEN: "Are you making a ruling, then, or is there not a motion on the floor?"

MR. MILLER: "Well, there is no motion to make a ruling on, really."

DR. LOWDEN: "Mrs. McInerney wanted to make a motion."

MR. MILLER: "Well, let me say this. She doesn't have to make any motion at all to get something considered by the Steering Committee."

DR. LOWDEN: "I think she's waiting for the Board to decide in this case."

MR. MILLER: "No. I would rule that that type of motion would be out of order for two reasons. First, for an item of such importance, she would have to first get Suspension of the Rules. And second, very more important, the essential reason I would rule out of order is that I think the full Board would be usurping the function of the Steering Committee. If Mrs. McInerney were to make a motion, after Suspension of the Rules, to take this item to the Steering Committee, I would accept that, but I wouldn't accept a motion to put this directly into the Personnel Committee."

DR. LOWDEN: "Excuse me, Mr. Miller, are you ruling now, is this an official ruling that you're making?"

MR. MILLER: "Yes, it is."

DR. LOWDEN: "May I challenge that ruling - on the basis I don't believe that in our rules call for everying referred to a committee, to go into Steering first - I believe, for example, I read from our Rules (#13):

"It shall be the duty of the Chairman of each Committee to call a meeting of his Committee within one week after the appointment of the Chairman, and a meeting will be called at least once a month, if any matter has been referred to it by the Steering Committee, or by the Board, and no action taken thereon."

"This means the Board has the right to refer things to Committees, and furthermore, in principle, I don't believe the power of any Standing Committee should supersede that of the Board as a whole."

MR. MILLER: "That's a good point. I think your point is well taken, Dr. Lowden. I'll reverse what I said, and in light of your calling to my attention that section, we would have to rule that Mrs. McInerney's motion would be in order. If that is what she wants to do, but she would first have to get Suspension of the Rules. Mrs. McInerney?"

MRS. MCINERNEY: "I would like to ask for SUSPENSION OF THE RULES to put a motion on the floor to extend this investigation by the Personnel Committee."

MINUTES OF JANUARY 5, 1976

PERSONNEL COMMITTEE (continued)

MR. MILLER: "All right, Mrs. McInerney has made that motion. Is there a second to the motion? SECONDED. She is asking for SUSPENSION OF THE RULES. Required for passage would be two-thirds of the members present. Mr. Baxter?"

MR. BAXTER: "Would you tell me if it would be appropriate ... I would like to discuss why I think the Board should not suspend the rules, at this point. That is because I am not familiar with any of the eight names proposed to bring up. I agree with Mrs. Goldstein's statement that we should not be involved in any vendettas but I think if, after some examination, it appears that there is irregularity of sufficient magnitude to warrant the attention of the Board, then we should"

MRS. COSENTINI: "This motion is not debatable."

MR. MILLER: "I'm not sure Mr. Baxter is debating the motion. Your point is well taken. You are correct, Mrs. Cosentini. I think he is asking information. Are you through, Mr. Baxter?"

DR. LOWDEN SECONDED MRS. McINERNEY'S MOTION. The MOTION to SUSPEND THE RULES was LOST.

MR. MILLER stated the request made by Mrs. McInerney would be put on the Tentative Agenda for the Steering Committee on January 19, 1976.

PLANNING & ZONING COMMITTEE:

No report.

PUBLIC WORKS COMMITTEE:

(1) CONTINUING INVESTIGATION REGARDING TOILSOME BROOK and continued current illegal dumping on Genovese property. City Representatives Jean Raymond and Sandra Goldstein presented this matter.

MR. PERILLO said his committee had done some looking into this matter and there would be further meetings on it and another report in the near future.

HEALTH AND PROTECTION COMMITTEE:

MR. ROSE stated he would have a report next month on several matters they are working on.

MRS. McINERNEY requested that the Health and Protection Committee look into a matter about which she had received a letter from a constituent about roaming and wild dogs attacking a boy. She said she would also send this to the Steering Committee for 1/19/76.

PARKS & RECREATION COMMITTEE:

MR. BLOIS requested SUSPENSION OF RULES to bring up the matter of fees for Special Instruction Classes which the Recreation Department wishes to put on to teach filming, etc. It would be \$40.00 per student for eight week sessions. MOTION to suspend was MOVED, SECONDED, and CARRIED.

MINUTES OF JANUARY 5, 1976PARKS & RECREATION COMMITTEE (Continued)

- (1) CONTINUING INQUIRY INTO CIRCUMSTANCES CONCERNING THE MATTER OF A STONE WALL
ERECTED ON EDEN ROAD Continued from 13th Board of Representatives.

MR. BLOIS stated his committee was looking into this matter and setting up meetings.

MRS. McINERNEY: "I'd like to make a motion for SUSPENSION OF THE RULES to further investigate this particular item on the other stone wall."

MOVED and SECONDED. MOTION is LOST. Division of the vote is requested. The MOTION is LOST with 13 YES and 23 NO on Suspending the Rules.

MR. MILLER then advised Mrs. McInerney to put her request in writing to investigate the other stone wall for presentation to the next Steering Committee meeting.

MRS. McINERNEY stated that she would do so.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE:

No report.

SEWER COMMITTEE:

No report.

PUBLIC HOUSING & GENERAL RELOCATION COMMITTEE:

No report.

URBAN RENEWAL COMMITTEE:

No report, said MR. GLUCKSMAN.

MR. DIXON: "Mr. President, I was in hopes that Mr. Livingston would be here to give at least a progress report on the relocation of the Urban Renewal families. He seemed to be very much concerned about that matter in the Steering Committee, and it seems he would come up with some kind of progress report. In the absence of such a report from the Public Housing & General Relocation Committee, I would ask Mr. Glucksman if he could give us any information as to what progress is being made there. I think this is a very important thing, because HUD has cut off the funds and I imagine that all the action is contingent upon the speedy relocation of families. And I think we ought to have some kind of report on that."

MR. GLUCKSMAN: "I have nothing to report on that at this time, but Mr. Flanagan has something to say on this, I believe."

MR. FLANAGAN: "Mr. Dixon, it appears that by the end of the month, all of the families will be relocated. Construction has been going on smoothly, and the Housing Authority can take the people. The relocation seems to be on schedule, as of yesterday. Everything should be taken care of by the end of the month, if there are no unforeseen problems."

SPECIAL COMMITTEES:

HOUSE COMMITTEE - No report.

MINUTES OF JANUARY 5, 1976

COMMUNICATIONS FROM THE MAYOR:

MR. MILLER: "You have all received copies of both letters. I won't read them.

- (1) Letter dated 12/11/75 from Mayor Clapes requesting that charter revision procedures be instituted.
- (2) Letter dated 12/11/75 from Mayor Clapes requesting a re-districting study to determine whether equal representation exists in Stamford for all citizens.

MR. MILLER: "I would just say that the Steering Committee expects to take up Charter Revision on January 19th."

MR. BLUM: "I'd like to ask Jerry Rybnick, there are times when you come to the City Hall here and you want to get in before six o'clock with this card you have, and you can't get through that gate. Is any provision going to be made so we can park in here before six o'clock?"

MR. RYBNICK: "The cards that are issued to you now are for after six o'clock. The City Departments have day cards and we have night cards. And they change the card system at six o'clock."

MR. BLUM: Well, I'd like to know what's the possibility if you want to come in here. There's no parking on the street here. Why can't we come into this parking lot before six o'clock, if we have to see someone in the City Hall?"

MR. MILLER: "It's not as convenient but the parking lot over here on what was Cottage Street is usually not full during the day. You can usually find a spot there, near the GTE Building. That's one solution."

MR. RYBNICK: "I just want to let Mr. Blum know that we do not have control of the daylight hours of the parking area."

MR. BAXTER: "I'd like to ask Mr. Rybnick a question. I consider that Mr. Blum's plight. I notice that there are a couple of spaces adjacent to the building assigned to the Board of Representatives, and at different times when I've come by and wanted to park in one of them, either I haven't parked in there because I don't yet have my medallion on my car and I'm fearful of a ticket; other times I see cars that are parked there and do not have any external indication of belonging to members of this Board. And I'm wondering if the police enforce them; and if they don't, I would park there when I find it empty, even if I don't have my medallion attached, or perhaps they ought to."

MR. RYBNICK: "I'll note your complaint; follow it up and see if they can't keep that reserve space for the use of Board of Representative members only."

MR. SIGNORE: "I don't think that that medallion eliminates you from getting a ticket, does it?" (laughter)

MR. MILLER: "It should, if you park in the space reserved for Board members, but not if you are parking illegally. The medallion would indicate that you are properly parked in the space reserved for members."

DR. LOWDEN: "For Mr. Baxter's information, I know first hand, occasionally at least, the restrictions on parking are enforced at that spot. At one time, I parked without a medallion and got a ticket and it took me a long time to get it fixed legitimately. I was a legitimate member and it was bona fide legal parking."

MINUTES OF JANUARY 5, 1976

MR. RYBNICK: "I will try and get a report back to Mr. Baxter in regard to his complaint."

MR. DIXON: "Mr. President, if you will recall, we have raised this question several times before. The only alternative that I see to your suggestion is to park down on Forest Street and hot foot it on down here." (much laughter)

MR. MILLER: "All right, we'll go on. The Mayor's letters I won't read. We have copies of those. As I said, we expect to take up Charter Revision on January 19th."

PETITIONS - None.

RESOLUTIONS - None.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS:

MR. MILLER: "There are three letters I will have to read: (1) This one is dated Dec. 10, 1975 addressed to the President of the Board: "The League of Women Voters of Stamford is disappointed by the action of the 14th Board of Representatives in adopting rules which provide for confirmation of appointments to municipal offices to be by secret vote and defeating an amendment to require open voting. We question whether secret voting is permissible under the Freedom of Information Act. The League of Women Voters of Stamford believes that the basic premise of the Freedom of Information Act to be that government information belongs to the public, and that the intent of the Act was to make voting records available to the public. We believe that the electorate has the right to know the voting records of public officials. The LWV of Stamford has requested an appeal from the Freedom of Information Commission on whether a municipal legislative body can adopt rules which provide for secret voting on appointments to municipal positions, and whether secret voting on such appointments is permissible. We hope the 14th Board of Representatives will reconsider its action and will amend its rules to require open voting on appointments. Sincerely, Margaret Nolan, President, League of Women Voters of Stamford."

(2) We received another letter dated Dec. 19, 1975 and addressed to the President of the Board: "Conservationists of Stamford, Inc. favors open voting on appointments by the Board of Representatives and requests reconsideration of the rules to eliminate secret balloting. Representative government rests on the principle that voters must have free access to the complete voting records of officials. This principle should have priority over the representative's desire, for personal reasons, to remain anonymous. We hope the Board will reverse its recent decision to continue the secret balloting procedure. Very truly yours, Joan Jobson, President."

(3) The President of the Board sent a letter on Dec. 22, 1975 to Mr. Herbert Brucker, Chairman, Freedom of Information Commission, 50 Trinity St., Hartford: "Dear Mr. Brucker: Enclosed please find a copy of a letter from Mrs. Margaret Nolan, President of LWV of Stamford, in which she indicates that Stamford League is requesting action by the Freedom of Information Commission with reference to the Rules of Order adopted by the 14th Board of Representatives on Dec. 1, 1975. The letter from Mrs. Nolan is the only notice the Board has received concerning this matter. The Stamford Board of Representatives wishes to be permitted to obtain copies of any and all papers in which allegations are being made with respect to the Board. The Board also expects to be afforded the opportunity to answer such charges and expects the members of the Board and counsel representing the Board will be permitted to be present and to be heard at any hearings the Commission might conduct on this matter. Very truly yours, Frederick E. Miller, Jr., President, 14th Board of Representatives." With copies to Mr. Wise and Mr. Boodman. And the following day I did have a meeting with Mr. Wise and Mr. Boodman on this matter. We haven't heard anything from the Freedom of Information Commission, so that's where the matter rests at the moment."

MINUTES OF JANUARY 5, 1976OLD BUSINESS: None.NEW BUSINESS:

"The PRESIDENT wishes to announce to the Board, I think most of you know it already, but Miss Diane Macieczk, who was with us for five and a half years, had some months ago placed her name on the Transfer List, and she did get an opportunity to take another job within the Municipal government which she thought was a good opportunity and she has transferred to the Planning Department. I am sorry to lose Diane. She was a reliable, responsible worker. For a while she was in the office alone with no one else in the office, and Mrs. Clark would like to make a motion at this time."

MRS. CLARK: "Yes, Mr. President, I would like to make a motion to send a letter of thank you and good luck be sent to Diane on behalf of the Board. I think you all know she was an asset to all of us and was always willing to help us, and she will be missed. We will all miss her, I am sure."

SECONDED . The MOTION was CARRIED.

"The PRESIDENT would also like to announce that there will be a SPECIAL MEETING of the Board on Thursday of next week. It will be a COMMITTEE OF THE WHOLE MEETING, similar to the one we had about a year ago. It will be conducted by Mrs. Mitchell, the Development Coordinator. It will be strictly an informational question-and-answer type meeting. There will be no votes taken, but I think we should all try to be here. Mrs. Mitchell wants to up date us. She wants us to know what's going on in Community Development and she wants this meeting to be held prior to the public hearings. And it will be at 8:00 p.m. a week from Thursday. Yes, on the 15th of January at 8 p.m. Is there no other business. Mrs. Clark?"

MRS. CLARK: "Yes, Mr. President, at this time I'd like to make a motion to adjourn the meeting."

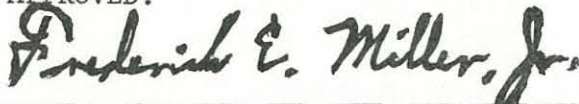
ADJOURNMENT:

There being no further business to come before the Board, on MOTION, duly SECONDED and CARRIED, the meeting was adjourned at 12:25 A.M.


Helen M. McEvoy, Administrative
Assistant and Recording Secretary

HMM:lc:ag

APPROVED:



Frederick E. Miller, Jr., President
14th Board of Representatives

NOTE: Above meeting was broadcast over
Radio Station WSTC in its entirety.