

MR. MILLER: The meeting will come to order. The invocation will be delivered by the Reverend Michael Delia of St. John's Catholic Church.

INVOCATIONTHE PLEDGE OF ALLEGIANCE TO THE FLAGROLL CALL

MR. MILLER: That brings 36 members present, 4 absent, the chair declares a quorum. We will now proceed to a check of the voting machine. I would ask all members to please vote up for yes. Thank you. Would you now please vote down for no. Thank you. The pages this evening are Mike Moses, a seventh grade student at Davenport Ridge and Steven Denick, an eighth grade student at Zellen. Both are members of the all-star team of the Northern Little League. We will now proceed to acceptance of minutes Mr. Bloit.

Mr. Bloit: Mr. President, I move that we accept minutes of September 1, 1976 special meeting.

MR. SIGMORE: I second the motion.

MR. MILLER: the question is on acceptance of the minutes of the Special Meeting on September 1, 1976. All those in favor say ay, all those opposed no. The motion is carried unanimously. The Chair now calls upon the Clerk, Mrs. Goldstein.

MRS. GOLDSTEIN: Thank you, Mr. President. At last month's Board meeting some members of the Board requested an update on conditions in the office and I have that report for the members of the board tonight. Actually the purpose is certainly to give the board members and the citizens of the community an update on the problems concerning record-keeping in the offices of the Board of Representatives. The Board has been behind on the timely production of its minutes since May, 1976. Upon my election as Clerk of the Board on April 4, 1977 there existed a ten-month backlog in the production of minutes. Based on guidelines set up at a leadership meeting held in April, a ~~member~~ ^{member} was sent to the Administrative Assistant setting standards for the procedures in the Board office. In addition, a schedule was agreed upon by the Administrative Assistant to reduce the backlog of minutes so as to become current by the August, 1977 Board Meeting. For various reasons which will become clear the schedule has not been adhered to

and we are eleven months behind in the production of the minutes. Clearly the Board is confronted with a critical situation resulting from the apparent violation of two separate laws. First is the State Freedom of Information Law which requires a record of our votes to be made available within 48 hours and a record of our minutes within a reasonably short time. The ramifications of violation of this law include the possibility of the board's actions being voided by the Freedom

MRS. GOLDSTEIN: (Con't)

of-Information Commission as well as the possibility that punitive sanctions against the Board and its members could possibly occur. Certainly our meetings are open to the public. They are broadcast for the public and tapes of the meetings are available in the Board Office. But nevertheless it appears that we are still in violation of the letter of the law. The second law that we are in apparent violation of is Ordinance NO. 321 supplemental passed by the 13th Board requiring copies of minutes of all city agencies to be filed with the Town Clerk within two weeks.

Therefore it appears that the Board is in violation of its own legislation. The office is the hub of much of the city business and proper staffing in the office is essential, yet a vacancy for the position of Clerk Typist has existed since Nov. 26, 1976. In the April 20th memo the leadership determines that the vacancy be immediately filled. After I became Clerk in April, four people who had passed the examination were interviewed for the position. One declined the job and the three other applicants were not hired by the hiring authority. In the interim a temporary typist was hired who in conjunction with Mrs. Ferenzio was able to complete rough drafts of minutes up to May 1977.

However, many hours of work are still necessary to transform these verbatim transcriptions into proper minutes. It is imperative that immediate decisive steps be taken to insure that this Board be able to meet its obligations to the State and City Law and to the citizens of Stamford. Also the 14th Board owes it to itself to complete its minutes and leave its house in order.

The 15th Board should not be responsible for accepting minutes that contain actions taken by us. On July 28, 1977 a Clerk Typist was hired to fill the vacant position. She began today and is a welcome addition to our staff. She will spend the major portion of her time at first typing back minutes. On June 10 I drafted an application for three Ceta workers. We should be hearing from the Ceta administration shortly as to whether they have granted our request. But the addition to a new Clerk Typist now and our Ceta application which is still unfilled will not enable us to catch up on the heavy backlog.

Therefore the leadership has requested an emergency appropriation for \$2500 to hire four experienced typists temporary typists during the month of September to insure that the minutes are brought up to date before the expiration of this Board. I trust that the request will be given the urgent attention it deserves.

MRS. GOLDSTEIN: (Con't) In summary the addition of a new Clerk Typist , the possibility of obtaining three Ceta workers for one year to bring the office up to date are much needed clerical matters such as indexing, and the addition of temporary help for approximately one month to bring our minutes up to date should alleviate the problems that have been experienced in the Board Office.

MR. MILLER: Thank you Mrs. Goldstein.

MR. FLANNIGAN: Mrs Goldstein, if I understand correctly your talking about three clerk typists plus, in addition to the Ceta employee and the Clerk Typist that are currently with us, is that right for a total of five staff plus the administrative assistant?

MRS. GOLDSTEIN: No Mr. Flannigan. Currently we have our new Clerk Typist. We have Mrs. Terrenzio who is a Ceta employee and Mrs. McAlboy who is the Administrative Assistant. We are requesting three Ceta employees and we hope that Mrs. Terrenzio will one of the three Ceta employees to join our staff from September on, that is if our application is accepted. That is up to the Ceta administration.

MR. FLANNIGAN: I just want to get this straight in my mind. In other words the staff of the office will then be five persons.

MRS. GOLDSTEIN: Yes.

MR. FLANNIGAN: That's five persons to replace two. I want it to be perfectly clear that there were not three people in that office at the time or during the end of the 13th Board, there were two. It started in the 12th Board there were two assistants and the administrative assistant and then it was reduced. The administrative assistant Mrs. Flattery and Miss Mechasic, which were two that handled the minutes of the Board as well special investigating committee that went on for a long time. I am extremely disturbed, I am glad that you have addressed the point of the approval of the minutes of this Board, because we have September, October, and November; November is typically not a meeting that much is done or that people minds are on the business of the Board.

But we must legally approve the minutes of our meetings and not leave them for the 15th Board to do. I can't understand what has happened and how it has gone on for so long. I don't want to point the finger of blame to anybody but it would appear that we had people that tested well, that interviewed well, but for some reason the work has not been done and if it takes this appropriation to get it straightened out, that's fine, but I want to go on record as being vehemently opposed to requiring five people to staff an office that was run with two people last ~~year~~. two years ago.

MR. BAXTER: Thank you, Mr. President. Mrs. Goldstein, have you or has the leadership given much thought to the content of our minutes. It has been the custom as I see for at least these two years and for all I know for the last 28 years to have verbatim minutes so that every pearl of wisdom that dropped by any of us including ~~the one~~ what I am now saying is recorded in all its splendor.

I wonder with the invention of the tape machine and the ability to store tapes that have that verbatim transcript that could be referred to if that ever became necessary, whether it would be a wise use of man power to get some summarized minutes which would require you or somebody to dictate from a rough which is more easily done than a final version, a summarized point by point rather than a verbatim set of minutes and if that would reduce some of our manpower needs. Thank you.

MRS. GOLDSTEIN: Mr. Baxter, you bring up a very good point and this was discussed in leadership at great length. I do think it was the feeling of the leadership, however, I will not speak for them. It is my feeling that just what you say is exactly true that the minutes should be our agenda with all the resolutions and ordinances that must be added to ~~the~~ it with the vote and with some pertinent comment.

I do not think that verbatim transcriptions are necessary, but I would have to leave the rest of, I believe the other side of the issue to Mr. Miller to answer because that is exactly my feeling, Mr. Baxter.

MR. FLANNIGAN: Mr. President, may I address that point. Mr. Baxter, as a member of the 12th, 13th, and 14th Board we did not on the 12th and the 13th Board get verbatim transcripts of our minutes. The problem I think we have here is how ~~to~~ does one properly edit and put in what remains in the minutes, and this seems to be the problem. But just to set the record straight as far as the 12th and 13th Board, the minutes were not verbatim many things were said that were not included in the minutes.

Generally, when there was a striking point it was included but they were far from being verbatim because if you look at those minutes and you look at the hours we used to meet til 2:00 or 2:30 in the morning we did not have everything included in our minutes.

MR. MILLER: You may make a suggestio brief comment, but the Chair would suggest that this question and the nature of the minutes should be discussed by the Steering Committee and then perhaps by the full board and I suppose really it is a matter to be taken up by the 15th Board.

MR. MILLER: (Con't) But if there is to be a clear change of direction on what type of minutes we are to have, I think that direction should be given by the full board.

MR. BAXTER: My comments will be very brief. One to point out that the purpose of a review of minutes would be to add those things that were , well you'd actually have to review it and make comment , that's how you rectify that problem. If some of my salient points were missing and I wanted them in there, I would have to make a note of that before they're approved, and secondly I'm not sure we ought to give that some thought because the 15th Board to the extent that it would contain people that have never been on the Board of Representatives will have to take a long period of time before they get aware of what they 're about just like we did.

Fifty percent of us are new, more than that and I don't know that we should leave them with our conclusion so if they don't like it they can change it, but at least we don't have to waste these two years. Thank you.

MR. CONNOR: When I listen to Mr. Flannigan, when I was President of the Board there was an administrative assistant and two clerks, now that was only a few years ago. Now why all of a sudden we lost the clerk. We ended up with one clerk and an administrative assistant . We always got our minutes out on time because there was three ~~prop~~ people in the office. Now we're running understaffed, and another I don't like is you take alot of committee chairmens who don't do there own work,

they expect the clerk to do the work that they're supposed to do. I know when I was a Chairman I done my own work, I made out my own reports, I got them typed and everything else on my own. I didn't expect the girls in the office to do the job and I can compare this to the girls in the office. I think that some of these chair people should take care of their own problems instead of delegating it to the office help because the office help is overloaded and

being honest, three-fourths of the legislative body were in administration so damn deep it isn't even funny. I think in fairness to the girls I think we should take care of our own problems. Thank you, Mr. President.

MR. LOBOZZA: Thank you Mr. Miller. I don't want to get in the middle of an arguement here but I have a couple of observations. I'm new on this Board. This is my first time. I've been around here more than most people because I do alot of research work and I can say one thing. I've never asked Mrs. ~~McAboy~~ for anything that I didn't get. She was always cooperative and she's always done

MR. LOBOZZA: (Con't) whatever I asked her to get for me, she's always gotten it for me. And I also think that if we look around at least once a week is a meeting going on with the tape going and all of these things have to be transcribed, and we're working underhanded and I think to be fair all the way around, if we had some help and we caught up with our work I really think that we kept the place staffed the right way it would be run properly, but if you start out in a hole, it's not too easy to get of it.

MR. MORGAN: Thank you, Mr. Miller. I'd like to thank Mrs. Goldstein for making a report. I think that the office is in a sorry state and you know for months we've been told by the leadership that tomorrow will solve the problem.

I'm glad to see that at least some steps ^{we} ~~have been~~ taken to deal with the fact that our minutes are behind and that we're understaffed and that the backlog in the paperwork is almost beyond control so I'm pleased that we've taken some initial steps and I think it's incumbent upon the President of the Board and the other members of the leadership to continue things in this direction. Thank you.

MR. ZELINSKY: Thank you, Mr. President. There might have been extenuating circumstances because in the delay in minutes possibly to the increased workload on our Board. As a new member

of the Board only since April, I can assure you that the administrative assistant, Helen McAlby has been very helpful to me on anything I've asked, and I think we've belabored this quite a bit. It's not on the agenda and if it be possible, I move that we go to the first item on the agenda and move our meeting right along. Thank you Mr. President.

The motion was seconded.

MR. MILLER: Mrs. Goldstein was making a report. Pursuant to a discussion held at the last meeting of the full board, we do have a group of people who would like to speak. Mrs. Cosentini.

MRS. COSENTINI: Yes. As leadership, I just wanted to add a little clarification to what Mr. Baxter suggested. I remember the leadership meetings a little more positively in the that we did suggest the content of the minutes, I'm talking simply about the format now, not be verbatim, and I think that Mrs. McAlby has indeed made an effort in some of the most recent minutes to alter the

format away from verbatim minutes. Now I think the Board ought to know that we gave her that direction and she made an effort to implement that aspect of the leadership request and that if the rest of the board disagrees with this then we ought to know

MRS. COSENTINI: (Con't) otherwise I think it was fairly well understood if I'm not mistaken between us, leadership, and Mrs. McWay, that the format would be simplified and would be changed and I would like to report that to the full board because I

agree that that would be a more meaningful type of minutes. We are not interested in everybody's speeches. We really need to know the substance of the major points made and the action taken for future record.

MR. ZIMBLER: Thank you, Mr. President. I think this discussion of verbatim minutes and summarized minutes, I think this could be solved very easily, just by the definition of minutes persay is a summary of what goes on in the meeting.

If you get something verbatim, word for word, it's not minutes any more. It's a transcript. So I think the question is, do we get minutes or do we get a transcript. I think that this is a decision that has to be made.

MR. HILLER: I think that's already been made, Mr. Zimble. We don't want a transcript.

MR. HOFFMAN: Mr. President, I'm just sorry that we are being made to sit here and to listen to this discussion. I think that this is something that pertains to the leadership and I think that it should be covered in a meeting with the leadership, not at a full board meeting such as this where people are sitting here waiting to have certain problems resolved. I just think that this is very unfair to everyone.

MRS. RITCHIE: I just wanted to say that I would like to make a motion to hire three office temporaries and leave it at that with the staff that we already have.

MRS. GOLDSTEIN: Mrs. Ritchie, we have already put in a request for temporary help to work on the backlog. We are submitting this request to the Mayor.

MRS. RITCHIE: Not Ceta. I mean...the professional officethat...

MRS. GOLDSTEIN: No, No, NO, this is professional office help because we feel that this is the first priority.

MRS. RITCHIE: Very good. Thank you.

MR. SIGNORE: I think Mrs. McAlboy and her staff have now gotten things straightened out and I think its about time we stopped with the long winded speeches. Let's get down to business here tonight.

MRS. SANTY: I take exception to Mr. Morgan's remarks. I think it's very unfair that Mrs. McAlboy has to sit here and not ^{12-21-76 +6} answer the statement that this office is in a sorry state. I disagree with him emphatically.

MISS NIZOLEK: I was going to pass on my remarks. I could see we only have a six-page agenda here this evening and that's why we are persuing this topic. In the main interest of time, let's get on with the agenda.

MR. MILLER: You're the last person on the list, so we'll do that, and we'll proceed to committee reports. Steering Committee Mr. Bloit.

MR. BLOIT: Mr. President, at this time I would like to move to waive the Steering Committee report.

Mr. MILLER: Motion seconded. Question is on ~~which~~ waiver of the Steering Committee (Change of tape- starting side 2)

MINUTES FOR MEETING OF AUGUST 1, 1977

APPOINTMENTS COMMITTEE - Handy Dixon

MR. DIXON: The Appointments Committee met Thursday, July 28, 1977. Present were Audrey Cosentini, Mildred Perillo, Robert Costello, George Ravallesse, Sal Signore, Vere Wiesley, Donald Sherer and Handy Dixon.

ENVIRONMENTAL PROTECTION BOARD

Mrs. Mary LaVelle (D) Reappointment Term Expires:
60 Sea Beach Drive Dec. 1, 1979

HELD IN COMMITTEE

SEWER COMMISSION

Mr. Joseph Rinaldi (R) UNANIMOUS Dec. 1, 1981
34 Donald Road

HEALTH COMMISSION

Dr. Angelo Mastrangelo, Jr. (R) UNANIMOUS Dec. 1, 1981
19 Grandview Avenue

HEALTH DIRECTOR, DEPARTMENT OF HEALTH

Dr. Ralph Gofstein July 31, 1982

28 YES

6 NO

2 ABSTENTIONS

This was a ROLL CALL VOTE as follows: (Requested by Dr. Lowden)

THOS VOTING IN FAVOR

M. Perillo	Dr. Lowden
M. Morgan	T. D'Agostino
K. Zimpler	L. Wider
H. Dixon	G. Rybnick
G. Hays	B. McInerney
R. Loomis	J. Blois
G. Ravallesse	J. Livingston
J. Loboza	C. Nizolek
J. Fox	J. Zelinski
M. Ritchie	D. Sherer
W. Flanagan	R. Costello
J. Schlechtweg	D. Blum
S. Goldstein	J. Sandor
A. Cosentini	F. Miller

THOSE VOTING IN OPPOSITION

L. Hoffman	G. Baxter
A. Perillo	G. Connors
J. Santy	J. DeRose

ABSTENTIONS

A. Osuch
M. Hawe

ABSENT

V. Wiesley
L. Carlucci
P. Walsh

(Mr. Signore did not participate)

MR. MILLER: Dr. Gofstein has been CONFIRMED by a vote of 28 YES; 6 NO; 2 ABSTENTIONS.

MR. D'AGOSTINO: I would like to call for a SUSPENSION of the RULES so we can take up Item #2 under Legislative and Rules.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES COMMITTEE - John Wayne Fox

UNDER SUSPENSION of the RULES - Item #2

MR. FOX: The Committee met on July 27. There were seven members present.

(2) FOR FINAL ADOPTION - PROPOSED FAIR EMPLOYMENT ORDINANCE CONCERNING LABOR STANDARDS AND CONTRACTORS' RESPONSIBILITIES FOR PUBLIC OR PUBLICLY-AIDED CONSTRUCTION. Approved for publication 7/18/77.

MR. FOX: We had a Public Hearing on the Ordinance and the Committee voted 5 - 0 in favor and 2 abstentions. The vote was for FINAL ADOPTION and I so MOVE.

MR. MILLER: MOVED and SECONDED.

MRS. GOLDSTEIN: Personnel concurs.

MR. ZELINSKI: I just like to speak strongly in favor of this. This was discussed at great length with the Stamford Human Rights Commission. We felt this particular Ordinance was beneficial to the residents and the labor people in Stamford. We are elected by the voters of Stamford and we certainly should listen on their behalf when it comes to employment. I would like to see this Board vote in favor of this Ordinance.

MR. MORGAN: Months ago I put this on the Steering Agenda and since that time there's been a thorough review on the part of the Legislative and Rules Committee and we finally got a Proposed Ordinance that I think is desirable and necessary for the people who live and work in the City of Stamford.

MR. BLUM: I support this Fair Employment Ordinance. We have many people who are un-employed. All that is asked is that preference be given to legal residents. Its time that we had local people who are un-employed working on City jobs.

MR. BAXTER: I would like to ask the Chairman of L&R to get us the benefit behind the Committee's recommendation and any problems as well as good things they foresee of this ordinance being enacted.

MR. FOX: I yield to Mr. D'Agostino.

MR. D'AGOSTINO: The Federal Government gives us money to get construction going in the town of Stamford, the contractor comes to Stamford and bring people from out of town, no one ends up with a job from Stamford. We should keep some of the money here.

MR. FOX: We have a lengthy opinion from Mr. Wise, Corporation Counsel and our Attorney. It's dated April 1, 1977. It is the opinion of the Corporation Counsel that the Ordinance is unconstitutional. I won't attempt to summarize the opinion of Mr. Wise. I think the opinion speaks for itself. The Corporation Counsel's Office had serious problems with the Ordinance.

MRS. COSENTINI: Well Wayne took the words out of my mouth. I agree with Wayne and I would have to abide on the Corporation Counsel's ruling.

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES COMMITTEE (continued)

Under Suspension of the Rules #2

MR. LIVINGSTON: There is one thing that's good in this, we no longer would have people coming in low bidding on jobs and then chumping the work off on the sub-contractors that are not responsible to this city. We are demanding that 30% of this work be done with his own employees. To me that's probably one of the biggest pluses in this entire thing.

MR. WIDER: I've seen our en-employment rate so high that we were one of the major cities back in 1975-76 of un-employment. This ordinance will go a long way to helping us to build our tax rate.

MR. LOBOZZA: I think that one point that a lot of people are overlooking is the protection in this ordinance for the City of Stamford itself. I think we have an opportunity here tonight to guarantee these people more jobs and I think we should stop alot of this baloney and get this thing passed.

MR. HAYS: I'm not hastily moving into it when my counsel tells me he thinks its unconstitutional. I'd like to get further advice. I see a lot of efforts to restrain competition. I see a lot of efforts in this to get increase the cost of contracts and for this reason I would like to see action on this deferred.

MR. MILLER: Are you making a motion?

MR. HAYS: Yes, that this be HELD in COMMITTEE for another month.

MR. MILLER: MOVED and SECONDED by Mrs. Cosentini.

MR. MORGAN: Were talking about people who live in Stamford, and their livelihood It's been discussed at great lenght by the L&R Committee, it has received a considerable amount of input by the Corporation Counsel's Office, and I'm well aware of his opinion, and I've also seen the opinion of the Stamford Labor Counsel which dis putes what Mr. Wise had to say. I would like to see action on this tonight and would speak against Mr. Hays's motion.

MR. D'AGOSTINO: I'm amazed at some of the Representatives on the Board. Who do they represent, their constituents or people from out of town? Give them a job so they can pay their taxes.

MRS. COSENTINI: How would this operate in implementation. I have before me the "Rippowan Intersection " bid that came for the contract of the Rippowan Interseptor. Let me read the ifve bids:

- (1) Sally Company from Briarcliff Manor, Westchester.....\$2,194,711
- (2) BCO Company from Greenwich 2,288,345
- (3) J,F. Barrett & Sons from Devon, Ct..... 2,395,152
- (4) Ippolito Rondono, Local - Stamford..... 2,891,570
- (5) B.E. All Construction Co. from Yonkers..... 3,730,973

Since we have a State Law in existance these bids were based on the prevailing rate. First, who checked to see if these bids were submitted based on prevailing rates? Second, does this mean the other companies not using local workers,

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES COMMITTEE (continued)

Item #2 under SUSPENSION of the RULES

MRS. COSENTINI; (continuing)...that the Ippolito Rondono Company at \$700,000 higher than the lowest bid would get the Bid?

MR. FOX: Let me answer the best I can. You are dealing with two separate concepts and two separate portions of the ordinance in question. With respect to your question about enforcement, I think that's already been answered. The enforcing officer with respect to the prevailing wage is the Public Works Commissioner. Your second question, they hire 30% local people.

MRS. COSENTINI: That's 30% of work not 30% of people, and it also doesn't mean it has to be 30% local.

MR. FOX: Section 4 of the Ordinance provides that there will be a policy that any general contractor shall perform at least 30% of the work which is subject of the contract with his own employees. To answer your other question, when your dealing with two bids and one bid is from a local group, under the Ordinance preference is given to the local resident.

MR. ZELINSKI: The State Commission on Human Rights has informed the City that it must develop an affirmative action policy for hiring and serving its minority. The Federal Community Development Act is geared to aiding Local Residents. I would ask my fellow Reps. to vote in favor of this and not HOLD it in committee.

MR. LOOMIS: The basis of this ordinance is we're going to offer the labors of this City a fair share of the jobs, I wholly agree with that, however when you look at this ordinance it goes far beyond that. I think we have some problems. I think Mr. Hays' motion is a good one. The Committee should focus its attention on the prevailing wage portion of this ordinance. I certainly could go along with the other features.

MR. MILLER: The Board should be aware it is 11:50 p.m. We have spent most of the evening debating this proposed ordinance. Please keep in mind the hour is late, and if this proceeds at a slow pace we will have to come back another evening to complete the August Agenda.

MR. DEROSE: All year we discussed the lengthy meetings that we've had, the fact that we were unable to keep up with the minutes of the meeting and so on, and I would just like to call to the attention of this Board that perhaps we, all of us are partly at fault here. I think we ought to stick to the issues. I would hope because of the lateness of the hour and the amount of ground that we have to cover that we get back on base and stick to the issue and let's get down to it and get this meeting over with.

MR. MILLER: The question is on MOVING the QUESTION. The MOTION is CARRIED. We will proceed to a vote to return this matter to Committee. ROLL CALL VOTE is requested. The CLERK will call the Roll:

(Vote on next page)

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES COMMITTEE (continued)

Item #4 Under Suspension of the RulesROLL CALL VOTE

THOSE VOTING IN FAVOR

G. Hays
L. Hoffman
R. Loomis
M. Howe
J. Fox
M. Ritchie
E. McInerney
J. Sander
A. Cosentini

ABSENT

V. Wiesley
L. Carlucci
P. Walsh

THOSE VOTING IN OPPOSITION

M. Perillo
M. Morgan
K. Zimble
H. Dixon
G. Ravallese
A. Perillo
A. Osuch
S. Signore
J. Loboza
L. Santy
W. Flanagan
J. Schlechtweg
S. Goldstein
G. Connors
L. Lowden
T. D'Agostino
L. Wider
G. Rybnick
J. DeRose
J. Blois
J. Livingston
G. Baxter
C. Nizolek
J. Zelinski
D. Sherer
R. Costello
D. Blum
F. Miller

The MOTION is LOST, with 9 YES; 28 NO votes. We will return to the main Motion.

MR. D'AGOSTINO: MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED

MR. HOFFMAN: POINT OF PERSONAL INFORMATION; In a case such as this would it be fair to advise those people who are in the trade and would have a vested interest in this to refrain from voting?

MR. MILLER: That is a decision each member will have to make for himself or herself. There is a request for a ROLL CALL VOTE. The question is on FINAL ADOPTION of a PROPOSED FAIR EMPLOYMENT ORDINANCE. The Clerk will call the roll.

THOSE VOTING IN FAVOR

M. Perillo
M. Morgan
K. Zimble
H. Dixon
G. Ravallese
A. Perillo
A. Osuch
S. Signore
J. Loboza
J. Santy
M. Ritchie
W. Flanagan
J. Schlechtweg
S. Goldstein
L. Lowden
L. Wider
G. Rybnick
J. DeRose
J. Blois
J. Livingston
G. Baxter
C. Nizolek
J. Zelinski
D. Sherer
R. Costello
D. Blum
G. Connors
F. Miller

THOSE VOTING IN OPPOSITION

G. Hays
L. Hoffman
R. Loomis
M. Howe
B. McInerney
J. Sander
A. Cosentini

ABSTENTIONS

J. Fox
T. D'Agostino

ABSENT

V. Wiesley
L. Carlucci
P. Walsh

The MOTION is CARRIED, with 28 YES, 7 NO, 2 ABSTENTIONS. We will now proceed to the regular order of the agenda. The Fiscal Committee report.

MINUTES OF AUGUST 1, 1977

Item # 2 I&R

ORDINANCE NO. 358 SUPPLEMENTAL

CONCERNING LABOR STANDARDS AND CONTRACTORS' RESPONSIBILITIES
FOR PUBLIC OR PUBLICLY-AIDED CONSTRUCTION TO EFFECT FAIR
EMPLOYMENT.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

SECTION 1

(a) In the employment of labor to perform the work specified in Sec. 3 (a) herein, preference shall be given to legal residents of the United States, who are, and continuously for at least three (3) months prior to their date of hire, have been residents of the Labor Market Area for the City of Stamford as established by State Labor Commission under 31-52(b) of the Connecticut General Statutes, and if no such qualified person is available, then to legal residents who have continuously resided in the county in which the work is to be performed for at least three (3) months prior to their date of hire, and then to legal residents of the State who have continuously resided in the State at least three (3) months prior to their date of hire. Any contractor who knowingly and wilfully employs any person in violation of any provision of this sub-section shall be fined One Hundred (\$100.00) Dollars for each week or fraction of a week each such person is employed.

(b) Each contract specified in Section 3(a) herein, shall contain the following provisions:

"In the employment of labor to perform the work specified herein, preference shall be given to legal residents of the United States, who, are, and continuously for at least three (3) months prior to their date of hire have been residents of the Labor Market Area for the City of Stamford as established by State Labor Commission under 31-52(b) of the Connecticut General Statutes and if no such qualified person is available, then to legal residents who have continuously resided in the county in which the work is to be performed for at least three (3) months prior to their date of hire, and then to citizens of the State who have continuously resided in the state at least three (3) months prior to their date of hire."

SECTION 2

(a) Every person or employer, with three (3) or more persons in his employ, contracting with the City of Stamford for public or publicly-aided construction as defined in Section 3(a) shall be deemed to have accepted the provisions of this section, and these provisions shall thereupon become part of the contract documents and shall be incorporated therein. In particular, during the performance of this contract, the contractor shall be deemed to agree as follows:

(continued)

MINUTES OF AUGUST 1, 1977

ORDINANCE #358 Continued

(i) The contractor, by itself or its agent, will not discriminate against any employee or applicant for employment because of race, color, religious creed, age, sex, marital status, national origin, ancestry or physical disability, except in the case of a bona fide occupational qualification or need.

(ii) The contractor will take affirmative action to make known that company's policy in this regard and to recruit and encourage all qualified persons to seek employment based on individual merit and to ensure that all qualified applicants are given employment, and that employees are treated equally during employment, without regard to their race, color, religious creed, age, sex, marital status, national origin, ancestry or physical disability. Such affirmative action and non-discrimination shall be in respect to, but not limited to the following: employment, terms and conditions of employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in form to be approved by the Commission on Human Rights of the City of Stamford setting forth the provisions of this non-discrimination clause.

(iii) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, age, sex, marital status, national origin, ancestry or physical disability.

SECTION 2

(b) Each labor organization supplying labor to or having a labor contract with, a person covered by sub-section (a) of this Section shall be deemed to have accepted the provisions of this section. In particular, such union shall be deemed to agree as follows:

(i) The union will not discriminate against any union member or employee or applicant for union membership or employment because of race, color, religious creed, age, sex, marital status, national origin, ancestry or physical disability, unless such action is based on a bona fide occupational qualification.

(ii) The union will take affirmative action to make known its policy in this regard and to encourage and recruit all qualified persons to seek union membership and employment based on individual merit and to ensure that all qualified applicants are given union membership and employment, and that members and employees are treated equally during union membership and employment, without regard to their race, color, religious creed, age, sex, marital status, national origin, ancestry, or physical disability. Such affirmative action and non-discrimination shall be in respect to, but not be limited to the following: union membership, employment, terms and conditions of employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training, including apprenticeship; and the benefits of collective bargaining rights. The union agrees to post in conspicuous places, available to employees, its members and applicants for employment or union membership, notices in form approved by the Commission on Human Rights of the City of Stamford setting forth the provisions of this non-discrimination clause.

MINUTES OF AUGUST 1, 1977

ORDINANCE # 358 (continued)
Re Fair Employment Practices

(c) The Commission on Human Rights and or the Public Works Commissioner shall have the right to inspect and obtain copies of personnel, employment and other relevant records of contractors and membership, and other relevant records of unions subject to this ordinance for the purpose of investigation to determine compliance.

(d) Upon due notice to a contractor or a union concerning which there is reasonable cause to believe non-compliance has occurred or is occurring, the Commission on Human Rights is empowered to hold a public hearing to determine whether or not any of the provisions of this section have been violated. In the event it is found that a contractor has not complied with this section or with the non-discrimination and affirmative action clauses of his contract, the Commission on Human Rights may cancel, terminate or suspend such contract in whole or in part and the contractor may be declared ineligible for further City contracts until such time as the Commission shall certify that the contractor is in compliance and such other sanctions may be imposed and remedies invoked as provided by law or rule or regulation promulgated thereunder. In the event it is found that a union has not complied with this section, the Commission may direct it to take steps to achieve compliance or be disqualified from furnishing labor to contractors subject to this section, or such other sanctions may be imposed and remedies invoked as provided by law or by rule or regulation promulgated thereunder.

(e) The Commission on Human Rights is hereby authorized to adopt, publish, amend and rescind rules and regulations consistent with and in furtherance of the provisions of this section and to subpoena witnesses and require the production of documents to the same extent as is authorized by Section 31-125 of the Connecticut General Statutes as same may be, from time to time, amended.

SECTION 3

(a) Each contract for the construction, alteration or repair of any public works project by the City of Stamford or for any construction, alteration or repair project financed or subsidized in any way by the City of Stamford (including any such construction contract toward which the City of Stamford makes any cash payment, payment of in-kind services, or provision of land for construction thereon, and all contracts involved in any part of the official redevelopment plan of the City of Stamford where the plan required the City of Stamford to furnish cash, non-cash equivalents or credits, in-kind services, or any other expenditure of City staff, money or material) shall contain the following provision:

SECTION 3

"The wages paid on an hourly basis to any mechanic, laborer or workman employed upon the work herein contracted to be done and the amount of payment or contribution paid or payable on behalf of each such employee to any employee welfare fund, as defined in sub-section (h) of this section, shall be at a rate equal to the rate customary or prevailing for the same work in the same trade or occupation in the City of Stamford. Any contractor who is not obligated by agreement to make payment or contribution on behalf of such employees to any such employee welfare fund shall pay to each employee as part of his wages the amount of payment or contribution for his classification on each pay day."

(continued)

MINUTES OF AUGUST 1, 1977

ORDINANCE # 358 (continued)

(b) Any person who knowingly or wilfully employs any mechanic, labor or workman in the construction, alteration or repair of any public works project for or on behalf of the City of Stamford or in any building or construction project financed or subsidized in any way by the City of Stamford as defined in sub-section (a) at a rate of wage on an hourly basis which is less than the customary or prevailing for the same work in the same trade or occupation in said City of Stamford, or who fails to pay the amount of payment or contributions paid or payable on behalf of each such employee to any employee welfare fund, or in lieu thereof to the employee, as provided by sub-section (a), shall be fined not more than ONE HUNDRED (\$100.00) DOLLARS for each offense. In addition, if it is found by the Public Works Commissioner that any mechanic, laborer or workman employed by the contractor or any subcontractor directly on the site for the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as required by this section, the Public Works Commissioner may, by written notice to the contractor, terminate such contractor's right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and his sureties shall be liable to the City of Stamford for any excess costs occasioned the City of Stamford thereby. The Public Works Commissioner shall within two (2) days after taking such action notify the State Labor Commissioner in writing of the name of the contractor or subcontractor, the project involved, the location of the work, the violations involved, the date the contract was terminated, and steps taken to collect the required wages.

(c) The Public Works Commissioner may make complaint to the proper prosecuting authorities for violation of any provision of sub-section (b).

(d) For the purpose of predetermining the prevailing rate of wage on an hourly basis and the amount of payment or contribution paid or payable on behalf of each employee to any employee welfare fund, as defined in sub-section (h) and for establishing classifications of skilled, semi-skilled and ordinary labor, the Commissioner of Public Works shall be guided by determinations made by the Labor Commissioner of the State of Connecticut under G.S. Sec. 31-53(e). If such determinations are not available, the Commissioner of Public Works shall hold a hearing at any required time in order to make his own determination.

(e) In accordance with sub-section (d) the Commissioner of Public Works shall determine the prevailing rate of wages on an hourly basis and the amount of payment or contributions paid or payable on behalf of such employee to any employee welfare fund, as defined in sub-section (h), and the agent empowered to let such contract shall include such rate of wage and such amount of payment or contributions paid to any employee welfare fund, or in lieu thereof the amount to be paid directly to each employee therefor as provided in sub-section (a) for all classifications of labor in the proposal for the contract. The rate of wage on an hourly basis and the amount of payment or contributions to any welfare fund, as defined in sub-section (h), or cash in lieu thereof, as provided in sub-section (a), shall, at all times, be considered as the minimum rate for the classification for which it was established.

(continued)

MINUTES OF AUGUST 1, 1977

ORDINANCE NO. 358 (continued)
Re Fair Employment Practices

(f) Each employer subject to the provisions of this section shall keep, maintain and preserve such records relating to the wages and hours worked by each employee and a schedule of the occupation or work classification at which each mechanic, laborer or workman on the project is employed during each workday and week, in such manner and form as the Public Works Commissioner establishes to assure the proper payments due to such employees or welfare funds under this section.

SECTION 3

(g) The provisions of this section shall not apply where the total cost of all work to be performed by contractors and subcontractors in connection with any project covered by this section is less than FIVE THOUSAND (\$5,000.00 DOLLARS).

(h) As used in this section, "employee welfare fund" means any trust fund established by one or more employers and one or more labor organizations to provide from moneys, whether through the purchase of insurance or annuity contracts, or otherwise, benefits under an employee welfare plan; provided such term shall not include any such fund where the trustee, or all the trustees, are subject to supervision by the Bank Commissioner of this State or any other state, or the Comptroller of the Currency of the United States, or the Board of Governors of the Federal Reserve System; and "benefits under an employee welfare plan" means one or more benefits or services under any plan established or maintained for employees or their families or dependents, or for both, including but not limited to medical, surgical or hospital care benefits; benefits in the event of sickness, accident, disability or death; benefits in the event of unemployment, or retirement benefits.

SECTION 4

Any general contractor who bids on a job covered by Section 3(a) above shall guarantee that he will directly perform at least thirty (30%) per cent of the work with his own employees and the apparent low bidder shall submit a letter so certifying and stating the portion of the work and the estimated value thereof that he proposes to do with his own employees.

SECTION 5

If any section, sub-section, phrase, words or word or the application thereof to any circumstance or person shall be declared invalid or unconstitutional by any State or Federal Court, then the remainder of this ordinance or its application which can be given effect without the invalid provision or application shall remain in full force and effect.

This ordinance shall take effect upon the date of its enactment.
EFFECTIVE DATE : August 29, 1977

MINUTES OF AUGUST 1, 1977

FISCAL COMMITTEE REPORT - Michael Morgan

- (1) ~~\$151,000.00~~
55,000.00 APPROVED
96,000.00 DENIED
- PUBLIC WORKS DEPARTMENT - AMENDMENT TO 1975-1976 CAPITAL PROJECTS BUDGET - A NEW PROJECT ENTITLED "ATLANTIC ST. ALIGNMENT & WIDENING PROJECT to be financed by the issuance of bonds. Board of Finance approved \$152,000. on 6/17/76 On Nov. 8, 1976 this Board approved \$1,000.00 deferring the balance of \$151,000. The amount approved is for the East Side of Atlantic St.

MR. MORGAN: The Fiscal Committee met on July 29, at 8:00p.m. Those present were Gerald Rybnick, Sandra Goldstein Lathon Wider, Jack Schlechtweg, George Hays Ralph Loomis, Mildred Ritchie Audrey Cosentini and Michael Morgan.

On the first item an amendment to the Capital Projects Budget, the Board of Finance approved \$151,000 on June 17, 1976. Our Board approved \$100,000 for a design study to be done on the Atlantic Street Alignment. Based on the information provided to us we approved an amendment to the Capital Projects Budget in the amount of \$55,000. The Committee voted 9-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MR. BLOIS: Although the Fiscal Committee and the Public Works Committee concurs with one another, I would have to say that I'm very disappointed with the way this project was put forth with the Board of Representatives. I think we are spending a lot of unnecessary money. I'm going to vote for it because the Veterans Park is long over due and I want to see that project completed.

MR. LOBOZZA: I would like to make a MOTION to HOLD this in Committee. Everybody is under the impression that if we don't pass this the Veterans Memorial Park won't be constructed, that is not true. This project will not interfere with the Veterans Park. The City is spending too much money and if we allow this to go through like the rest of Urban REdevelopment, this project can run a total of somewhere between \$200,000. There are ways of saving money, the project can be rebid, the job can be done right, it won't hold up the Veterans Park.

MR. MILLER: MOVED and SECONDED by Mrs. SAnty.

MR. MORGAN: I'd like to speak against Mr. Loboza's motion. This is an item that has been held in the Fiscal Committee and Public Works Committee since October of 1976. This project is not a widening project its a re-alignemnt, instead of being seven lanes wider it will become four lanes wider and it will be straight. Granite curbing is a part of this project and I think very important if only from the point of view in the winter time when we have a snow plow going down and it hits the curb it will be destroyed if it is made of concrete, we stand a better chance if it made of granite. It may be more expensive than concrete but we stand a better chance of it lasting.

MINUTES OF AUGUST 1, 1977

FISCAL COMMITTEE (continued)

MR. LOOMIS: I speak in opposition to Mr. Loboza's motion. It seems that we hear all the time that we should get the Urban Redevelopment program moving off the ground and yet all of a sudden we run against it. Although allegations have been made of wrongdoing or over priced bids that at a very exhaustive and long meeting with all the parties involved, we came up with at thejmost a few thousand dollars that we might save. No body is getting rich on this particular project, the City is not getting ripped off.

MR. FLANAGAN: I wish to speak against the motion. The target date for the Veterans Park is November. The price of the granite curbing versus the concrete is \$3,200. The \$55,000 takes into account the work that was done by the city and its not the whole project, we're not really ready to do both sides.

MR. COSTELLO: The URC Committee was also present at this meeting and we voted unanimously to approve this appropriation. I feel its a step forward and I believe we should do it tonight.

MR. MILLER: The question is on moving the question. The MOTION is CARRIED UNANIMOUSLY. We will now vote on Mr. Loboza's motion to return this to Committee. The MOTION is LOST. We will proceed to a vote on the Main Motion, Item #1 Fiscal. We will take a DIVISION. The MOTION is CARRIED with 32 YES, 2 NO, (Loboza and Sandor) 3 ABSTENTIONS (Flanagan, Blum, Connors)

- (2) \$5,500.00 - FIRE DEPARTMENT - AMENDMENT TO THE CAPITAL PROJECTS BUDGET 77-78 BY ADDING PROJECT ENTITLED "PURCHASE OF SIX WALKIE-TALKIE UNITS" to be financed through funds which are available in 76-77 Capital Projects Budget known as #450.111 Fire Alarm System Modernization.

MR. MORGAN: The Committee voted 9-0 to HOLD pending a meeting with Fire Chief.

- (3) \$ 1,500.00 APPROVED- FIRE DEPARTMENT - COMMUNICATIONS - AMENDMENT TO CAPITAL BUDGET 77-78 by ADDING A PROJECT ENTITLED "GREENWICH AVE. & SELLECK ST. SIGNALIZATION, to be financed by the issuance of bonds. \$4,000.00 was previously approved and \$14,000.00 more was requested, and received Broad of Finance approval

MR. MORGAN: Based on information provided by Mr. Rider our Committee approved an amount of \$1,500 by a vote of 9-0 and I would so MOVE for the lesser amount.

MR. BLUM: Health and Protection had a meeting and we voted to HOLD this in COMMITTEE.

MR. MILLER: It has been reported out by the Fiscal Committee, if there is no discussion we'll proceed to a vote. Mr. Costello has left the meeting and there are 36 members present. We will take a DIVISION using the machine. The MOTION is CARRIED with 28 YES, 3 NO (Osuch, Zimpler and Sandor).

MINUTES OF AUGUST 1, 1977

FISCAL COMMITTEE (continued)

- (4) \$3,000.00 - E. GAYNOR BRENNAN GOLF COURSE - Code 670,0214 - AMENDMENT TO THE CAPITAL PROJECTS BUDGET 77-78 BY ADDING A NEW PROJECT ENTITLED "CLUB HOUSE AND 19th HOLE RESTAURANT" to be financed by the issuance of bonds.

MR. MORGAN: Our Committee voted 9-0 in favor and I so MOVE.

MR. SANDOR: Parks and Recreation had a meeting but no quorum.

MR. MILLER: The Chair will rule this requires a SUSPENSION OF THE RULES.

MR. SANDOR: I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY. We will proceed to a vote on the main motion. The MOTION is CARRIED UNANIMOUSLY.

- (5) \$ 47,827.00 - BOARD OF EDUCATION - FULLY REIMBURSABLE GRANT for ENGLISH AS A SECOND LANGUAGE for Holy Name School and Sacred Heart School.

MR. MORGAN: Our Committee voted 9-0 in favor and I so MOVE.

MRS. RITCHIE: Education, Welfare and Government no report.

MR. MILLER: We'll have to have a motion to SUSPEND THE RULES.

MR. MORGAN: I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY. We will vote on the main motion. The MOTION is CARRIED UNANIMOUSLY. Mr. D'Agostino has left the meeting, there are 35 members present.

- (6) \$ 4,100.00 - BOARD OF FINANCE - Code 103,0102 PART-TIME SALARIES for 77-78 Operating Budget to restore funds cut from budget.

MR. MORGAN: This was inadvertently cut out by our Board as we were preparing the 1977-78 Operating Budget. Our Committee voted 9-0 in favor and I so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED. Mrs. Perillo will be recorded as an abstention. The MOTION is LOST. There are 22 YES votes which is an insufficient number for an additional appropriation. We need 24 votes to have 2/3 (two third). If some one on the prevailing side chooses to make a motion to reconsider that can be accepted.

MR. WIDER: I MOVE to reconsider.

MR. MILLER: There is a MOTION to reconsider Item # 6 under Fiscal. MOVED and SECONDED. The MOTION IS CARRIED. We will proceed to a vote on Item #6 and since there is some doubt about who is present perhaps at this point the CLERK should call the roll. The CLERK will call the ROLL.

MINUTES OF AUGUST 1, 1977

FISCAL COMMITTEE (continued)

MR. MILLER: There are 34 members present, 6 absent (Wiesley, D'Agostino, Costello, Carlucci, Connors, Walsh). We will proceed to another vote, you need 23 votes for approval. The MOTION is CARRIED, with 27 YES and 7 NO votes (M. Perillo, L. Hoffman, G. Ravallese, A. Perillo, A. Osuch, B. McInerney, J. Sandor).

- (7) \$15,000.00 PUBLIC WORKS DEPARTMENT - AMENDMENT TO THE 77-78 CAPITAL PROJECTS BUDGET by adding a new project entitled REPLACEMENT OF MAIN BOILER WHICH HEATS THE POLICE DEPARTMENT to be financed by the issuance of bonds.

MR. MORGAN: Our Committee voted 9-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MR. MILLER: MOVED and SECONDED. (DIVISION TAKEN) The MOTION is CARRIED, with 25 YES, 2 NO (Osuch and Sandor).

- (8) \$1,000.00 - PUBLIC WORKS DEPARTMENT - CODE 312.0103 OVERTIME - BUREAU OF HIGHWAYS DIVISION OF STREET CLEANING - funded by TITLE EI PUBLIC WORKS GRANT.

MR. MORGAN: You may recall at Budget time the Fiscal Committee recommended that a number of accounts in Public Works be reduced to zero. The thinking at that time being that there will be Federal Funds available to fund these particular items. This is an example of that. Our Committee voted 9-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MRS. GOLDSTEIN: Personnel Committee concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (9) \$10,000.00 - PUBLIC WORKS DEPARTMENT - CODE 350.0118 - BUREAU OF SANITATION SHIFT DIFFERENTIAL - DIVISION OF COLLECTION to be funded by TITLE II PUBLIC WORKS GRANT.

MR. MORGAN: Our Committee voted 9-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MINUTES OF AUGUST 1, 1977

FISCAL COMMITTEE (continued)

- (10) \$1,000.00 - PUBLIC WORKS DEPARTMENT - Code 351.0103 OVERTIME - BUREAU OF SANITATION - to be funded by TITLE II Public Works Grant. Board of Finance on 7/14/77 had before it a request for \$5,000.00 but DEFERRED \$4,000.00 and APPROVED \$1,000.

MR. MORGAN: The Fiscal Committee voted 9-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MRS. GOLDSTEIN: Personnel concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. MORGAN: That completes the Fiscal Committee's report.

LEGISLATIVE AND RULES COMMITTEE - John Wayne Fox

MR. FOX: Legislative and Rules Committee met on July 27. There were seven members present.

- (1) THE MATTER OF PENSIONS FOR REGISTRARS OF VOTERS AND ASSISTANT REGISTRARS OF VOTERS, (Held in committee for various reasons)

MR. FOX: We have this evening a Proposed Ordinance. The Committee voted 4-2 for PUBLICATION of that ORDINANCE. There will be a PUBLIC HEARING on this during the coming months. I would so MOVE.

MRS. GOLDSTEIN: Personnel concurs.

MR. MORGAN: Fiscal did not take any action.

MR. MILLER: MOVED and SECONDED.

MRS. McINERNEY: I feel it very important that prior to having a Public Hearing we invite the Corporation Counsel and Mrs. Kilgrow. I think that it's pertinent that we hear from these people prior to the Hearing, so we have more data on what we need to know. I voted no in Committee and will vote no tonight. I think at this point we should know exactly who we're talking about and what other people can come in under this.

MR. HOFFMAN: I will vote no to this proposal. First of all I don't think that we have any idea as to what the costs are here and second we are at the point where everybody is running for office, they need the services of the Registrars and there are some Board members who are going to be afraid to vote no to this. I think we should HOLD this in Committee until after the election.

MR. FOX: Contrary to what Mrs. McInerney said, it is my intention as Chairman of this Committee to meet with both a representative of the Corporation Counsel and Mrs. Kilgrow or a representative from that office,

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES (continued)

MR. FOX: (continuing)...prior to the Public Hearing. I thought that was made clear the other evening.

MRS. McINERNEY: No, it was not Mr. Fox.

MR. FOX: I also take issue with the procedures that have been followed by this Committee in terms of passing and investigation into an adoption of Ordinances.

MR. SHERER: I MOVE the QUESTION.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED. We will now vote on the Proposed Ordinance, Registrars of Voters. (Mr. DeRose and Mr. Rybnick have left the meeting) We will take a Division using the machine. The MOTION is CARRIED with 21 YES, 7 NO (Hoffman, A. Perillo, McInerney, Nizolek, Zelinski, Sandor. Wider)

- (2) Fair Employment Ordinance - This item was taken up after the Appointment Committee report- Under SUSPENSION of the RULES.
- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE TO SUSPEND ORD. 343 RE SEPARATION OF NEWSPAPERS AND MAGAZINES FROM PUTRESCIBLE GARBAGE, ETC. TO A LATER EFFECTIVE DATE (7/1/78) Approved for Publication 7/18/77.

MR. FOX: The Committee voted 7-0 for its FINAL ADOPTION, and I so MOVE.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

ORDINANCE NO. 359 SUPPLEMENTAL

AMENDING ORDINANCE NO. 343 SUPPLEMENTAL CONCERNING THE SEPARATION OF NEWSPAPERS AND MAGAZINES FROM PUTRESCIBLE GARBAGE, ETC.

BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Ordinance No. 343 Supplemental of the Code of Ordinances is hereby amended to read as follows:

1. It shall be the responsibility of the owners of buildings, dwellings or apartment houses as defined by the Zoning Ordinances of the City of Stamford now in effect or as amended, as well as the responsibility of all residents of the City of Stamford and all business and commercial operations in said City to separate newspaper and magazines from putrescible garbage and other trash as defined by the City Ordinances now in effect or as amended. This responsibility is applicable whether said items are collected by the City or private collector. Such newspapers and magazines shall be securely bagged or tied in bundles not to exceed 50 pounds and placed at the curbside or other designated location for separation collection on a schedule to be determined by the City of Stamford.

(continued)

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES (continued)

ORDINANCE NO. 343 (continued)

2. On July 1, 1978 and thereafter it shall be the responsibility of business and commercial enterprises to separate corrugated cardboard boxes, cartons and containers for disposal from putrescible garbage and other trash as defined by the City Ordinances now in effect or as amended. This will apply whether these items are collected by the City or by a private collector.

3. It shall be the responsibility of the City to collect said newspapers magazines, corrugated cardboard boxes, cartons and containers as have been placed in the designated locations by the party disposing of them.

4. Corrugated cardboard boxes, cartons and containers should be bundled and tied and placed in the locations to be designated. This shall be accomplished by the party disposing of the items.

5. Newspapers, magazines, corrugated cardboard boxes, cartons and containers should be bundled and tied and placed in the locations to be designated to await collection by the City or its appointed agents and shall be deemed the property of the City. Anyone other than the party disposing of them seen to remove, destroy or otherwise interfere with these items will be liable to prosecution.

6. This Ordinance shall not apply to individuals or business operations that organize and participate in a separate recycling program acceptable to the City.

7. Nothing in this Ordinance shall be construed to limit the power of the Health Department as it relates to the general welfare and public health.

This Ordinance to become effective upon adoption. EFFECTIVE DATE August 29, 1977

(Note: Ord. 339 was amended by Ord. 343 which is amended herewith by Ord. 359)

(4) PROPOSED ORDINANCE RE SAME SUBJECT AS #4 ABOVE - NEWSPAPERS & PUTRESCIBLE GARBAGE - proposed by City Reps. Zimblar and McInerney.

MR. FOX: THIS ITEM IS BEING HELD IN COMMITTEE.

MR. ZIMBLER: This item is being held because we hope to get monthly reports from the Public Works Department as to how the program is progressing and this way if anything goes amiss the Ordinance will be in the wings ready to be brought out.

MINUTES OF AUGUST 1, 1977

LEGISLATIVE AND RULES (continued)

- (5) FOR FINAL ADOPTION - THE MATTER OF DISTRICT # 2 BEING HARRASSED BY TRUCKS, ETC. ORDINANCE 14-17 to be amended by adding a paragraph Approved for Publication 7/18/77.

MR. FOX; This item is being HELD.

- (6) REQUEST FOR 25-ft. wide EASEMENT FROM STAMFORD WATER CO. in vicinity of Sterling Farms Golf Course, Newfield Ave., Sunset St., Hilltop Ave. and Barholm Ave., per letter from Atty. Gordon R. Paterson of Durey & Pierson dated 7/22/77.

MR. FOX: The Committee voted 7-0 in favor and I so MOVE.

MR. PERILLO: Public Works concurs.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

- (7) PROPOSED RESOLUTION SUBMITTED BY ATTY. BRAFMAN DATED 7/25/77, Re THE NATURE CONSERVACY, REQUESTING THE CITY TO WAIVE THE RIGHT-OF FIRST REFUSAL TO A PRIVATE ACCESSWAY, WHICH CITY HAS RESERVED FOR FUTURE ROADWAY.

MR. FOX: The Committee voted 5-0-1 Abstention to adopt this resolution and I so MOVE.

MR. PERILLO: Public Works concurs.

MRS. McINEKNEY: I was the one who abstained purely because it was a parcel of land in my district and I wanted to check it out with the Planning Board to make sure that there would be no problems in the future. I have already informed Mr. Fox that my vote was changed.

MR. MILLER: We will proceed to a vote. The MOTION is CARRIED UNANIMOUSLY.

MR. FOX: There is one other item that we have to take UNDER SUSPENSION of the RULES. I have a letter from Assistant Corporation Counsel, John Smith dated August 1, 1977 and attached is a Resolution. The letter reads as follows:

Dear Mrs. McEvoy:

Enclosed herewith is a Resolution concerning the condemnation if necessary of properties located on the eastside of Fairfield Avenue for the new Westside Fire Station. This Resolution has been delivered to your office prior to 12:00 P.M. this date since there may be a Suspension of the Rules tonight regarding this matter.

As I understand it the property in question is one of the parcels on which the new Fire Station is to be located. There has been some negotiations with the owners of those two parcels of land. It was initially thought that the property would be purchased by the City without any difficulty. Those negotiations have apparently run into a snag and it appears as though the City may well have to condemn the property. I would first MOVE for SUSPENSION of the RULES so that we might take up this item.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

(8) RESOLUTION - CONCERNING AUTHORIZATION FOR CONDEMNATION OF PROPERTIES LOCATED AT 68 FAIRFIELD AVE. AND 72 FAIRFIELD AVE. FOR SITE OF THE NEW WEST SIDE FIRE STATION.

MR. FOX: I would MOVE for the adoption of this Resolution.

MR. MILLER: MOVED and SECONDED. (Mr. Schlechtweg and Mr. Osuch have left the meeting, there are now 30 members present).

MR. BLUM: I intend to vote against this. I thought that we already had this property, now we have to condemn the land in order to get the land.

MR. LIVINGSTON: We went through this condemnation when we were building the street on Washington Boulevard, the taxpayers and the property owners are well protected by the law.

MR. MILLER: We will proceed to a vote on the Resolution. We will take a DIVISION using the machine. With 30 members present the MOTION is CARRIED, 28 YES, and 2 NO (Blum and Sandor).

MR. FOX: That concludes my report.

RESOLUTION NO. 1113

CONCERNING AUTHORIZATION FOR CONDEMNATION OF PROPERTIES LOCATED AT 68 FAIRFIELD AVENUE AND 72 FAIRFIELD AVENUE FOR THE SITE OF THE NEW WEST SIDE FIRE STATION.

WHEREAS, the City of Stamford, Connecticut, desires to acquire and develop certain properties owned by the individuals set forth on Schedule "A", annexed hereto, which properties are located on the East Side of Fairfield Avenue in the City of Stamford; and

WHEREAS, the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) has been appropriated for the acquisition of the aforesaid properties; and

BE AND IT IS HEREBY RESOLVED by the Board of Representatives of the City of Stamford, Connecticut, that the acquisition of the aforesaid properties is desirable and necessary for the welfare and general well-being of the citizens of this City; and

IT IS FURTHER RESOLVED that the Corporation Counsel of the City of Stamford is herewith authorized, on behalf of the City of Stamford, to institute and file condemnation proceedings, if necessary, to acquire title to said real properties.

SCHEDULE "A"

Properties to be Acquired on the East Side of Fairfield Avenue for the Acquisition of the new West Side Fire Station:

1. Tax Card #17 - Property owned by Joseph Smeriglio located at 68 Fairfield Avenue.
2. Tax Cards #18 and #19 - Property owned by the Estate of Nonie L. Daly located at 72 Fairfield Avenue.

MINUTES OF AUGUST 1, 1977

PERSONNEL COMMITTEE Sandra Goldstein

- (1) THE MATTER OF THE STAMFORD HOUSING AUTHORITY AND THE CIVIL SERVICE FACTOR WITH RELATION TO THEIR EMPLOYEES. Submitted by Dave Blum (D).

MRS. GOLDSTEIN: Personnel met on July 27. Present were: Dr. Lowden, Mrs. Ritchie, Mr. Blum, Mr. Connors, Mr. Osuch and Mrs. Goldstein. Absent were: Mr. Livingston, Mrs. Santy and Mr. Wiesley.

As you know David Blum submitted this item and worked very hard to convince Corporation Counsel's Office that the City must abide by State Statutes which puts the Housing Employees under Civil Service. Mr. Bernstein met with Margo Wormser Director of Housing and their Attorney to tell them their workers should be placed under Civil Service. The Housing Authority's Attorney asked Mr. Bernstein for 60 days to research the law before they act. Sometime in September we will know more about the implementation of this particular item.

- (2) PROPOSED AMENDMENTS TO THE CIVIL SERVICE REGULATIONS BY PERSONNEL DIRECTOR SIM BERNSTEIN AND THE PERSONNEL COMMISSION: On July 12, 1977 a legal notice indicated a public hearing would be held on July 20, 1977 at 6:30 p.m.

MRS. GOLDSTEIN: The Personnel Committee will be meeting to discuss what suggestions and recommendations we would like to make to the Civil Service regulations.

MR. MORGAN: Personnel concurs.

MRS. GOLDSTEIN: At this time I would like to MOVE for SUSPENSION of the RULES, to consider placing the Fire Chief and Police Chief into the City of Stamford Management Compensation Plan.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED.

- (3) PROPOSED RESOLUTION TO BRING THE POSITION OF POLICE CHIEF & FIRE CHIEF into the Bernstein Management Plan and remove them from Appendix B.

MRS. GOLDSTEIN: Two months ago the Board voted on a new Management Compensation Plan of the City of Stamford. At that time the Fire Chief and Police Chief were placed in Appendix B because they are not Civil Service Employees, however they are not elected officials or political appointees so they should not be placed with those members in Appendix B. These two men hold the most important City Management jobs and not to include them in the pay plan is wrong. I believe in the interest of the City these two men be put on the plan.

MR. MILLER: MOVED and SECONDED.

MR. BAXTER: I intend to vote for the motion, because if the pay scale is fair and if it represents an independent study then there is no reason why they shouldn't have the benefits of this increased income immediately.

MR. MILLER: We will proceed to a vote. The MOTION is CARRIED UNANIMOUSLY.

MINUTES OF AUGUST 1, 1977

PERSONNEL COMMITTEE (continued)

MRS. GOLDSTEIN: At this time I would like to MOVE for SUSPENSION of the RULES, to consider replacing the remaining people who are on Appendix B. Those people are the Mayor's Aide, The Mayor, two Deputy Registrars of Voters, two Registrars of Voters, Town Clerk, Corporation Counsel, Finance Commissioner and the Commissioner of Public Works.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED.

MRS. GOLDSTEIN: I MOVE to place those people on the City of Stamford's Management Compensation Plan effective December 1, 1977.

MR. MILLER. MOVED and SECONDED. We will take a Division, which requires two-third of the members present. The MOTION is LOST, with 30 members present there are 15 YES and 14 NO as follows:

<u>YES VOTES</u>		<u>NO VOTES</u>	
H. Dixon	L. Lowden	M. Perillo	J. Fox
G. Hays	B. McInerney	M. Morgan	L. Wider
L. Hoffman	G. Baxter	K. Zimpler	J. Blois
R. Loomis	D. Sherer	G. Ravalliese	J. Livingston
M. Hawe	J. Sander	A. Perillo	C. Nizolek
M. Ritchie	A. Cosentini	S. Signore	J. Zelinski
S. Goldstein	F. Miller	L. Santy	D. Blum
W. Flanagan			

ABSTAIN

J. Loboza

(20 votes required for approval)

MRS. GOLDSTEIN: That concludes my report.

PLANNING AND ZONING COMMITTEE - George Baxter

- (1) THE MATTER OF INDUSTRIAL SERVICE ROAD.
- (2) COURTLAND TERRACE ASSN. MORATORIUM ON CONDOMINIUMS.
- (3) RE-NAMING OF WALNUT STREET.
- (4) ACCEPTANCE OF LIBERTY PLACE as a city street.
- (5) ACCEPTANCE OF WALLACE STREET as a city street.
- (6) COURTLAND TERRACE ASSN. supporting AMERICAN-ITALIAN ASSN. against X-RATED MOVIE HOUSE.
- (7) PETITION FROM ARTHUR PLACE RESIDENTS unpleasant conditions .
- (8) ACCEPTANCE OF CATOONA LANE
- (9) LETTER FROM SHIRLEY A. WALTER re Dartley st. & Dartley St. extension.

MR. BAXTER: Item 1-9, I have no report. Those items will be taken up at a Committee meeting to be held next week following a proposed public hearing. I can move on to items 10 and 11.

MR. MILLER: First are there any reports from the secondary committees? Apparently not, we'll proceed to items 10 and 11.

MINUTES OF AUGUST 1, 1977

PLANNING AND ZONING (continued)

- (10) PLANNING BOARD'S LETTER OF 7/21/77 SUBMITTING ALL MATERIAL PERTAINING TO THEIR HEARING AND DENIAL OF APPLICATION MP-228 OF RUSSELL L. HOYT, d/b/a WALDEN BOOK CO., WHICH IS REFERRED TO THIS BOARD FOR ITS ACTION IN ACCORDANCE WITH CHAPTER SECTION 522.5 APPLICATION REQUESTED AMENDMENT OF MASTER PLAN. SEC. 522.5

"Referral to Board of Representatives by proponents of proposed amendment (s)." This request from Ridge Land & Development Company owners of land in question who wish to sell to Walden Book.

MR. BAXTER: HELD IN COMMITTEE until after Public Hearing.

- (11) PLANNING BOARD'S LETTER OF 7/25/77 SUBMITTING A SECOND REFERRAL REGARDING THEIR HEARING AND DENIAL OF ALL MP-228 OF RUSSELL L. HOYT d/b/a WALDEN BOOK CO. Planning Dir. Jon Smith submitted letter of 7/25/77 from Atty. Richard Tobin representing 85% of privately owned property within 500 ft. of proposed Walden Book Site, and petitions containing 102 signatures; said petitions "urging the Board of Representatives to approve Walden's Application."

MR. BAXTER: The two items concern the same thing. The Committee did not meet on this item because we did not have the transcript of the Planning Board's decision nor the transcript of the public hearing, both of which by Charter, we're required to receive and by implication and by decision of the Supreme Court we're supposed to review in making our decision.

MR. MILLER: I suggest that the Chairman of the Planning and Zoning Committee check with the administrative assistant on the publication of any notice that has to be put into the paper because we do have to work with strict deadlines in dealing with the local newspaper. Mrs. McEvoy has to know immediately what is to appear.

MR. BAXTER: That concludes my report.

PUBLIC WORKS COMMITTEE - Alfred Perillo

- (1) LETTER OF JULY 21, 1977 FROM CONNECTICUT SOLID WASTE ASSOCIATION, Mr. Carroll J. Hughes, Exec. Director, regarding alleged free refuse collection service by City to commercial businesses with as many as 6 pick-ups per week, etc.

MR. PERILLO: This is being HELD for further study.

HEALTH AND PROTECTION COMMITTEE - David Blum

- (1) LETTER FROM CITY REP. LEONARD HOFFMAN DATED JULY 23, 1977 regarding problems on Bracewood Lane and Ridgeway Garden Apartments; Mrs. Parshall and others.

MR. BLUM: This is being HELD in COMMITTEE.

- (2) TELEPHONE MESSAGE FROM CITY REP. JOHN ZELINSKI, JR. REGARDING PROBLEMS at Bracewood Lane that Mrs. Parshall is having, as well as her neighbors. Also Mrs. Parshall is being charged a \$10.00 late fee in her rent payments by landlord if not paid by 10th of month and she disputes she is late.

MINUTES OF AUGUST 1, 1977

HEALTH AND PROTECTION (continued)

MR. BLUM: This item is being HELD in COMMITTEE.

PARKS AND RECREATION - John Sandor

MR. SANDOR: Parks and Recreation had a meeting but lacked a quorum, so I MOVE for SUSPENSION OF THE RULES.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

MR. SANDOR : I MOVE for permission to hold a parade and banners to honor UNITED NATIONS WEEK in October, 1977 from UNICEF CENTER INC.

MR. MILLER: MOVED and SECONDED. The MOTION IS CARRIED UNANIMOUSLY.

EDUCATION WELFARE AND GOVERNMENT COMMITTEE - Vere Wiesly

MR. WIESLEY: No report, Mr. Miller.

SEWER COMMITTEE - Thomas D'Agostino - No report (not present)

PUBLIC HOUSING AND GENERAL RELOCATION COMMITTEE - Jeremiah Livingston

Mr. Livingston has left, no report.

URBAN RENEWAL COMMITTEE - Robert Costello

Mr. Costello has left, no report.

ENVIRONMENTAL PROTECTION COMMITTEE - Dr. Lowden

MR. LOWDEN: No report.

DRUG AND ALCOHOL ABUSE COMMITTEE - John Schlechtweg

MR. SCHLECHTWEG: No report.

HOUSE COMMITTEE - Gerald Rybnick

MR. RYBNICK: No report.

CHARTER REVISION COMMITTEE - Christine Nizolek

MISS NIZOLEK: I hope you have all seen the four page spread in the Advocate. We have a pile in the Democratic Caucus Room, so if your constituents are asking for copies they are available and also through the Town Clerk office and the Library. We have not met to resolved how the proposed changes are going to be set on the ballot, we will be doing that in the next couple of weeks. We do have a deadline of early September to get them to the Town Clerk. I would like to personally thank Mrs. McEvoe for negotiating with the editor of the Advocate and producing the fine tear out that happened. I think it was a job well done.

MINUTES OF AUGUST 1, 1977

COMMUNICATIONS FROM THE MAYOR - None

PETITIONS - None

RESOLUTIONS - None

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - None

OLD BUSINESS - None

NEW BUSINESS:

MR. BLOIS: The leadership has met on both sides and we decided that September 7, 1977 which would be on a Wednesday evening, would probably be the best day we could have our next meeting.

MR. MILLER: MOVED and SECONDED. The MOTION is CARRIED UNANIMOUSLY.

ADJOURNMENT:

MR. MILLER: If there is nothing further to come before the Board, the meeting is adjourned.

The regular meeting was adjourned at 1:00 a.m.

Helen M. McEvoy, Administrative Assistant
(and Recording Secretary)

APPROVED:

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

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

HEM:cm