

MINUTES OF FEBRUARY 16, 1978 SPECIAL MEETING

15th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A Special Meeting of the 15th Board of Representatives of the City of Stamford, Connecticut, was held on Thursday, February 16, 1978, pursuant to a "CALL" issued by PRESIDENT JOHN WAYNE FOX, under the provisions of Section 202 of the Stamford Charter. (The regular monthly meeting scheduled for Monday, February 6, 1978, could not be held due to severe inclement weather.)

The meeting was held in the Legislative Chambers of the Board of Representatives, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Conn.

The meeting was called to order at 8:20 P.M., after both political parties had met in their respective caucus rooms.

INVOCATION: The Rev. Martin Crain who was scheduled for the Feb. 6th meeting could not come for the Feb. 16th meeting due to other commitments.

PLEDGE OF ALLEGIANCE TO THE FLAG: President John Wayne Fox

ROLL CALL: CLERK DIANE RAYMOND took the Roll Call. 35 members were present and five were absent. The absent members were: Stanley Darer, Sandra Goldstein, Leo Carlucci, Margaret Price, and Paul Esposito.

PAGES: Gene W. Hays ) Both students at Dolan Middle School and sons of  
Gary P. Hays ) City Representative George Hays.  
(The pages originally scheduled, Roger Harper and Peter Stone, did not attend.)

There were seven (7) MOMENTS OF SILENCE:

1. Dr. Harry Barax
2. Judge Maurice J. Buckley
3. Anthony Schlechtweg
4. Alice H. Goodman (Mrs. Benny Goodman)
5. Edward Rivlin
6. Arthur Cuscuna
7. Fred Verses

CALL OF THE MEETING:

The PRESIDENT read the "CALL" of the Meeting, as follows:

"I, JOHN WAYNE FOX, PRESIDENT of the 15th Board of Representatives of the City of Stamford, pursuant to Section 202 of the Stamford Charter, hereby call a SPECIAL MEETING of said Board of Representatives for:

THURSDAY, FEBRUARY 16, 1978 -- at 8:00 P.M.

in the Legislative Chambers of the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut,

for the following purpose:

TO CONSIDER ALL ITEMS ON THIS AGENDA

(Note: Copy of Agenda attached at end of these Minutes.)

CHECK OF THE VOTING MACHINE: The machine was found to be in working order.

ACCEPTANCE OF THE MINUTES:

MR. MORGAN MOVED for the Acceptance of the Minutes of JANUARY 16, 1978. SECONDED. MRS. MAIHOCK made a MOTION to amend the minutes: "On Page 6, paragraph 7 of the Minutes of Jan. 16, 1978, where it states 'the City would save money', I feel it should read 'the City would save \$56,000.00 in its telephone account with CENTREX'. 'Money' is an ambiguous word and the amount is significant, and therefore I feel it should be so noted." MOVED and SECONDED. The Minutes are amended.

MR. FOX then called for a vote on adoption of the minutes of Jan. 16, 1978; it was MOVED, SECONDED and CARRIED.

MR. MORGAN did not move for acceptance of any other minutes.

MR. SHERER asked to be recognized on a question concerning the legality of action taken at the meeting of January 16, 1978 due to the fact that it was a holiday, being the birthday of Dr. Martin Luther King, Jr. He said he wished to make a resolution that this Board of Representatives this evening take an action to ratify all action which took place at that meeting, thereby making that action properly legal.

MR. FOX stated this was a Special Meeting but he would allow that Motion. It was MOVED, SECONDED, and CARRIED UNANIMOUSLY that all action taken at the meeting of January 16 1978 is ratified.

STANDING COMMITTEE REPORTS

STEERING COMMITTEE:

The Steering Committee met on Monday, January 23, 1978 at 8:15 P.M. in the Democratic Caucus Room and adjourned at 10:15 P.M. It was called to order by the President and Chairman, John Wayne Fox. There were 12 members present and 6 absent. The absent members were: Michael Morgan, John Schlechtweg, Leo Carlucci, Vere Wiesley, George Hays, and Ralph Loomis. Also present were Reps. Paul Esposito and Richard Ferrara, as well as the media.

(1) MAYOR'S APPOINTMENTS:

The one name submitted by the Mayor was ordered ON THE AGENDA, that if MR. WALTER MORDACH (R) for COMMISSIONER OF PUBLIC WORKS.

(2) ADDITIONAL APPROPRIATION (FISCAL) ITEMS:

Of the 17 items appearing on the Tentative Steering Agenda, 15 were ORDERED ON THE AGENDA. One item for a resolution for a grant of \$15,000 to conduct a Personnel Study of incumbent MAA personnel was ordered OFF THE AGENDA. The other item for \$6,000.00 for membership in "Public Technology" for the Finance Department was ordered HELD IN COMMITTEE. Also ordered on the Fiscal Agenda but HELD IN COMMITTEE was a Resolution regarding Lawn Ave. Park on which a public hearing was to be held. Also ORDERED ON THE AGENDA for Fiscal was a Resolution for a grant for Division Street Vest Pocket Park. Also ORDERED ON THE AGENDA for Fiscal was a Resolution to file for a \$28,000 grant from the Connecticut Criminal Justice Planning Commission.

The above matters were handled in the expectations of Feb. 6, 1978 meeting. That was snowed out. When the Special Meeting's agenda was made up, three additional items were added to the Fiscal list, and they appear on the Feb. 16, 1978 agenda which is at the end of these Minutes. The three items, in brief, are \$60,000.00 for Public Works Dept. "Rehabilitation of Equipment, Sewage Treatment Plant"; \$16,000.00 for Public Works Dept. "Repair Walkways and Pits, 1941 Incinerator". Both of these items are amendments to the capital projects budgets. The third item was \$30,000.00 for Finance Department, Development Expenditures for Consolidated Payroll Department.

### (3) LEGISLATIVE ITEMS

The Tentative Steering Agenda carried 19 items. Seven were ORDERED ON THE AGENDA. Two were moved to Fiscal Committee. Nine were ORDERED HELD IN COMMITTEE. One was ordered removed from the agenda, being a resolution request authorizing the Mayor to enter into a contract with the Connecticut Foundation for the Arts for a \$950 Matching Grant for a sculpture to be built on the site of the Smith House Skilled Nursing Facility.

For the Personnel Committee, three items were ORDERED HELD IN COMMITTEE, and two items were ORDERED ON THE AGENDA.

For the Planning and Zoning Committee, four items were ORDERED ON THE AGENDA and one item was ORDERED HELD IN COMMITTEE.

For the Public Works Committee, both items were ORDERED HELD IN COMMITTEE.

For the Health & Protection Committee, the mailbox vandalism item was ORDERED HELD IN COMMITTEE. One item was taken from Education, Welfare and Government Committee and moved to Health and Protection and ordered ON THE AGENDA, the matter of a community Nutrition Advisory Committee re school lunches suggested by Dr. Bert Ballin.

For Parks and Recreation Committee, both items were ORDERED ON THE AGENDA.

For Sewer Committee, one item was ORDERED ON THE AGENDA, being a letter from Sandra Goldstein and Charles Wilmot re building permits, sewer tie-ins, etc.

For Housing and Community Development Committee, the one item on the Tentative Agenda on the matter of Marie Bartosiewicz and her eviction was voted to be referred to the Human Rights Commission.

For Urban Renewal Committee, the one item regarding URC and Champion International was ORDERED ON THE AGENDA.

### SPECIAL COMMITTEES

For Transportation Committee, all 3 items on the Tentative Agenda were ORDERED HELD IN COMMITTEE.

There being no further business to come before the STEERING COMMITTEE, on MOTION MADE, duly SECONDED, and CARRIED, the meeting was adjourned at 10:15 p.m.

HMM:MS

JOHN WAYNE FOX,  
CHAIRMAN, STEERING COMMITTEE

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APPOINTMENTS - Handy Dixon

MR. DIXON said the Appointments Committee met Thursday, February 2, 1978, at 8:00 p.m. in the Democratic Caucus Room. Those present were: Mildred Perillo, John Schlechtweg, Vere Wiesley, Audrey Maihock, S. A. Signore, and Handy Dixon. He said the meeting was held for the purpose of interviewing MR. WALTER MORDACH for the position of COMMISSIONER OF FINANCE. He said Mr. Mordach's resume and his display of good character, wisdom and integrity, resulted in a very positive feeling that he is quite capable of filling the responsibility of this high level position. He said the Committee's vote of confidence and approval was unanimous and he MOVED for Mr. Mordach's confirmation.

SECONDED by Mrs. Santy, Mr. Signore, and Mrs. Maihock.

MR. FOX called for a vote and Mr. Mordach was APPROVED UNANIMOUSLY.

COMMISSIONER OF PUBLIC WORKS

(1) MR. WALTER MORDACH (R)

1295 Riverbank Road  
Stamford, Conn. 06903

(Mayor requests approval effective 2/1/78)

APPROVED UNANIMOUSLY  
by a vote of 35 YES.

Term Expires:  
Nov. 30, 1979

MR. SCHLECHTWEG asked to be recognized to make a MOTION for SUSPENSION OF THE RULES to now consider Item #1 under URBAN RENEWAL COMMITTEE. MOVED, SECONDED and CARRIED UNANIMOUSLY.

URBAN RENEWAL COMMITTEE - John Schlechtweg, II

- (1) CHANGE IN URBAN RENEWAL REDEVELOPMENT PLANS IN CONNECTION WITH CHAMPION INTERNATIONAL PROPOSED BUILDING ON RE-USE PARCEL ON ATLANTIC STREET. Held in Committee 1/16/78.

MR. SCHLECHTWEG said a public hearing was held on Feb. 2, 1978 by the Urban Renewal Committee to consider the sale of Re-Use Parcels 29, 30, 31 and 32 to Champion International for the purpose of constructing their corporate headquarters office building and supporting parking facilities. He said both the Planning Board and the Traffic Director had approved this plan. There was no opposition voiced at the hearing. The Committee held its meeting immediately after the hearing to consider the two resolutions involved.

MR. SCHLECHTWEG read both resolutions, stating that his committee voted 4-0 in favor of each one. Upon MOTION made and SECONDED, each resolution was voted upon separately by the Board and both were APPROVED BY AN UNANIMOUS VOTE of 35 YES.

MR. LOOMIS mentioned that the building when completed would have an assessed valuation of \$12 million and would yield, conservatively, some \$700,000 to \$800,000 in taxes; also that some 400 employees will be Stamford residents. He said also that they are going to donate land on Atlantic St. for the widening that is planned.

MR. FOX said they would now return to the regular order of the Agenda, and in the absence of Sandra Goldstein, that Fiscal Vice-Chairman Gerald Rybnick would handle the fiscal matters.



FISCAL COMMITTEE - Gerald Rybnick

MR. RYBNICK said the Fiscal Committee voted unanimously to MOVE TO THE CONSENT AGENDA, the following fiscal items:

Nos. 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17 and he so MOVED.

MR. FOX asked if there was any objection to those items being removed from the regular agenda and being moved to the CONSENT AGENDA.

MR. SIGNORE said he would like to discuss Item #9.

MR. RYBNICK said that therefore #9 would not go to the Consent Agenda, and would be open for discussion along with #7 and #8 which were not offered for the Consent Agenda.

MR. RYBNICK said his report should include the fact that the committee met on Wednesday, Feb. 1, 1978. Present were: Mildred Ritchie, Paul Esposito, George Hays, John Zelinski, Marie Hawe, Sandra Goldstein, and Gerald Rybnick.

(7) \$4,375.80 - TOWN AND CITY CLERK'S OFFICE - Code 210.0101 - for a new position of a second Index Clerk.

REDUCED TO \$3,381.30 by Fiscal Committee by a vote of 7-1. MOVED. SECONDED. Reduction to reflect a March 3rd hiring date.

MR. ZELINSKI said the Personnel Committee met and those present were: David Blum, Robert DeLuca, Mildred Perillo, Jeanne-Lois Santy, Joseph Ventura, Charles Wilmot, and John Zelinski. They voted 7-0 in favor of \$3,381.30. They were concerned about the starting salary of \$10,343, which is a Step 12 and they wondered if the Personnel Dept. could hire an employee at a lesser salary. They did concur with Fiscal, however.

MR. SIGNORE asked if this meeting was held this evening, Feb. 16th, and Mr. Zelinski said it was. Mr. Signore asked if this was not against the Rules of the Board.

It was determined that the meeting possibly occurred after 8 p.m. and Mr. Morgan moved for a Suspension of the Rules to consider this item. MOVED. SECONDED. CARRIED UNANIMOUSLY.

MR. FOX then called for a vote on Item #7 and that was MOVED, SECONDED, and APPROVED UNANIMOUSLY.

(8) \$4,000.00 - COLLECTOR OF TAXES - Code 260.0102 - PART-TIME HELP.

MR. RYBNICK said the Fiscal Committee voted 7 in favor and 1 against and he so MOVED.

MR. ZELINKI said the Personnel Committee was in favor of hiring the three employees but felt that perhaps CETA employees could be used, thereby not costing the taxpayers of this City any money for this program. They recommended denial of this item, 7 against.

MR. FOX asked if this were voted on this evening and upon being advised that it was, asked for a Motion to Suspend the Rules. MR. MORGAN made the MOTION. It was SECONDED and CARRIED.

FISCAL COMMITTEE (continued)

MRS. MAIHOCK said she had a question if we could realistically expect monetary returns on those tax bills of people who have moved out of the State; that Stamford is a very transient area, perhaps it should be taken under consideration to employ fewer persons.

MR. BLUM made a MOTION requesting FISCAL to reconsider their Motion and return the item to committee in order that this item be funded through a grant, through CETA, or some other way rather than taxation.

MR. RYBNICK said anyone can make a motion to return anything to committee but the debate must go on and his motion comes up first. He said while he was on the subject, he did talk to Mr. Mello and is convinced the money should be appropriated.

MR. MORGAN MOVED the QUESTION. SECONDED. CARRIED.

MR. FOX then called for a vote on Mr. Blum's motion to return to committee. A DIVISION was taken. The MOTION was CARRIED to re-commit by a vote of 17 YES; 16 NO, there being 33 on the floor and voting at the time.

(9) \$100,000.00 - LAW DEPARTMENT -

Code 230.0901 Special Professional Services	\$ 75,000.00
Code 230.5402 Settlement of Non-Contractual Claims	<u>25,000.00</u>
(\$40,000 funding Title II Public Works Act)	\$100,000.00
(\$60,000 funding from Taxation)	

MR. RYBNICK said this item called for \$60,000 to retain the first of Tyler, Cooper, Berman and Keith to handle a \$7 Million suit and counter-suit dealing with the sewers street repair; \$25,000 for settlement of non-contractual claims against the City; currently there are 250 to 300 claims against the City; and he so MOVED.

MR. PERILLO said the Public Works Committee met on Feb. 1st; present were Alfred Perillo, Everett Pollard, Henry Markiewicz, John Robie, Margaret Price, and Fiorenzio Corbo. Absent was Charles Tiani. By a vote of 6, all concurred with Fiscal.

MRS. RITCHIE said that Education, Welfare and Government Committee concurred, and that she, Henry Markiewicz and Jeremiah Livingston also attended the Fiscal Committee's meeting.

MR. SIGNORE said everyone realizes there is a serious problem at the sewage treatment plant. Also that our Law Dept. has a budget, and six very well-qualified attorneys. He feels our own attorneys should be able to handle this case rather than to constantly go outside for expensive specialists. He feels "our men" are well-qualified and trial-experienced.

MR. VENTURA said this is not an engineering action, but a legal action involving \$7 million. He said our Legal Dept. is swamped with cases that are pouring out the window. He said he feels a qualified legal firm with the special expertise needed in this case should be hired because if any mistake is made in a case of this magnitude, it would cost the City a lot of money.

MR. LIVINGSTON agreed to with Mr. Ventura; said he talked with Corporation Counsel and is convinced we should not be penny-wise and pound-foolish in this matter.

FISCAL COMMITTEE (continued)

MR. ZELINSKI said he is basically in agreement with Mr. Signore but after sitting in at the Fiscal Committee's meeting and listening to Corporation Counsel say that none of our attorneys had the special expertise needed for this case, he will vote in favor of this expenditure.

MR. HAYS said we have spent a lot of money and put up with a lot of problems over a long period of time on our sewage treatment facility primarily because of questionable design, questionable technology when constructed. He said by spending some \$75,000 for expert witness testimony and expert legal representation, we might recoup some of our past expenditures. He said this is two actions. The contractor is suing us for \$3 million and we have a \$4 million action against them. He said we need high caliber legal talent to protect us and our taxpayers.

MRS. SANTY said she felt the taxpayers were forever being asked to pay, pay, pay. She thought that someone hired hereafter in the Law Department should be required to have expertise in that field of law under which most of the City's cases come.

MR. BAXTER said there are dozens and dozens and dozens of specialties that the City could come up against and we'd bankrupt ourselves if we tried to staff our Law Dept. with an expert in each one. He said we should support the Corporation Counsel in this matter and go along with the appropriation request.

MR. WIDER made a MOTION to MOVE THE QUESTION. SECONDED. CARRIED. A DIVISION was necessary as the voice vote was not decisive. There were 30 YES votes; 3 NO votes; 2 ABSTENTIONS.

(Items 10, 11, 12, 13, 14, 15, 16, 17 having been moved to the CONSENT AGENDA, the next fiscal item to be handled on an individual basis is #18, then 19 and 20.)

(18) \$60,000.00 - PUBLIC WORKS DEPARTMENT - RESOLUTION TO AMEND THE 1977/78 CAPITAL PROJECTS BUDGET - see Agenda for detail, page 7.

A MOTION to SUSPEND THE RULES was made since there was no secondary committee; SECONDED and CARRIED UNANIMOUSLY.

MR. RYBNICK MOVED for approval of Item #18 for \$60,000.00. SECONDED. CARRIED UNANIMOUSLY, with a few members off the floor, one being Mildred Perillo.

(19) \$16,000.00 - PUBLIC WORKS DEPARTMENT - RESOLUTION TO AMEND THE 1975/1976 CAPITAL PROJECTS BUDGET - see Agenda for detail, page 7.

MR. RYBNICK MOVED for approval of this item, stating prices have escalated to more than \$50,000 originally allocated for this project.

A MOTION to SUSPEND THE RULES was made since there was no secondary committee; SECONDED and CARRIED UNANIMOUSLY. (Note: No secondary committee was given items 18, 19, or 20 because they were added to the Special Agenda after it was too late for any secondary committees to meet.)

MR. FOX called for a vote on the \$16,000.00, Item #19; it was SECONDED and CARRIED UNANIMOUSLY, with a few members off the floor, one being Mildred Perillo.



FISCAL COMMITTEE (continued)

- (20) \$30,000.00 - FINANCE DEPARTMENT - Code 241.0309 - DEVELOPMENT EXPENDITURES FOR CONSOLIDATED CITY PAYROLL DEPARTMENT - to purchase a computer software system as a start-up.

MR. RYBNICK MOVED for approval of this item. SECONDED.

The question came up whether a Motion to Suspend the Rules was needed since the secondary committee, while not appearing with this fiscal item, was item #2, page 5, of the Agenda, under Personnel Committee and was discussed by them.

MR. ZELINSKI reported his committee (Personnel) met on January 25, 1978 at 7:30 and discussed this item, voting 6 to hold and 1 against. The reason was that one of their members had some information that the system would cost a lot more than the \$30,000 requested and that Mr. Ventura could speak on that.

MR. FOX called for a vote on Mr. Morgan's Motion to Suspend the Rules since they did not have a secondary committee reporting the item out favorably. Seconded. Carried. Discussion follows.

MR. VENTURA said he was in favor of the program, but that what concerned him were the hidden costs that may come up later and he felt a further in-depth consideration should be made on this item. He said outside experts may have to be employed that it is possible we may not now have in-house employees who can run this new system.

MR. FERRERA said by profession, he is a data processing person and recently had an opportunity to review the MSA payroll package for use in his own company and he feels it is the best package available on the market. He does not however want the Board members to be misled into believing that the request for appropriations for this system are over. Based on his own investigation, two new positions will be created, the payroll supervisor and assistant. They will be higher-level jobs than present positions being replaced and perhaps present personnel cannot fill them. They entail more responsibility and require a new kind of technical knowledge.

He said, additionally, the City may have to pay our auditors, Arthur Young, or MSA, and MSA's rate is \$400 a day, to assist our staff in implementing the entire package. By July, only the core of the system can be implemented. He said the implementation of the parts that will give the City its largest benefit cannot be implemented in his opinion by our present staff. Therefore additional expenditures must be made. He concluded that he would recommend very highly that we buy this system, but he wanted his colleagues to realize that the cost doesn't end tonight.

MR. BAXTER wanted to know why this item could not wait for the normal budgetary process and be handled at the beginning of the fiscal year.

MR. POLLARD said he attended the presentation for this project and he has 23 years of experience in the data processing industry. He said there were several reasons to move ahead rapidly, one being price escalation, and that the \$30,000 is being honored since it was quoted, but actually would be higher if quoted today. He said he does not recall anyone mentioning any considerable additional hiring or substantial additional costs.

MRS. HAWES agreed with Mr. Pollard and said we should approve it now so that the system can get started working smoothly and have all the bugs ironed out and the new system can take over on July 1st, since both systems would have to run in parallel for a few months beforehand.



FISCAL COMMITTEE (continued)

MRS. RITCHIE said they want to buy this package for \$30,000, run it through for about 6 or 7 months parallel with the old program now in effect to get all the kinks out, then it will become a new department, and they will come before us for a budget of their own.

MR. HAYS said he was impressed that when this issue came up before the last Board, there was no real harmony between the Finance Dept. and the Board of Education. The questions and problems have since been explored and solved and there is now complete harmony. This will be efficient in many ways other than just dollar savings. It will provide many controls we do not now have that we're really living dangerously without them. Actuarial data will be provided.

MR. MORGAN said the City did not for year have a payroll department which contrasts sharply with just about any company in Stamford. This will put the City on a business-like basis. He said this has been planned for a long time, has been discussed thoroughly, and is right on schedule, and although it is slightly out of sync with our normal fiscal sequence of approving things, it is in sequence with the most expeditious way of introducing this program to the City and he supports it.

MR. SHERER MOVED THE QUESTION. SECONDED. CARRIED UNANIMOUSLY.

MR. FOX called for a vote on the Main Motion for approval of the item. The vot was 28 yes, 6 no, 1 abstention. The Motion was CARRIED, on Item #20.

MR. RYBNICK asked for approval of Fiscal items 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17 via the CONSENT AGENDA and he so MOVED.

MR. FOX reviewed the rules on the Consent Agenda procedure, stating that the Acting Chairman, Mr. Rybnick, affirmatively moved that they be adopted as listed and that they were reported out favorably by the secondary committees. He said Motion has been made under our Rules for approval of items 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, and 17. MOVED and SECONDED. MOTION CARRIED.

LEGISLATIVE AND RULES COMMITTEE - Michael Feighan

MR. FEIGHAN said his committee met on February 2, 1978. Present were Charles Festo, Charles Wilmot, Barbara McInerney, Henry Markiewicz, Stanley Darer, Diane Raymond, Donald Sherer, and Michael Feighan.

MR. FEIGHAN said his committee approved item #1 and he MOVED this be put on the Consent Agenda unless someone has a question.

MR. SHERER said in order to facilitate the issue of the Consent Agenda, it has to be understood that the Rules make it clear that if there's objection and he has heard in the past this evening where there have been objections raised, but then the person says "I have a question". The whole purpose of the Consent Agenda was to provide for all the questioning to take place in caucus, as well as in the committee meetings, and therefore, he would urge the President to correct any errors on behalf of other members when they consider a question to be an objection.

MR. FOX said he supposed the easy way to get around that would be for the party who has a question to classify it as an objection then. He asked Mr. Boccuzzi if that was the point he was going to make.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BOCCUZZI: "No, I just thought of something, and I can't ask it, ask the question I want?"

MR. FOX said he would allow him to ask the question if he wants to treat it as an objection. He said he thinks the point Mr. Sherer made is correct, that if it is just a question, we will attempt to deal with it either in caucus or in committee. If that has not been done and you want to treat it as an objection, then we will have discussion on the item now. He said unless there is objection, we would put it on the Consent Agenda.

MR. PERILLO said it is not really an objection, although the Public Works Committee did vote in favor of it, but they would like to amend this lease.

MR. FOX then said the CHAIR would make a ruling that this will not be put on the Consent Agenda and be taken up as a regular item.

MR. PERILLO said the Public Works Committee by a vote of 6 in favor, unanimously, were in favor of the lease between the City of Stamford and the Bridgeport Diocese. If it is not out of order, they would like to amend it to read that the City of Stamford will not subsidize this program or give any financial assistance either by contributions or donations.

MR. FOX stated there are two separate leases and asked Mr. Feighan was his motion to approve both. Mr. Feighan said yes, they were taking it as one item.

MR. FOX stated then that this was a joint item, and asked Mr. Perillo if his Motion was to amend both leases, if that was correct. He then asked Mr. Perillo to read, or give what the amendment is.

MR. PERILLO said the amendment is to read that the City of Stamford will not subsidize this program and any financial assistance either by contributions or donations.

MR. FOX asked whether he was referring to subsidizing the lease as opposed to subsidizing the program. He said we are already funding that program.

MR. BAXTER said that due to the points that Mr. Fox just brought up, he would like to remind the CHAIR that it has the authority to consider the propriety of amendments and if the CHAIR feels that an amendment is not proper, or a proper form, or a proper subject matter, the CHAIR may reject the amendment.

MR. WIDER said he thought this amendment should have been made a part of the lease during the time when it was drawn up. He doesn't think we should be able to amend or delete anything from a lease that was drawn up by the Corporation Counsel.

MR. DIXON said we're talking about to entirely different things here. We're talking about a lease and he doesn't think whether or not the City decides at any future date to make any contribution, it should have no bearing whatsoever on the lease itself. He thinks the amendment is out of order.

MR. BOCCUZZI asked whether the City has any obligation other than the lease at this time.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. FOX said that it was his understanding that at our last budget session we approved \$6,000 for Community Return.

MR. BOCCUZZI said he was trying to locate a budget book, but it was his recollection in the last several years, there's always been a line item in the Mayor's Operating Budget for Community Return.

MR. FOX said that was his understanding and it was for the past two years.

MR. LIVINGSTON said he wanted to know something for his personal information. That during the dialogue with Mr. Boccuzzi, was he to understand that a person cannot have a Point of Information about the Consent Agenda?

MR. FOX said the Consent Agenda, the Rules for the Consent Agenda, provide that will be the item, if it is non-controversial, the the Committee Chairman shall remove that item to the Consent Agenda. If someone has an objection to it, if they're uncertain about it, if they want to have discussion and debate on it, they simply make their wish known and it is not moved, or put on the Consent Agenda, which is what we have here.

MR. PERILLO said not realizing that there is \$6,000 in the Operating Budget already, he will have to withdraw the amendment.

MRS. MAIHOCK said that until the matter of the Downer Funeral Home's possible use of parking on the premises is absolutely resolved so that the City will not suffer any liability whatsoever, she would not wish to approve this.

MR. FEIGHAN said he took this matter up with Corporation Counsel. He quoted one paragraph from Asst. Corp. Counsel John Smith's letter:

"These letters and communications will all indicate to you that there is no written lease or license to use the property by Mr. Downer from the City of Stamford and so long as Community Return, Inc. and the Diocese of Bridgeport can agree with Mr. Downer regarding his parking problem, we would have no objection so long as the City of Stamford would be named as an additional insured for liability on Mr. Downer's insurance policy."

MRS. MAIHOCK: Yes, on my copy it says cannot agree and you said can agree. Maybe I misunderstood you, but I heard you say "can agree".

MR. FEIGHAN: I'm reading the middle paragraph, not the third paragraph.

(1) REQUEST FOR APPROVAL OF LEASES FOR PROPERTY AT 66 WEST MAIN ST. - See Agenda.

MR. FOX called for a vote on the Motion to Approve. Seconded. CARRIED UNANIMOUSLY with one vote for both leases, with one ABSTENTION, Audrey Maihock; and a few members off the floor.

(2) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ARTICLE III - RENT CONTROL CHAPTER TEN OF THE CODE OF ORDINANCES.

MR. FEIGHAN said his committee approved this 5 in favor, one abstention, none against, and he so MOVED. SECONDED.



LEGISLATIVE AND RULES (continued)

MR. WIDER: The Housing and Community Development Committee met on Jan. 31st. Present were Mr. Darer, Mr. Schlechtweg, and Mr. Wider. The matter was discussed and we concur.

MR. FOX called for a vote on the Motion for Final Adoption. MOVED. SECONDED. APPROVED UNANIMOUSLY with a few members off the floor.

- (3) MAYOR CLAPES' LETTER 11/28/77 REQUESTING ENACTMENT OF NECESSARY LEGISLATION BY ORDINANCE DUE TO DELETIONS OF CERTAIN PROVISIONS, ETC., CITING SECTIONS 707.1 and 709 and 708.1; also SECTION 738G needs clarification, etc.

MR. FEIGHAN said this item is HELD IN COMMITTEE.

- (4) REQUEST FOR TAX ABATEMENT FOR AID TO RETARDED, INC.

MR. FEIGHAN said his committee recommended approval by a unanimous vote and he so MOVED. SECONDED.

MR. FEIGHAN first called for WAIVER OF PUBLICATION which was SECONDED and CARRIED UNANIMOUSLY.

MRS. SANTY wished to state that she is opposed to waiving publication of ordinances.

MR. FOX then called for a vote on the Main Motion for Final Adoption. SECONDED.

MR. WIDER said he is a little concerned with the language here. He said Aid to Retarded what? What are we abating tax on?

MR. FEIGHAN responded that this is a non-profit organization and in this particular case, it is for a house on First Street which they purchased as a residence for young retarded adults to live in, which is a program to rehabilitate them, under the auspices of the Aid to Retarded, Inc.

MR. FOX said the vote for FINAL ADOPTION was CARRIED, with UNANIMOUS APPROVAL.

- (5) REQUEST TO DESIGNATE A STAMFORD HISTORICAL DISTRICT STUDY COMMITTEE to look into the feasibility of a Stamford Historical District Commission.

MR. FEIGHAN said his committee unanimously approved this item, 8-0 in favor and he so MOVED. SECONDED.

MR. BAXTER said Planning and Zoning did not discuss this item.

MR. FOX said the Motion was MOVED, SECONDED, and APPROVED UNANIMOUSLY.

- (6) PROPOSED ORDINANCE FOR TAX ABATEMENT & PERMANENT TAX EXEMPTION FOR BIBLEWAY CHURCH OF GOD IN CHRIST JESUS, NEW DEAL, INC., AT 32-36 GREENWICH AVE., STAMFORD.

MR. FEIGHAN said it is important to tell the full Board at this point that the L&R Committee has become very concerned with tax abatement in general and has established a committee for the express purpose of investigating tax abatement and what the committee, as a Board, and a whole, can or cannot do with tax abatements. In this particular case, for a variety of reasons, not the least of which being that this proposal is income-earning, the committee has denied, or is recommending denial of this request, by unanimous vote, and he so MOVES.

LEGISLATIVE AND RULES (continued)

MR. RYBNICK said they had no report on this item and that they don't usually.

MR. FOX said he understood the motion to be denial, not hold, and Mr. Feighan said that was correct, they recommended denial.

MR. SHERER said according to our practice, the motion should be affirmative with a negative recommendation. That yes means yes, and no means no, but the committee recommends rejection, or no.

MR. BAXTER said he'd like to point out to Mr. Sherer that when this was done in the past, it was on appointments or something else like that and it made sense to do it that way; that here we have a committee that's not recommending anything and there is no confusion whatsoever. He said Mr. Sherer is free to move it out of committee and if he gets a majority vote, to make his motion to approve it.

MR. FOX said it might well be just as easy to entertain a motion to deny the tax abatement, and that motion has been made.

MR. RYBNICK said that if a committee chairman makes a vote or denial of a thing, there is no report and it just goes by the wayside.

MR. FOX said he did not agree with that.

MR. VENTURA MOVED THE QUESTION.

MR. FOX ruled that the Motion is to deny the tax abatement for Bibleway Church of God and Christ, and called for a vote, or discussion.

MR. WIESLEY asked for clarification on whether we were giving them tax abatement right now on the church itself; or whether they didn't attempt to separate the three-family residence next to the property in any way so they could get abatement.

MR. FEIGHAN said this particular organization was renting the premises for five years. Last month they purchased the land, one lot with two buildings on it, a church and a three-story residential building. There are three living areas in the residential building, two of which are income-earning. The pastor, the secretary of the Board of Directors, and their attorney came before the committee and asked for 100% tax abatement as permanent tax exemption, that was the committee's understanding. Mr. Feighan said they did not consider partial for the church.

MR. SIGNORE asked if they were sure if it were really income-producing or not.

MR. FEIGHAN said he was positive. They told us they are earning \$380 per month, \$200 from one living area and \$180 from another and gave no indication whatsoever that the tenants would be leaving.

MR. LIVINGSTON asked if he were hearing correctly that the City of Stamford is now getting into the business of taxing a church. Also that because they did not ask for partial exemption, perhaps they didn't even know or have the correct understanding that they could. He feels there is some misunderstanding and that he talked to the lady minister.

MR. POLLARD SECONDED Mr. Ventura Motion to Move the Question. CARRIED UNANIMOUSLY.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. FOX said he had Mr. Livingston's motion to return to committee, but Mr. Livingston withdrew the motion.

MR. FOX then called for a vote on Mr. Feighan's motion, stating that a yes vote is to approve Mr. Feighan's motion to reject tax abatement. The item was DENIED. Jeremiah Livingston ABSTAINED. A few members were off the floor. Tax abatement was REJECTED.

- (7) REQUEST FOR PROPOSED ORDINANCE FOR TAX ABATEMENT FOR MIRACLE FAITH OUTREACH for house at 62 Valley Road.

MR. FEIGHAN said his committee voted unanimously to HOLD IN COMMITTEE item #7.

MR. RYBNICK, upon inquiry from Mr. Fox, said there was no Fiscal report.

PERSONNEL COMMITTEE - John Zelinski

- (1) THE MATTER OF M.A.A. PERSONNEL BEING PAID SALARIES WHILE UNDER SUSPENSION.

MR. ZELINSKI said they met on January 25 at 7:30 with Mr. Bernstein, Personnel Director. Mr. DeLuca wanted clarification on this. After a lengthy discussion, they were told that actually Personnel really has no power here and that it's all in the labor contracts, so the committee is going to continue to investigate other avenues to see if the problem can be alleviated. The M.A.A. has no labor contract.

MR. DeLUCA said this seems to be a touchy problem with plenty of citizens of Stamford. He said they even consulted a lawyer on the possibility of filing an injunction as citizens. Possibly the Board can institute some change in the Charter to stop this. He said they felt that suspension and relief of duty with pay is an injustice to the taxpayers. He said you are innocent until proven guilty but that as a means of justice to the taxpayers, until the case comes up, that the funds be placed in escrow because then if they are found innocent, we could return the back pay with interest. He said in checking the Charter, he finds nothing that says we must pay these people, and therefore feel that something should be done. During the interview of our respected.....

MR. FOX said he extended Mr. DeLuca the courtesy of being heard because obviously it was important to him, but he wondered how much longer the report would be, since the item was already reported as being held?

MR. DeLUCA said all he wanted to ask was whether this Board could do something about this, and certainly they could as a Charter change.

MR. FOX suggested this be submitted to the Steering Committee again and perhaps there would be further action taken, especially in light of the item being held. Item #1 HELD IN COMMITTEE.

- (2) ARTHUR YOUNG & CO.'S REPORT RE PAYROLL PROCESSING, PHASE I. ETC.

MR. ZELINSKI said Item #2 has already been taken care of, so that ends his report.



PLANNING AND ZONING COMMITTEE - George Baxter, Co-Chairman

MR. BAXTER said that in the absence of Mr. Carlucci, his Co-Chairman, he will make the report for the Committee.

Items 1 and 2 are being HELD IN COMMITTEE as they have not been certified by the City Engineer. (See Agenda for detail)

Item 3 has no further change in status and there is no indication from Corporation Counsel as to completion of title search identifying the owners of the land, so this is HELD IN COMMITTEE. (See Agenda for detail)

MR. PERILLO said there was no action on this by Public Works Committee.

MR. BOCCUZZI said the City owns the road and it's been on the maps for 335 years. That this has been in Corporation Counsel's office for 3 years. The people who are willing to pay for the road are 2 factories; that the work was done 3 years ago and he is still waiting for some kind of report as to what the City is going to accept. That two people paid for the road and he just doesn't understand the title search for land beneath the road. What are they looking for?

MR. BAXTER suggested that Mr. Boccuzzi impart his knowledge to the Corporation Counsel so they can act on it and we can act on it.

On Item #4, this is HELD IN COMMITTEE pending an engineering study. (see Agenda)

MR. PERILLO said Public Works concurs.

PUBLIC WORKS COMMITTEE - Alfred Perillo - No report. No items on Agenda.

HEALTH AND PROTECTION COMMITTEE - David I. Blum

MR. BLUM said they met and discussed this one item and are working in conjunction with the Health Department to come up with some resolution in support of the nutrition program, but so far it has not been written. That's all he has to report. Item HELD IN COMMITTEE.

(1) See Agenda. Re Community Nutrition Advisory Committee re school lunches.

PARKS AND RECREATION COMMITTEE - George Hays

(1) MARINA FEES FOR APPROVAL from Park Commission.

MR. HAYS said this matter was brought up last month and reported out, but further investigation was done as a courtesy to Rep. Boccuzzi on Southfield Marina matters. This has been resolved and the committee voted to approve the fees requested by the Park Dept. as of 1/4/78 with two exceptions: one being dockside moorings over 16' at the marinas other than Southfield be increased from \$60 to \$70 (instead of to \$80); and the dock moorings at those same two marinas up to 16' be increased from \$50 to \$60 (instead of to \$70), as they had requested. All other fees would remain as they requested. There was one modification and that is that there be NO increase for any senior citizen evidencing the age of 62 years or older whose boat is registered in Connecticut, and I so MOVE.

MR. PERILLO said he voted against any increases.

MR. FOX called for a vote on the MOTION, duly SECONDED. A DIVISION was needed. The MOTION was APPROVED by a vote of 23 YES; 8 NO votes, with a few members off the floor.

PARKS AND RECREATION COMMITTEE (continued)(2) PARCOURSE AND SIMILAR RECREATIONAL ACTIVITIES.

MR. HAYS said no action was necessary on this. The Park Dept., the Recreation Dept. and the Health Dept. are working on this possibly for some time in the future. Mr. Blum's committee had this under discussion and Mr. Hays' committee attended and participated.

This item ORDERED OFF THE AGENDA. No action needed.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. RITCHIE said there was no report.

SEWER COMMITTEE - Charles Wilmot, Jr.(1) SEWER TIE-INS AND BUILDING PERMITS AND REFERRING TO RESOLUTION #910.  
See Agenda.

MR. WILMOT said that the members of the Sewer Committee, including Mr. Corbo and Mrs. Goldstein met with the Sewer Commission on January 26th to consider the question of alleged irregularities referred to by Mrs. Goldstein and himself in connection with the issuance of building permits and in particular the building permit for Burger King property on High Ridge Road. The major question was why this building permit was issued when the approval from the Sewer Commission and the Board of Representatives for special sewer tie-ins had not been granted.

Mr. Wilmot said it became apparent that the authority of the Sewer Commission as well as the authority of this Board as defined in Resolution #910 adopted 9/10/73 was possibly being circumvented by the Building Department and the City Engineer's Office in regard to this special sewer tie-in application and possibly other applications as well. They are asking the Corporation Counsel for an interpretation of which type of sewer tie-ins are in fact subject to the Sewer Commission's and this Board's approval and whether the City Engineer has such authority to make such determinations as part of the ministerial function of his office. He said he expects to have an interim report for the March 6th meeting on this and other related matters and a complete report by the April meeting.

MR. BAXTER said Planning and Zoning had nothing to report on this matter.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Lathon Wider, Sr.

MR. WIDER said his committee met some 14 times, spending many hours planning their proposals in the budget programs to be funded in the 4th year of Community Development. He said they would present the budget for application at the March meeting. HE said it was a pleasure working with the committee, the administration, the administrative staff, having the public hearings, and he is very satisfied that they did the best with the money available.

ENVIRONMENTAL PROTECTION COMMITTEE

MR. LOOMIS had no report.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Audrey Maihock

MRS. MAIHOCK: I am continuing my research regarding purchase of shields. No decision has yet been made. Representative Ferrara has come up with an alternate proposal to issue attractive decals instead. I would, therefore, request that all members of the Board of Representatives contact me to give me their opinions on this matter so we can take care of this matter. (Tape ended here and Mrs. Maihock's exact words were lost at the end of the sentence.)

DRUG AND ALCOHOL ABUSE COMMITTEE - Jeremiah Livingston

MR. LIVINGSTON had no report.

TRANSPORTATION COMMITTEE - Paul Esposito - absent. No report.

MRS. MCINERNEY said she had one request to make of the Transportation Committee and that was she had many calls from commuters who had to go to the train station and the main station was not plowed three or four days after. They could not find parking spaces. Some even carried shovels to plow out a place for their cars. She would like this looked into.

MR. FOX asked that Mrs. McInerney submit this in writing so the Administrative Assistant could put it on the next Steering Committee Tentative Agenda.

MR. BLUM said Mrs. McInerney ought to realize she's lucky to have trains now after this big holocaust.

COMMUNICATIONS FROM THE MAYOR - None.

PETITIONS - None.

RESOLUTIONS:

MR. RYBNICK asked for a regulation that all grants in the City be recorded with the Grants Officer and an up-to-date record kept of expenditures and receipts in order to effect a system of checks-and-balances.

MR. FOX asked that this be submitted in writing for the next Steering Committee meeting. (It is presently in Legislative and Rules on a Hold in Committee status.)

MR. ZELINSKI requested a SENSE-OF-THE-BOARD RESOLUTION of commendation for Herman Alswanger who has retired from coaching, thanking him for his contributions to the welfare of the children.



18.

MINUTES FOR FEB. 16, 1978 SPECIAL MEETING

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT:

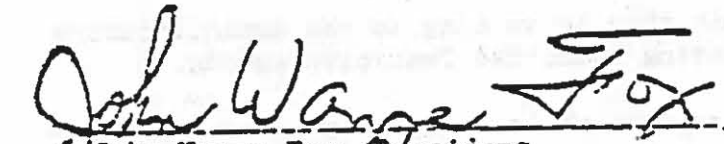
MR. FOX: There being no further business, I would entertain a MOTION TO ADJOURN. The STEERING COMMITTEE will meet next Wednesday, February 22, 1978. The Motion to Adjourn has been made, seconded, and CARRIED UNANIMOUSLY.

The meeting was ADJOURNED at 11:15 P.M.

  
Helen M. McEvoy, Administrative Assistant

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

APPROVED:

  
John Wayne Fox, President  
15th Board of Representatives

HMM:MS  
ENCS.