

MINUTES OF MONDAY, AUGUST 14, 1978 ADJOURNED MEETING

15th BOARD OF REPRESENTATIVES

Stamford, Connecticut

An Adjourned Meeting of the 15th Board of Representatives of the City of Stamford Connecticut, was held on Monday, August 14, 1978 in the Board's Legislative Chambers, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut. This was adjourned from the meeting of August 7, 1978.

The meeting was called to order by the President, John Wayne Fox, at 8:30 P.M., after caucuses by both political parties. The meeting had been called for 7:30.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President John Wayne Fox.

ROLL CALL: Roll Call was taken by the Clerk of the Board, Diane Raymond. There were 31 members present initially and 9 absent. However, 3 more came in, with the final Roll being 34 present and 6 absent. Absent members were City Reps. Dixon, Ritchie, Rybnick, Carlucci, Price and Robie.

The CHAIR declared a QUORUM.

MR. FOX said that this was a continuation of the adjourned meeting of August 7th, and he would now recognize Mr. Ralph Loomis as a Motion had been made and approved to Suspend the Rules to take up the report of the CHARTER REVISION COMMITTEE. MR. FOX said before Mr. Loomis proceeded, we should check the voting machine and this was done.

CHECK OF THE VOTING MACHINE: Operating satisfactorily.

CHARTER REVISION COMMITTEE - Ralph Loomis

MR. LOOMIS said his Committee held a hearing on Wednesday, this past Wednesday, for the purpose and the matters at which the Charter Revision Commission should look. He said while a number of issues were raised pertaining to pensions, parks, public works, and other miscellaneous items, the clear and over-whelming message they got was that action should be taken by a Charter Revision Commission on the limitation on spending and bonding, and of course, taxes. His Committee met this evening at 6:00 P.M. and discussed the items they heard at their public hearing on Wednesday, and it was their judgment that a Commission -- their unanimous judgment -- that a Commission should be appointed and its sole purpose is to, or should be, to look at the question of limitation on taxes and spending.

MR. LOOMIS said further that upon reading the Connecticut State Statutes which govern the formation of a Charter Revision Commission, the legislative body must approve two separate resolutions. The first actually creates a commission while the second names persons to that commission. He said that he has a resolution before him which would create a Charter Revision Commission whose purpose would be just to look at the issues of taxes and spending.

He said also that it was the hope of his Committee that they could propose also to this Board, a resolution that would appoint people to that Commission, but

CHARTER REVISION COMMITTEE (continued)

MR. LOOMIS (continuing).....apparently there is not agreement among both the Republicans and the Democrats on who should be on that Commission, and consequently he would not make a recommendation on the second resolution. He is prepared to make a resolution on the first and will read it into the record, but would say first that a commission will have to be appointed within 30 days, that they cannot defer action on naming a group of people indefinitely, and it would occur at the next meeting on September 11th.

He said, secondly, it is the Committee's intention to have this Commission, which would be limited in number, to report back to this Board no later than November 1st. That consequently, they could take action as a Board to place an issue on the ballot in special election in time so that the voters could have a direct impact on the setting of the tax rate before the next budget is arrived at, and that is the thinking that went into the Committee's recommendation. The resolution reads:

"BE IT RESOLVED BY THE BOARD OF REPRESENTATIVES OF STAMFORD, CONN., pursuant to Section 7-188 of the Connecticut General Statutes, do hereby institute action for the appointment of an 11th Charter Revision Commission for the City of Stamford, which Commission shall study the possibility of limiting municipal taxation, spending, borrowing, bonding indebtedness, and furthermore draft and propose appropriate amendments on the above subjects."

MR. FOX asked if Mr. Loomis were including in the resolution a requirement that the Committee report back to the Board by a given date.

MR. LOOMIS said that date is included in the second resolution.

MR. FOX said the Motion was MOVED and SECONDED and asked if there were any discussion.

MR. DeLUCA asked for a Roll Call Vote. Moved. Seconded. Sufficient show of hands for a Roll Call vote.

MR. BOCCUZZI asked what vote was necessary for passage.

MR. FOX replied that under State Statutes, Section 7-188, two-thirds of the Board must approve, or 27 votes, for passage of this resolution.

MRS. McINERNEY said she would like to commend the Charter Revision Committee for listening to the people of this community who so desperately want this Charter Revision Commission to reduce taxes, but she is a little bit disappointed that the Board adjourned last week just minutes away from a vote because tonight we would possibly have had five names which were acceptable to both sides instead of reconvening to examine the question which we would obviously be going to vote in favor of on Monday night. She urged both Leaderships to possibly recess and consider five names this evening.

MR. FOX called for the Roll Call vote, clarifying the question that a yes vote is for setting up a Charter Revision Commission, and no is in opposition.

CHARTER REVISION COMMITTEE (continued)

ROLL CALL VOTE

IN FAVOR OF CREATING A CHARTER REVISION COMMISSION, YES VOTES (32):

Darer, Stanley	Raymond, Diane
Maihock, Audrey	Markiewicz, Henry
Festo, Charles	Schlechtweg, John
Hawe, Marie	Wider, Lathon
Ferrara, Richard	Ventura, Joseph
Tiani, Charles	McInerney, Barbara
Perillo, Alfred	Morgan, Michael
Goldstein, Sandra	Livingston, Jeremiah
DeLuca, Robert	Blum, David
Sherer, Donald	Zelinski, John
Corbo, Fiorenzo	Signore, S. A.
Pollard, Everett	Boccuzzi, John
Loomis, Ralph	Esposito, Paul
Wilmot, Charles	Perillo, Mildred
Hays, George	Wiesley, Vere
Feighan, Michael	Fox, John Wayne

No votes: -o-

Abstentions: -o-

<u>Absent from the Meeting:</u>	Dixon, Handy	Carlucci, Leo
(8)	Ritchie, Mildred	Price, Margaret
	Rybnick, Gerald	Robie, John
	Baxter, George	Santy, Jeanne-Lois

MR. FOX said the Motion is CARRIED UNANIMOUSLY with 32 YES votes, none opposed.

MR. LOOMIS said that concluded his report and he would like to say that the Committee wants to receive as many names as possible in terms of good people that should be on this Commission, and would be prepared to recommend names at the next meeting.

MR. FOX said that was a good point and that anyone on the Board, or members of the general public who would like to recommend names for the Charter Revision Commission should direct their suggestions to Mr. Loomis. They can be hand-delivered here or addressed to the Board's office.

MR. BLUM rose on a POINT OF PERSONAL PRIVILEGE, asking if the \$35,000 item for a consultant voted on last week could be brought up again this evening since the members now had Mr. Murray's opinion, referring to Sections 619 and 202.

MR. FOX said this is not really a Point of Personal Privilege but he would try to answer briefly. He said Mr. Sherman seems to agree with Mr. Murray, who agreed with Mr. Freedman's 1975 opinion, that when you are dealing with a 100% reimbursable Federal grant, it does not require 2/3 as set out in Sec. 609, but rather it requires a majority vote with a minimum of 21 affirmative votes for passage by this Board. As far as Reconsideration is concerned, Robert's Rules clearly state an item can be reconsidered but once, and not twice.

LEGISLATIVE AND RULES COMMITTEE - Michael P. Feighan

MR. FEIGHAN said his Committee met on Thursday, August 3, 1978. In attendance were Reps. Raymond, Wilmot, Markiewicz, Festo, Darer, McInerney and Feighan. They voted to UNANIMOUSLY HOLD IN COMMITTEE item #1 as the Tax Abatement Sub-committee of the L&R Committee is working with Corporation Counsel's office on a conditional abatement.

- (1) PROPOSED ORDINANCE FOR TAX ABATEMENT FOR RED CROSS PROPERTY ON NEWFIELD AVE.
from Atty. M. Dean Montgomery of Maguire, Cole, Bentley & Babson 7/11/78.

HELD IN COMMITTEE.

MR. FEIGHAN said item #2 was approved unanimously and he so MOVED. He said Miss Brewster advised this is a reimbursement of money spent by the City in March, 1973, and the State will pay us when the resolution is approved. SECONDED.

MR. HAYS said Parks and Recreation concurred.

MR. FOX called for a vote and the MOTION CARRIED UNANIMOUSLY, on Item #2.

- (2) PROPOSED RESOLUTION ENABLING STATE TO COMPLETE PROCESSING OF MONEY DUE CITY ON LEVINE PROPERTY ACQUISITION. - \$69,000.00 from State and \$138,000.00 from Federal Government (25% and 50% respectively) - to complete our purchase of March, 1973.

MR. FEIGHAN said item #3 for an agreement with Homemaker-Home Health Services was unanimously denied by his Committee and he so MOVED.

MR. BLUM said his Committee did not meet, did not have a quorum.

MR. FOX said as in the past, in the interests of practicality and reality, we will entertain a motion to approve, keeping in mind the recommendation of the Committee which was unanimous to reject.

MR. MORGAN so MOVED. SECONDED.

MR. ZELINSKI requested a Roll Call vote. There were not a sufficient number of members to support this.

MR. FOX called for a vote, using the machine, and the MOTION LOST by a vote of Zero in favor and 31 NO votes, with one abstention, Mrs. Goldstein. On Item #3.

- (3) PROPOSED RESOLUTION AUTHORIZING CITY TO ENTER INTO AGREEMENT FOR HOMEMAKER-HOME HEALTH SERVICES AND AGREEMENT. From Dr. Gofstein and Health Commission.

MR. FEIGHAN said on Item #4 re Shell-fish taking, the Committee held a public hearing on August 1, 1978, Tuesday, and present were Reps. Raymond, Wilmot, Markiewicz, Darer, McInerney, Festo, and Feighan. Speaking at the hearing were Dr. Gofstein; John Sheridan, the Harbormaster; Rodney Cook of the Marine Police; and Joe Richichi, attorney for the commercial interests. He said that adoption of this ordinance does not preclude the idea of a shellfish commission and any suggestions for same would certainly be entertained by the committee. They voted to approve the ordinance as published, 5 in favor, 1 opposed, 2 abstentions, and he so MOVED. SECONDED.

MR. BLUM said Health and Protection did not have a quorum.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. FESTO said he was one of the abstentions, and tonight he is going to vote against this, and he recommends all Board members to vote against it, and his reasons are that one, Dr. Gofstein did not discuss with the people who are supposedly going to enforce these new ordinances. He said it was the same problem with the visiting nurses where there was an apparent lack of communication. Second, that there was no opportunity to look into the feasibility of a Shellfish Commission where the State would pick up the cost of the enforcing official. Also that there is no one in the Health Dept. after 4:30 weekdays, and not at all on weekends, so who would take those steps that Dr. Gofstein claims are crucial and necessary for swift action in the event of an health emergency. He feels Dr. Gofstein is sandbagging this Board under the pretext of some hypothetical crisis into taking action without sufficient research and consideration.

MR. SIGNORE asked who would issue the licenses.

MR. FEIGHAN said the Health Department would issue the licenses.

MR. BOCCUZZI said he understood at the public hearing from Mr. Cook of the Marine Police that they had no way of enforcing this ordinance as they didn't have the manpower. Also Mr. Boccuzzi didn't see how the Health Dept. could enforce as they, too, don't have that much manpower or equipment. That if we have an ordinance that cannot be enforced, we should hold it in committee or vote it down. He favors a Shellfish Commission, and he MOVED that this item be Held in Committee. SECONDED.

MR. WILMOT said the Committee felt the ordinance might be a temporary measure until a more detailed process of setting up the Shellfish Commission could be taken. He said the problem is simply this, that it was a moot point up until this year as to whether we could regulate shellfish-taking off the Stamford harbor. That putting it back into committee would leave the City, whose waters have now been declared safe for shellfish-taking, without any regulations whatsoever and this would be irresponsible on the part of this Board to do that.

MR. LIVINGSTON wanted to know why Mr. Boccuzzi wanted this held in committee.

MR. BOCCUZZI said the Board of Health had no way to enforce the ordinance. That we should not have a stop-gap ordinance, charge a fee, and then change it within a month. The Health Dept. still controls the water and if they say it is not acceptable for digging clams, they just declare it unsafe and put a stop to the taking of shellfish. If we're going to have an ordinance, let's do it the right way so that it will stand up and doesn't have to be changed in a month or two. There is nothing on the books now that prevents anyone from shellfishing. You can't break a law that doesn't exist.

MR. SHERER felt the matter should be clarified once and for all, and voted on, either for or against and disposed of, so the general public would know.

MR. WIDER CALLED THE QUESTION. MOVED. SECONDED. CARRIED.

MR. FOX called for a vote on the Motion, Item #4, which was to RETURN TO COMMITTEE. MOTION LOST, with 9 YES, 22 NO. 1 ABSTENTION.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DARER said he wished to review some of the Health Department's views on this so that all members of the Board in voting on this ordinance can understand fully what is at stake here. This is the first time in many years that the State opened the waters around Stamford as being clear, clean and safe. Perhaps a bit early but it is nothing to be faulted for, the Health Dept. stepped into the breach and proposed guidelines for the safety of the population's health as well as protecting the usage by local citizens. Should there be an outbreak of any disease as a result of shell-fish-taking, it would be easier to contact persons by virtue of having permits with names, addresses and phone numbers on file. He said he felt the ordinance had merit and should not be dismissed out-of-hand without serious consideration. Should there be contamination or disease in the future, we would not want to look back and feel we had not explored all avenues to prevent such an event.

MR. DeLUCA said he agreed with Mr. Festo and it represented a form of harassment to him, next to taxation. People should be able to enjoy our natural resources without over-regulation. The fact that 800 people went to get permits shows their interest. To him this is just the reverse trend and the reason they signed up is to avoid fines. Mr. DeLuca said what amazed him was Deputy Corporation Counsel Barry Boodman's chastizing Dr. Gofstein for even suggesting such an ordinance and that he should exert his energies in more important areas rather than worry about harassing people. Mr. DeLuca feels this is another case of Dr. Gofstein putting the cart before the horse, utilizing valuable time for accepting applications with the expectation that this Board would bow down to his wishes and pass an ordinance which, in essence, would create more power for him. Mr. DeLuca urged the members here tonight to stop playing games with our citizens, stop harassing them, let them enjoy some of the few tax-free privileges rather than pass an ordinance, so they can worry about fines.

MR. ESPOSITO said his original understanding of this ordinance was the same as Mr. Darer's that there be some control over shell-fishing as it exists right now. He would like to see some limitation put on the power of the Health Dept. such as, for example, limiting their power to issue these permits up until May 1, 1979.

MR. FOX said a motion to amend would be appropriate but a substantive change might require re-publication.

MR. ESPOSITO said this would give some control for the time being, and in the interim it would be possible to consider the formation of a Shellfish Commission to take over when the ordinance ran out, and he so MOVED.

MR. FOX said that in the past when we set limiting dates such as this, such as the paper recycling ordinance, the events that were expected did not transpire on schedule. However, there is NO SECOND to Mr. Esposito's motion and we will go on to Mrs. McInerney, who is next on the speakers' list.

MRS. McINERNEY said the State Law relating to Shell-fishing includes the requirement that the Health Director post the area and enforce shellfishing as far as contamination goes. We are assuming, by voting for this ordinance, that the Health Dept. has staff who can go down on a weekend if there is contamination to police the waters, test them, etc. That is not so. No one is available on weekends unless it is by a special emergency through the Health Director, and obviously contamination won't show up when we need it. She agrees with Mr. Corbo that we should not be obligated to pay for Nature's Bounty. She said further that Mr. Blum brought up a very important point at the public hearing which was that first we charge for clams, next we'll need a license for salt-water fishing, and so on. She doesn't think

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. McINERNEY (continuing)...that is such a far-fetched idea because in fact fish are probably a more basic part of the food chain, and as the food chain continues to become more contaminated, then the shellfish would be, and she certainly agrees with Mr. Festo that the people who are going to enforce this certainly do not have the time, the manpower, and will not be there to enforce it so there is too much at stake here and she would vote this down.

MR. SHERER said he attended the meetings and Dr. Gofstein said he had the authority under State Statutes, and the responsibility, to provide for closure lines, which is enough, and he could publicize the fact should there be necessity for extension of closure lines via the media. Mr. Sherer is opposed to any fees in this regard. He pointed out the farce involved with enforcing this ordinance, citing an example of people in wet bathing suits, partially under water, with a permanent piece of paper which is the permit to shell fish and must be carried by you in your pocket to last the entire season. He urged members to vote against this ordinance.

MR. WIDER MOVED THE QUESTION. SECONDED.

MR. FOX said left on the list to speak are Mrs. Maihock, Mr. Livingston, Mrs. Santy (who was going to Move the Question), and Mr. Baxter. MOTION TO MOVE IS CARRIED.

- (4) FOR FINAL ADOPTION - HEALTH DEPARTMENT REQUEST FOR PERMIT FEE SCHEDULE APPROVAL FOR SHELLFISH-TAKING AND PROPOSED AMENDMENTS TO HEALTH & SANITATION ORDINANCES. Division 4 - Shellfish. Approved for Publication 7/10/78 with amendments to Sec. 9-60 and 9-69.

MR. FOX called for a vote on the Main Motion, the final adoption of the Shellfish ordinance. MOTION LOST, 3 YES; 29 NO; 2 ABSTENTIONS.

MR. FESTO said he'd like to clarify for the listening public that they not misunderstand Mr. Boccuzzi's statement that they can clam anywhere. There are closure lines which have been established indicating where one can clam, and where it is prohibited, and they should familiarize themselves with those closure lines.

- (5) REQUESTED WAIVER OF BUILDING PERMIT FEE FOR ALTERATIONS AND ADDITION TO GYMNASIUM AND LIBRARY BUILDING AT ST. BASIL'S PREPARATORY SCHOOL. (Fee \$668.) Letter from Ukrainian Catholic Seminary, Bishop Losten.

MR. FEIGHAN said Item #5 is for waiver of a building permit fee and the item was HELD IN COMMITTEE as arrangements had not been made to speak with the applicant, and this will be ready for the next meeting.

- (6) PROPOSED ORDINANCE RE CODE OF ETHICS ET AL.

MR. FEIGHAN said his Committee approved this unanimously for publication and he so MOVED. SECONDED. CARRIED UNANIMOUSLY.

MR. FEIGHAN MOVED for a SUSPENSION OF THE RULES to consider an item not on the Agenda which is the issue of transfer of jurisdiction of the Ethel Kveskin Theatre upon which the Committee has expended considerable time. SECONDED. CARRIED.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. FEIGHAN said at a joint committee meeting with Parks and Recreation, L&R heard from Mayor Clapes, Commissioner Hoffman, Supt. Giordano, Theatre Director Al Pia, and several recreational personnel, actors, and concerned citizens. The committee, as a whole, came to the following conclusions. That although it is within the Mayor's authority to request this transfer of jurisdiction, it is an extreme solution to the problem. It was their impression that the Mayor had other avenues open to him which he could pursue. The audit of the Recreation Dept. shows fiscal irregularity throughout the department, not just with the handling of the Theatre. A transfer of jurisdiction would not address itself with this audit. The audit recommended the hiring of a business manager on which we asked the Superintendent to act expeditiously. This business manager would implement financial control throughout the department, including the theatre.

MR. FEIGHAN further said that his Committee does not wish to hinder the theatre itself and with that in mind, calls upon the Mayor to request the Board of Finance to approve funding to continue the theatre program as soon as possible. The Committee voted 1 in favor, 6 against, 1 abstention to DENY the transfer of jurisdiction, and he so MOVED. SECONDED.

MR. HAYS said that Parks and Recreation Committee met jointly with L&R and for the same reasons expressed by Mr. Feighan, and with the same recommendations, his Committee unanimously concurred.

MR. LOOMIS asked what was being done to get the Ethel Kewskin Theatre opened as quickly as possible.

MR. FEIGHAN said it remains closed because the MAYOR has not requested the funds the Board of Finance just held pending the Mayor's action depending on what we do tonight. Then it is, regardless of our action, incumbent upon the Mayor to at least re-submit his request for funds and have the Supt. of Recreation hire the business manager that has been suggested to implement fiscal controls.

MR. DARER said he oftens feels as a member that we come up against what is a Catch-22 situation and this is one of those times. It was the Mayor's responsibility to take a more decisive step than to just put the question up to this Board. This resolution is not decisive enough and actually puts the problem back into the Mayor's hands from whence the Mayor graciously offered it to us in the first place. His constituents have called asking to have the theatre opened, and if the auditor's report calls for certain action, it should be taken and a real solution achieved.

MR. BOCCUZZI rose to a POINT OF PERSONAL PRIVILEGE. He said this Board had nothing to do with closing the theatre. The Mayor withdrew the funds out of the budget to begin with and he put the lock on the door, not this Board. It is up to him to institute the appropriation request if he really wants the theatre opened.

MR. WIDER MOVED THE QUESTION. SECONDED.

MR. FOX said yet to speak are Mr. Wiesley, Mr. Signore, and Mr. Hays. MOTION is CARRIED with Mr. Signore casting a NO vote.

Under Suspension of Rules (previously approved):

(7) TRANSFER OF JURISDICTION OF ETHEL KWESKIN THEATRE - requested by Mayor Clapes.

MR. FOX called for a vote on the Main Motion on the Kveskin Theatre.
MOTION IS LOST with 2 YES, 29 NO, 3 ABSTENTIONS.

MR. FEIGHAN said that concluded the report of the Legislative and Rules Committee.

MR. FOX said before we go on to PERSONNEL, Mr. FERRARA had a MOTION he wished to make prior to our getting into L&R, which relates to FISCAL.

MR. FERRARA said he'd like to MOVE to SUSPEND THE RULES to RECONSIDER the 100% reimbursable grant for the W.I.C. PROGRAM, \$22,100.00, Fiscal item #8. SECONDED.

MR. FOX called for a vote on the MOTION to RECONSIDER Fiscal Item #8 for \$22,100.00 for the W.I.C. PROGRAM (he said it was not necessary to suspend the rules).

MR. FOX, in response to a question from Mr. SHERER, said that that a Motion to Reconsider can apply to a meeting of a body that has been meeting over several days, and consequently, as he reads Robert's Rules, people who were not at the first day's meeting could well be at the second or third meeting and would be eligible to vote.

The MOTION TO RECONSIDER was APPROVED by a vote of 27 YES; 4 NO; 3 ABSTENTIONS.

FISCAL

(8) \$22,100.00 - HEALTH DEPARTMENT - Code 573 - (6 sub-accounts) - W.I.C. PROGRAM - administrative costs through 9/30/78 - 100% reimbursable funding by State, per Mayor's letter 7/6/78, Dr. Gofstein's letter 6/22/78. Additional appropriation. Board of Finance approved 7/13/78.

MR. BAXTER asked for the Chair's opinion on the vote required on a 100% reimbursable grant, such as this one. When Mr. Fox was out-of-town recently, the Acting Chair ruled 51% simple majority was required. This was challenged and the challenge lost.

MR. FOX said having looked at the opinion of Mr. Murray, Mr. Freedman, and Mr. Sherman, that in a situation like this, a majority of the full Board, minimum 21 votes, are required for passage on a 100% reimbursable grant.

MR. FOX called for a vote on the \$22,100.00 for W.I.C., which had been MOVED and SECONDED, and the MOTION CARRIED with a vote of 22 YES; 11 NO; 1 ABSTENTION.

PERSONNEL COMMITTEE - John Zelinski

(1) RESOLUTION ON THE COMPLAINT OF EDMUND KRYSPIN, ELECTRICIAN APPLICANT.

MR. ZELINSKI said this item was reported out by the Personnel Committee at our July meeting and a resolution was passed; however, the President of the Board at that time said it should be in writing and have been given to the Board members. I would very briefly read it. (SENSE-OF-THE BOARD RESOLUTION is attached at end of minutes.)

MR. FOX: "That resolution has not yet been voted on?"

MR. ZELINSKI: "Yes, it was voted on at our July meeting. I'm just reporting on it in writing for the record."

PERSONNEL COMMITTEE (continued)(2) HOUSING AUTHORITY EMPLOYEES BEING UNDER CIVIL SERVICE TO COMPLY WITH STATE LAWS PER LETTER FROM REP. BLUM.

MR. ZELINSKI: Item #2 is the Housing Authority employees being under Civil Service regulations to comply with State laws, per letter from David Blum. Our Committee met on Wednesday, July 26th at 7:30. Present were Reps. Blum, Mildred Perillo, Lois Santy, DeLuca, Zelinski. We voted not to take this up at this time until all committee members have all the back-up material and have representation from the Corporation Counsel's office. That ends my report.

ITEM #2 - HELD IN COMMITTEE.

MRS. McINERNEY MOVED to SUSPEND THE RULES to consider an additional resolution under CHARTER REVISION, whereby the Board could vote on acceptance of those names recommended by the Charter Revision Committee, with the addition of a fifth name being Mr. John Santariga since he has been the acknowledged spokesman for the taxpayers for the community throughout this petition drive.

MR. FOX said he understood no names came from Mr. Loomis to this Board this evening.

MRS. McINERNEY said not to the Board, but that the names came before each caucus, and she felt it imperative that they be considered this evening.

MR. LOOMIS said his committee made a good faith effort to come up with names for a commission. He presented the names to the Republican caucus and there was no agreement whatsoever to any of the names. He understood that pretty much the same thing occurred in the Democratic caucus, so he didn't feel it proper to present names to this full body which really have not the support of the body. That it was the agreement that all of us were going to make suggestions and recommendations and come up with a group that we can all agree to.

MR. SCHLECHTWEG said it was the concensus of the Democratic caucus not to name the names this evening. They felt that more input should be given from the community.

MR. WIDER MOVED THE QUESTION. SECONDED. CARRIED.

MR. FOX called for a vote on the Motion to Suspend the Rules, which had been SECONDED. The MOTION TO SUSPEND THE RULES IS LOST, by a vote of 5 YES, 29 NO.

PLANNING AND ZONING COMMITTEE - George Baxter, Co-Chairman(1) PITNEY-BOWES' REQUEST THAT CROSBY STREET BE DISCONTINUED AS A CITY STREET, FOR CONVERSION INTO AN EMPLOYEE PARKING LOT.

MR. BAXTER said the Committee with a quorum of three of the five members met and unanimously approved the resolution giving notice of intent to discontinue Crosby St. which resolution was given to all members at the July meeting and is attached to your letter of July 3rd. MOVED and SECONDED.

MR. PERILLO said Public Works did not meet on this.

MR. FERRARA said there is something here that bothers him. We have a City street and we're giving it to a corporation which...what are we getting in return for it? It must be used for something right now besides the use by Pitney-Bowes.

PLANNING AND ZONING COMMITTEE (continued)

MR. BAXTER: The question of the discontinuance of Crosby Street and that it be given to Pitney-Bowes is a hold-over from the 14th Board. The question you asked on who owns the land under it, under the road, it and a whole lot of other questions have been asked.

The Board of Representatives earlier on gave Pitney-Bowes the AIR-RIGHTS to, remember they had that computerized warehouse, and we allowed them, in perpetuity, to put things over the street so they can communicate across the two buildings. Now, as you can see in the petition that accompanies it, it was Pitney-Bowes' feeling, and the Committee's feeling, that the road...it is not now used by the general public to any great degree...the road is a waste of public funds - that giving up the road would increase the tax money to the City, and help Pitney-Bowes.

What this resolution you have before you does is not give up the road, because the Charter does not let it happen that way. There is machinery in the Charter that once we pass this resolution, the Mayor has to address the question, and see if the Mayor and the Board of Finance and the Finance Commissioner also agree.

If they do, this goes to public hearings run by, I think, the Commissioner of Finance. He and others will determine whether or not they should ask for money in payment from Pitney-Bowes, etc. When all this procedure is done, assuming that it's all favorable to Pitney-Bowes, then a package comes back before us to decide whether it should be charged or not, and we vote at some time later whether or not to do it. All this does is start the machinery.

MR. LIVINGSTON said he would like the record to show that he is NOT PARTICIPATING or voting on this issue.

MR. SHERER MOVED THE QUESTION.

MR. FOX said this was not necessary as there were no other speakers left on the list. He called for a vote on the Main Motion and it CARRIED UNANIMOUSLY (with Mr. Livingston not participating).

(2) PROPOSED RESOLUTION RE ZONING LAW VIOLATIONS AND ROCK-CRUSHING AND GRAVEL OPERATION.

MR. BAXTER said the Committee has NO REPORT on Item #2.

PUBLIC WORKS COMMITTEE - Alfred Perillo - NO REPORT.

HEALTH AND PROTECTION COMMITTEE - David Blum - NO REPORT.

PARKS AND RECREATION COMMITTEE - George Hays

(1) REQUEST TO HANG BANNER FOR UNITED NATIONS WEEK FROM 10/1 to 11/1/78 for UN and UNICEF. Letter 7/11/78.

MR. HAYS MOVED for approval of this request. SECONDED. CARRIED UNANIMOUSLY.

MR. HAYS MOVED for SUSPENSION OF THE RULES to consider the request of the Greek Church of the Annunciation. SECONDED. CARRIED.

PARKS AND RECREATION COMMITTEE (continued)

- (2) Greek Orthodox Church of the Annunciation for Annual Bazaar 9/22, 9/23, 9/24 and to hang their banner starting 9/17/78.

MR. HAYS MOVED for approval. SECONDED. CARRIED UNANIMOUSLY.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Mildred Ritchie - NO REPORT.

SEWER COMMITTEE - Charles Wilmot

MR. WILMOT said his Committee voted to HOLD IN COMMITTEE all 3 items on the agenda (See agenda for detail). All relate to the tie-ins requested to the sanitary sewerage system on High Ridge Road at the Turn-of-River, Square Acre Drive area.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Lathon Wider, Sr. - NO REPORT.

URBAN RENEWAL COMMITTEE - John Schlechtweg, II.

MR. SCHLECHTWEG said he was very dismayed to report that Item 1 referring to the transfer of jurisdiction of Veterans' Memorial Park is being HELD IN COMMITTEE and the Committee has no recommendations to make at this time. He said he tried in vain for the past month to help negotiate the acceptance of the park. That he is very aware of the questionable items which exist at the park and they must be rectified before he could in good conscience recommend the park's acceptance. There are legitimate arguments on both sides. It is his opinion that this problem could have been averted with strong leadership on the part of the Mayor and he has to place the blame, if it must be, squarely on the Mayor's shoulders because of his attitude to let someone else worry about it. He, therefore, urges Mayor Clapes to get all the parties together and take care of this urgent problem immediately.

- (1) PROPOSAL FROM URC TO TRANSFER JURISDICTION OF VETERANS ' MEMORIAL PARK TO PARKS DEPT.
- (2) PROPOSED RESOLUTION TO APPROVE AMENDMENT NO. 1 to CONTRACT WITH CHAMPION INTERNATIONAL CORPORATION.

MR. SCHLECHTWEG said they did not act on Item #2 and it is being HELD IN COMMITTEE.

MR. DARER said he'd like to make a motion, a Sense-of-the-Board Resolution to the Mayor that we do not wish to accept the park until the \$7,500's worth of work has been done to bring the park up to acceptable standards.

MR. FOX said that is not an item on the agenda, and while Mr. Darer is free to make a Motion to Suspend the Rules to take it up, he would suggest any such resolutions, of which we seem to have had an abundance of late, as with this item, they be referred to the Steering Committee for appropriate action by that committee, which is the normal and correct procedure to follow.

MR. WIESLEY said he would like to state he doesn't want to leave Jack Schlechtweg alone on the Veterans' Park. He agrees that if the Mayor is in a position to correct this situation, he certainly should take action and he thinks most Republicans will go along with Jack on this. The job should be done.

ENVIRONMENTAL PROTECTION COMMITTEE - Ralph Loomis - NO REPORT.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Audrey Maihock - NO REPORT.

DRUG AND ALCOHOL ABUSE COMMITTEE - Jeremiah Livingston - NO REPORT.

TRANSPORTATION COMMITTEE - PAUL Esposito

- (1) 7/15/78 LETTER FROM WESTCOTT NEIGHBORHOOD ASSN. re negligent conditions allegedly existing at Elm St., Connecticut Turnpike Underpass, signals, etc.

MR. ESPOSITO said he has been working with the people involved in the complaint and it is being worked out.

CHARTER REVISION COMMITTEE - Ralph Loomis

MR. LOOMIS: I neglected to mention one thing, Mr. Fox. We had to, as an unofficial body, have a very quick meeting, and I called Mrs. McEvoy about that and then it turned around, and a few days later, we had to have a hearing and I called Mrs. McEvoy about that also, to alert people to get out notices, and I'd like to say, and I wanted to say it before, she did a tremendous job, quick time; in fact people had gotten the notice almost before I had a chance to call them, and I think that's increasingly a sign of the kind of service we're getting out of the office, and I just wanted to say those things in my report.

SPECIAL INVESTIGATING COMMITTEE RE STERLING FARMS GOLF AUTHORITY - George Baxter

MR. BAXTER said the Special Committee met last Wednesday. There were four of the five members present. The fifth member was ill. He said at the first half of this meeting last week, the Board approved unanimously Section 206 which gave authority for the Board to incur whatever expenses it deemed necessary or advisable in connection with this investigation. The Committee felt the procedure that would give the Board the most control over what was happening would be to ask for \$2,500.00, or a limited amount of money, and he would ask for approval of this amount.

MR. BAXTER MOVED for Suspension of the Rules to take that up. SECONDED. CARRIED.

MR. FOX said he felt that with Section 206 approval, there was no necessity to approve any specific amount, but if Mr. Baxter preferred to have approval for \$2,500, he could make that motion.

MR. BAXTER said he was asking only as he interpreted Section 206 as giving the power to incur expenses to the Board not to the Committee.

MR. SHERER wanted a few specifics, such as the cost of a court stenographer per hour.

MRS. GOLDSTEIN said she would like a ball-park figure on the cost of a stenographer, how many hours, and that sort of thing.

INVESTIGATING COMMITTEE RE GOLF AUTHORITY (continued)

MR. BOCCUZZI said he was surprised that Mr. Baxter chose this road to go down, since by Charter he has the right to spend the money. Nowhere does it say he has to come in for an appropriation prior to spending. Mr. Boccuzzi said he has been on investigating committees before and at no time have they ever asked for money prior to the investigation. The whole discussion is moot.

MR. BOCCUZZI said we voted the Committee the power, and we voted them the right, and we can't renege later on spending of money. He knows for a fact that at no time has any investigating committee ever asked for funds prior to the investigation. The funds were asked for afterward and there was never any problem with it because in the original motion, we gave the permission to spend.

MR. FOX said we will put the Motion to a vote, the motion by Mr. Baxter for approval of \$2,500.00. SECONDED. MOTION APPROVED with 25 YES; 6 NO; 1 ABSTENTION.
This is a Sense-of-the-Board Resolution and a majority vote is required to approve.

MR. BAXTER said that assuming they can get a court stenographer in time, they will have their first meeting in which they will take testimony on Wednesday at 8:00 P.M. in this room.

COMMUNICATIONS FROM THE MAYOR - None.

PETITIONS - None.

RESOLUTIONS

MR. FOX said he would entertain a MOTION to change the September meeting date from September 4th, which is Labor Day, to Monday, September 11, 1978. MOVED. SECONDED. CARRIED.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS

MR. FOX said he has a letter from Corporation Counsel Michael Sherman regarding the question raised by Reps. DeLuca, Santy and Signore, and copies will be sent to all members, if they have not already gotten them. Mr. Fox was away from his office for a short time.

NEW BUSINESS - None.

OLD BUSINESS

MR. BOCCUZZI said we had been discussing Title II grants with a majority vote required for passage. If we apply for the 100% grant and for some reason, it is turned down and we don't get the money, now are these departments running in deficit or do they have to come back to us and get another vote of two-thirds to cover the additional appropriation status of the funding, for new money?

MR. FOX said he did not know and asked MRS. GOLDSTEIN to check it out.

MR. BAXTER asked if it would be appropriate to submit to Steering a change in the Rules of this Board to require a two-thirds' vote to approve any item whether or not it is an 100% prepaid grant, to neatly over-step the problem of three Corporation Counsels doing something that we may, a majority of us, two-thirds of us, consider to be inappropriate.

OLD BUSINESS (continued)

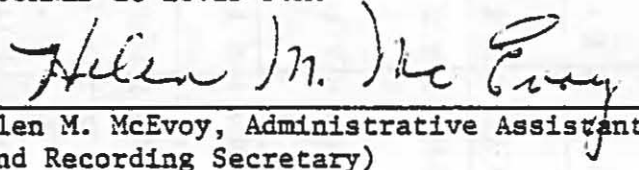
MR. FOX said Mr. Baxter could certainly submit such a request to the Steering Committee. His opinion would be that we could not change any requirement by a change of our Rules, that it relates to an interpretation of various sections of the Charter, i.e., Sec. 609 as opposed to Sec. 202, and Sec. 40 of the Charter, but Mr. Baxter was certainly free to submit that request.

ADJOURNMENT

There being no further business to come before the Board, upon MOTION duly made, SECONDED, and CARRIED, the meeting was ADJOURNED at 10:25 P.M.

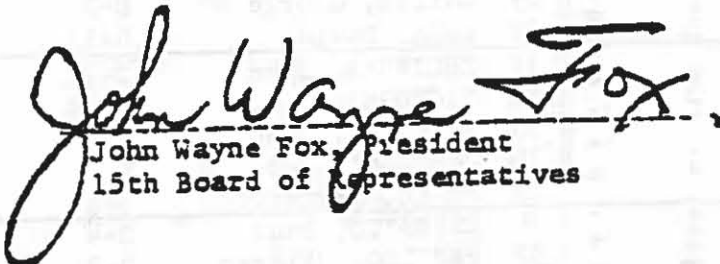
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Encs.

By:


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

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

APPROVED:


John Wayne Fox, President
15th Board of Representatives

Note: August. 1978 Agenda is attached to the August 7, 1978 portion of the
----- Minutes previously sent to you. There was an August 7th and an
August 14, 1978 meeting.

STANDARD BOARD OF REPRESENTATIVES - VOTING RECORD

Date: Monday, August 14, 1978
ADJOURNED MEETINGMEETING ADJOURNED-REGULAR

MEETING AUGUST 14, 1978

(Temporary Changes in Seating:)

None todayJohn Wayne Fox, Presiding(Regular President)VOTING SUBJECT; MOTIONS, ETC.

HMM

TEST PATTERN

TESTING.

(ribbon went off the track here in testing)

Resolution re Homemaker-Home Health Agreement
DENIED-LOST; 31 NO; 1 ABSTAIN. L&R #3. 21L&R #4 vote to Return to Committee; SHELLFISH.
DENIED-LOST; 22 NO; 9 YES; 1 ABSTAIN. 22Vote on Motion to Finally Adopted SHELLFISH &
TAKING; DENIED-LOST; 3 YES; 29 NO; 2 ABSTAIN.
L&R Item #4Vote on Motion to Transfer jurisdiction of
Ethel Kewskin Theatre (taken up under Suspension
of Rules as added L&R #7) LOST-DENIED;
29 NO; 2 YES; 3 ABSTAIN. 4Vote to RECONSIDER FISCAL #8 re \$22,100.00 W.I.
APPROVED; 27 YES; 4 NO; 3 ABSTAIN. 25Vote on Main Motion to Approve the money on
Fiscal #8 \$22,100 W.I.C.; CARRIED-APPROVED
22 YES; 11 NO; 1 ABSTENTION. 40

Seat	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40						
	DARER, Stanley	MATHOCK, Audrey	FESTO, Charles	DIXON, Handy	FERRARA, Richard	HAWK, Marie	TTANI, Charles	PERILLO, Alfred	GOLDSTEIN, Sandra	DeLUCA, Robert	SHERER, Donald	CORBO, Florenzio	POLLARD, Everett	LOONIS, Ralph C.	Santy, Jeanne-Lois	WILNOT, Charles	RITCHIE, Mildred	HAYS, George	FEIGHAN, Michael	RAYMOND, Diane	MARKEWICZ, Henry	SCHLECHTWEG, John	WIDER, Lathon	RYBNICK, Gerald	VENTURA, Joseph	McINERNEY, Barbara	MORGAN, Michael	LIVINGSTON, Jeremiah	BAXTER, George	BLUM, David	ZELINSKI, John	SIGNORE, S. A.	BOCCUZZI, John	CARLUCCI, Leo	PRICE, Margaret	ESPOSITO, Paul	PERILLO, Mildred	ROBIE, John	WIESLEY, Vere	FOX, John Wayne						
	R-13	R-19	R-8	D-2	R-8	R-1	R-15	D-9	D-16	R-14	R-10	R-12	R-17	R-19	R-18	D-16	R-10	R-20	D-1	D-11	D-3	D-6	D-3	D-4	R-17	R-20	D-12	D-5	D-7	D-12	D-11	R-18	D-2	D-5	D-6	D-4	D-9	D-7	R-13	D-15						
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	Y	N	N	O	N	Y	N	N	A	N	N	N	N	A	N	O	N	N	A	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
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