

MINUTES OF MONDAY, NOVEMBER 20, 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, November 20, 1978, being an adjourned meeting from the meeting of Monday, November 13, 1978. The meeting was held in the Board's Legislative Chambers, Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order by the PRESIDENT, JOHN WAYNE FOX, at 8:40 P.M., after the STEERING COMMITTEE held its meeting (to make up the Dec. 4th Agenda). The Steering Committee meeting was called for 7:00 p.m., and started its deliberations at 7:25 p.m. and concluded at 8:10 p.m. Caucuses from 8:10-8:35.

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 37 members present and 3 absent. The absent members were Representatives Santy, Ventura, and Carlucci. (Mr. Markiewicz came in at 9:10 and is included in the 37 present.)

The CHAIR declared a QUORUM.

MR. DeLUCA said Mrs. Santy asked to be excused as she had made prior plans for this evening and the adjourned meeting had not been scheduled at that time.

CHECK OF THE VOTING MACHINE: Found to be in good operating order.

MR. FOX said when the meeting adjourned last Monday, there was one item that had been passed on the Fiscal Agenda with the understanding that it would be taken up before the completion of the Agenda, which is item #25 on page 8, and he called upon Mrs. Goldstein in this regard.

FISCAL COMMITTEE - Sandra Goldstein

MRS. GOLDSTEIN said Item #25 is \$3,449,000.00 to fund the Town Center Garage which is for the first year portion of the total \$5,504,000 which is necessary for the City to meet its Urban Redevelopment commitment. Fiscal voted UNANIMOUSLY in favor and she so MOVED. SECONDED.

MR. SCHLECHTWEG said that Urban Renewal Committee concurred.

(25) APPROVAL OF A CAPITAL BUDGET APPROPRIATION TO THE URBAN REDEVELOPMENT COMMISSION for the REGIONAL SHOPPING CENTER.

MR. FOX called for a vote on the MAIN MOTION to approve \$3,449,000.00 for Item #25. CARRIED UNANIMOUSLY by voice vote.

PLANNING AND ZONING COMMITTEE - William T. MacInnis

MR. FOX said it would be in order to MOVE to take each item out of Committee since the Committee did not meet. (Item #1 was handled at the 11/13/78 meeting.)

(2) ACCEPTANCE OF CRAIG COURT AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS then MOVED for acceptance of Craig Court as a City street extending easterly from High Ridge Road approximately 414 ft. to a permanent turnaround as shown on Map #10,045 filed in the City and Town Clerk's Office. This is as certified by City Engineer 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

(3) ACCEPTANCE OF POND VIEW LANE AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED WITH ONE NO Vote (Mrs. McInerney) and the REST YES VOTES.

MR. MacINNIS then MOVED for acceptance of POND VIEW LANE as a City street extending southerly from Rockrimmon Road approximately 355 ft. to a temporary turnaround as shown on Map #10,002 filed in the City and Town Clerk's Office, and as certified by City Engineer Sabia 11/13/78. SECONDED.

MRS. McINERNEY said she would like to have some discussion on this street which she went out and looked at today. She said she did not know whether Mr. MacInnis had been out there, but she knows that normally a road has to be in perfect condition with the curbing that is proper, and that the curbing on the west side of this road is cracked and crumbling. She didn't know if the City Engineer had been out there lately to check this, but is it one of his specs to not approve a street in that condition.

MR. BAXTER said every member has a copy of the City Engineer's letter of Nov. 13th certifying each of the streets listed in that letter, that they have been inspected and found to be up-to-snuff; and when he made that inspection on the 13th, Mr. Leo Carlucci, chairman of the Committee, accompanied him all throughout each street and looked at them and agreed each in his opinion with Mr. Sabia was in satisfactory condition. On the night of the 13th, the past meeting, each member of the 5-man Planning and Zoning Committee discussed these streets and agreed with the chairman that they should be moved out. Only the technicalities that our Rules prohibit a meeting of a committee on the same day as the Board meeting stopped them from saying this is a committee report, and has forced the committee to go through this nonsense of taking it out of committee. With that background in mind, Mr. Baxter would suggest that the City Engineer and Mr. Carlucci have looked at the street.

MR. LOOMIS did not look at Pond View Lane but he did look at the remainder of the roads on the list and they seemed to him to be in satisfactory condition. He said members of the Environmental Protection Board, a couple of them, checked these roads. Also, that upon acceptance, each developer has to float a two-year maintenance bond which, if anything happens to these roads, if there is anything wrong, then the money to repair or keep them up will come out of the contractor's maintenance bond. He does not think the City will be liable.

MRS. McINERNEY said if she can be guaranteed that the contractor would be responsible for fixing that curbing, she would have no problem with it at all. She just

PLANNING AND ZONING COMMITTEE (continued)

MRS. McINERNEY (continuing).....did not want the City to be liable to go out to make repairs to that road because once the people are there, they will make the request of the City and not the contractor.

MR. LOOMIS said his impression is that for two years, and on most of these roads there is still some construction going on, it is the contractor who will be liable.

MR. FOX called for a vote on POND VIEW LANE and the MOTION CARRIED UNANIMOUSLY.

(4) ACCEPTANCE OF ROCK MEADOW LANE AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS MOVED for acceptance of Rock Meadow Lane as a City street extending southerly from Rockrimmon Road approximately 480 ft. to a permanent turnaround as shown on Map #9,909 filed in the Town & City Clerk's Office, and as certified by City Engineer Sabia on 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

(5) ACCEPTANCE OF BLACKBERRY DRIVE AS A CITY STREET.

MR. MacINNIS MOVED to take this out of Committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS MOVED for acceptance of Blackberry Drive as a City street extending westerly and southerly from Happy Hill Road approximately 1,450 ft. to a point approximately 190 ft. from the southerly street line of Blackberry Drive East as shown on Map #9,945 filed in the Town & City Clerk's Office, and as certified by City Engineer Sabia on 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

(6) ACCEPTANCE OF BLACKBERRY DRIVE EAST AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS MOVED for acceptance of Blackberry Drive East as a City street extending easterly from Blackberry Drive approximately 390 ft. to a permanent turnaround as shown on Map #9,945 filed in the Town & City Clerk's Office, and as certified by City Engineer Sabia on 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

(7) ACCEPTANCE OF FAIRWAY DRIVE AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS MOVED for acceptance of Fairway Drive as a City street extending westerly and southerly to a permanent turnaround approximately 2,330 ft. as shown on Map #10,013 filed in the Town & City Clerk's Office, and as certified by City Engineer Sabia on 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

(8) ACCEPTANCE OF GREENS CIRCLE AS A CITY STREET.

MR. MacINNIS MOVED to take this out of committee. SECONDED. CARRIED UNANIMOUSLY.

MR. MacINNIS MOVED for acceptance of Greens Circle as a City Street extending easterly from Fairway Drive approximately 755 ft. to a permanent turnaround as shown on Map #10,013 filed in the Town & City Clerk's Office, and as certified by City Engineer Sabia on 11/13/78. SECONDED. CARRIED UNANIMOUSLY.

PLANNING AND ZONING COMMITTEE (continued)

MR. MacINNIS said that is all he had to report on.

MR. FOX said Items #9 and #10 are OFF THE AGENDA, which completes the report of the PLANNING & ZONING COMMITTEE.

PUBLIC WORKS COMMITTEE - Alfred Perillo

MR. PERILLO said there was no report.

HEALTH AND PROTECTION COMMITTEE - David I. Blum

MR. BLUM said there was no report.

PARKS AND RECREATION COMMITTEE - George Hays

MR. HAYS said they scheduled a joint meeting with Fiscal Committee and did not get a quorum, and therefore he MOVED for Suspension to bring up the matter of fees for the Terry Connors Skating Rink. SECONDED to take it out of committee. CARRIED with 1 NO vote, Mrs. McInerney.

(1) APPROVAL OF FEES AT TERRY CONNORS SKATING RINK EFFECTIVE NOV. 15, 1978.

MR. HAYS said an informal polling of the Committee evidenced support of this item, but since the committee did not meet, there is no official vote. He MOVED for approval of the fees as requested by the Park Department. SECONDED.

MRS. MCINERNEY said she has received a lot of phone calls from her constituents who go down and use the rink and she is told the fees are too high for families, and she would like the committee to meet on this, re-think the fees, open it up to public comment and then come back at the next meeting. She was unable to reach Mr. Hays to express her opinion and comments as he was out-of-town. She MOVED to RETURN TO COMMITTEE. SECONDED. MOTION IS LOST, 12 YES, 13 NO, 1 ABSTENTION.

MR. FOX then called for a vote on the Main Motion to approve the fees as submitted, and the Motion CARRIED with 5 NO votes (Baxter, McInerney, Ritchie, Livingston, Tiani. One Abstention (D. Blum); the rest YES votes.

MR. HAYS said he had another item which came in too late to get on the Agenda and did not make it to Steering tonight, but it is important to the Stamford Boys Club, a United Way agency, to receive waiver of the \$150.00 vending license fee applicable to the Hot Dog Truck they purchased to raise funds to help the boys, to be staffed by volunteers. Health, Police and Fire Departments have inspected and approved the truck. He MOVED to Suspend the Rules to take this item up. SECONDED. CARRIED.

(2) WAIVER OF \$150.00 VENDING LICENSE FEE TO STAMFORD BOYS CLUB FOR HOT DOG TRUCK.

MR. HAYS MOVED for approval of this item. SECONDED. CARRIED UNANIMOUSLY. Report concluded.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. RITCHIE said no report.

SEWER COMMITTEE - No report.

PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - No report.

URBAN RENEWAL COMMITTEE - John G. Schlechtweg, II

MR. SCHLECHTWEG said Item #1 is covered in a resolution approving Consent Agreement and amendment to supplement to Parking Agreement as enumerated on the Agenda. The Committee voted on Nov. 13th and present were members Loomis, Summerville and Schlechtweg. He read the resolution, and MOVED for its approval. SECONDED. CARRIED UNANIMOUSLY.

MR. SCHLECHTWEG then MOVED for approval of a related matter which concerns a Waiver of Building Permit Fee for the Town Center Parking Garage. SECONDED. CARRIED UNANIMOUSLY.

- (1) MAYOR'S LETTER 10/17/78 RE REGIONAL SHOPPING CENTER AND 10/13/78 LETTER FROM URC CHAIRPERSON EDITH SHERMAN. (Additional detail on agenda)

(Approved as per two paragraphs above.)

- (2) TRANSFER OF JURISDICTION OF VETERANS' PARK FROM URC TO STAMFORD PARK DEPT.

MR. SCHLECHTWEG said his Committee voted 3 in favor and one opposed, and he MOVED for approval. SECONDED.

MR. HAYS said that he concurs with the Motion, although he cannot speak for the committee but he does feel that they are sympathetic also.

MR. FOX called for a vote and the Motion CARRIED UNANIMOUSLY.

ENVIRONMENTAL PROTECTION COMMITTEE - Ralph Loomis

MR. LOOMIS said they had a meeting about a week and a half ago on this issue of encroachment lines on the Mianus River. After hearing testimony by members of the Environmental Protection Board, the Committee voted 3 to 0 to recommend publication of the ordinance. He MOVED for PUBLICATION. SECONDED. CARRIED UNANIMOUSLY.

HOUSE COMMITTEE - No report.

DRUG AND ALCOHOL ABUSE COMMITTEE - No report.

TRANSPORTATION COMMITTEE - No report.

CHARTER REVISION COMMITTEE - Ralph Loomis

MR. LOOMIS said they met with the Charter Revision Commission and agreed with their request for a two-month extension to complete its work, and he MOVED for Suspension to bring this item up which is not on the Agenda. SECONDED. CARRIED.

- (1) REQUEST FOR TWO-MONTH EXTENSION OF REPORTING DATE OF CHARTER REVISION COMMISSION from December, 1978 to February, 1979 Meeting of this Board.

MR. LOOMIS said his committee voted 4-0 to grant the extension request for the Charter Revision Commission to report to this Board at the regularly scheduled meeting of February, 1979. SECONDED.

CHARTER REVISION COMMITTEE (continued)

MR. BERNIER said it is important to provide this extension to make sure all the ramifications of the City's financial and tax structure can be looked at, but it is equally important that it is made clear to the Commission that no extension is envisioned now or at that time for any further extensions.

MR. LOOMIS said there is no intention to ask for any further extensions.

MRS. PERILLO asked does granting this extension mean it will not be ready before budget time.

MR. LOOMIS said this was looked into in great depth and exhaustively discussed and it would appear that this will not be able to legally have an impact on the current budgetary process which is already in motion. If there is a special election, possibly in the Spring, then clearly a vote could have a very clear psychological impact on the budget deliberations of the Board of Finance and this Board. A short answer to Mrs. Perillo's question is that a February report would make it impossible legally to have an impact on this budget which is in the works, but even a December reporting date might be too late to have an impact.

MR. FOX called for a vote on the Main Motion to approve extension of the reporting date to February, 1979. CARRIED with 30 YES votes 2 NO votes, and 5 ABSTENTIONS.

SPECIAL INVESTIGATING COMMITTEE RE SEWAGE TREATMENT PLANT, ETC. - No report.

SPECIAL INVESTIGATING COMMITTEE RE STERLING FARMS GOLF AUTHORITY - No report.

COMMUNICATIONS FROM THE MAYOR - None.

PETITIONS - None.

ACCEPTANCE OF THE MINUTES

Sept. 11, 1978 Regular Meeting - ACCEPTED UNANIMOUSLY. MOVED. SECONDED.

RESOLUTIONS

Item #1 regarding the Postal Workers was handled at the Nov. 13th meeting.

- (2) PROPOSED SENSE-OF-THE-BOARD RESOLUTION BY REP. ZELINSKI URGING SUPPORT OF A FOUR-YEAR PROGRAM AT UCONN, NORTH STAMFORD.

MR. ZELINSKI read his resolution and MOVED for its acceptance. SECONDED.

MR. ESPOSITO said he has always voted for education appropriations and he is going to abstain from this, from voting, but he will speak against it. Briefly, he feels enrollment is dropping in colleges and universities and there will not be sufficient students to fill the rooms proposed by this resolution. We will just take students away from existing institutions. And the taxpayers will have to fund this state-appropriated item.

RESOLUTIONS (continued)

MR. SIGNORE said we should have a local institution so that more students could live at home and attend college and thus afford it and save money. He does not understand Mr. Esposito's position and finds it disturbing.

MRS. RAYMOND: I truly object to having my time wasted with resolutions such as this put in front of a legislative body of the City of Stamford. It includes this resolution. It includes the one that Mr. Zelinski, I believe, is going to propose later on. This is not what we are here for. Let's get down to work and stop all this silliness. Thank you.

MR. BERNIER said contrary to that, and in support of the resolution, although it may improperly be before this Board, he thinks the real purpose of having the resolution is to indicate our concern with a continuing lack of a four-year program in the Stamford branch of UCONN. And until we have this, we cannot consider ourselves as being really a major city in the State of Connecticut. He will support this Sense-of-the-Board Resolution and urges all other members to do so.

MR. SHERER MOVED THE QUESTION. SECONDED. CARRIED.

MR. FOX called for a vote on the Main Motion of approving the resolution. It CARRIED with 1 NO vote (Mrs. Raymond); 1 ABSTENTION (Mr. Esposito), and the rest YES VOTES.

(3) PROPOSED SENSE-OF-THE-BOARD RESOLUTION BY REP. ZELINSKI URGING COMMENDATION FOR BRAVERY OF STAMFORD FIREFIGHTER JAMES G. FERGUSON.

MR. ZELINSKI read his resolution and MOVED for its acceptance. SECONDED.

MR. BAXTER wondered why, after a public commendation and a medal for an obvious act of bravery, is it necessary to gild the lily and have this Board second that medal. He asked what exactly is Mr. Zelinski trying to do and would Mr. Zelinski comment on what Mrs. Raymond said.

MR. ZELINSKI said he didn't think one can overdo in praising someone who risked his life to save another fellow human being. It is neither foolish nor a waste of time. Correct, we are the Legislative Body of the City, and he has already been publicly honored by the Mayor, but he sees no harm in re-emphasizing the heroic act. And he would do it again for anyone else who risks his life in this City to save another and he hopes this answers Mr. Baxter's question.

MR. FOX called for a vote on approval of the resolution. APPROVED with 2 NO votes (Mr. Baxter and Mrs. Raymond), the rest YES votes.

NEW BUSINESS:

MR. POLLARD MOVED for Suspension of the Rules for the purpose of placing a name in nomination for the vacancy which now exists on the Board of Education. SECONDED.

MR. FOX said there is a request for a ROLL CALL VOTE. There are a sufficient number of hands on the Motion to Suspend the Rules to take up an item not on the agenda via a Roll Call vote. Two thirds will be required, so with 37 present, 25 votes in the affirmative will be needed for passage.

NEW BUSINESS (continued)

ROLL CALL VOTE TO SUSPEND THE RULES to take up item not on agenda as proposed by Mr. Pollard. Clerk of the Board Diane Raymond called the Roll.

VOTING IN FAVOR OF SUSPENDING THE RULES (19)

Raymond Bernier
Richard Ferrara
Charles Tiani
Alfred Perillo
Robert DeLuca
Donald Sherer
Fiorenzo Corbo
Everett Pollard
Mildred Ritchie
Henry Markiewicz
John Schlechtweg
Gerald Rybnick
George Baxter
David Blum
John Zelinski
S. A. Signore
John Boccuzzi
Mildred Perillo
Vere Wiesley

VOTING AGAINST SUSPENSION (18):

Stanley Darer
Audrey Maihock
Handy Dixon
Marie Hawe
Sandra Goldstein
Ralph Loomis
Lorraine Parker
George Hays
Michael Feighan
Diane Raymond
Lathon Wider
Barbara McInerney
Michael Morgan
Jeremiah Livingston
Annie Summerville
Paul Esposito
William MacInnis
John Wayne Fox

ABSENT FROM THE MEETING: Jeanne-Lois Santy
Joseph Ventura
Leo Carlucci

MR. FOX said the MOTION is DEFEATED for Suspension of the Rules with 19 YES; 18 NO.

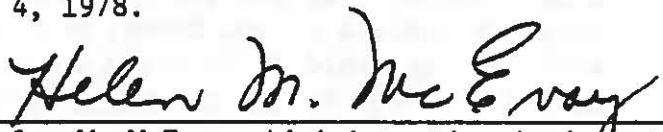
ADJOURNMENT:

MR. MORGAN MOVED for ADJOURNMENT as there was no further business before the Board. SECONDED. CARRIED.

MR. FOX said the next meeting is December 4, 1978.

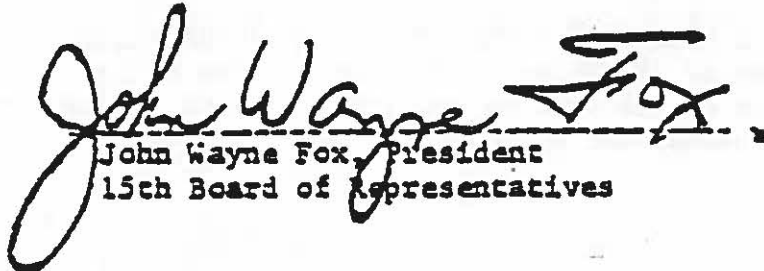
HMM:MS

By:


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

Note: The above meeting was broadcast in its entirety by Radio Stations WSTC and WYRS.

APPROVED:


John Wayne Fox, President
15th Board of Representatives