

MINUTES OF MARCH 14, 1979 SPECIAL MEETING

REGARDING CHARTER REVISION

15th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A SPECIAL MEETING of the 15th Board of Representatives of the City of Stamford, Connecticut, was held on Wednesday, March 14, 1979, pursuant to a "CALL" issued by PRESIDENT JOHN WAYNE FOX, under the provisions of Section 202 of the Stamford Charter and Section 7-191 of the Connecticut General Statutes, as amended.

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 8:40 P.M., after both political parties had met in caucus.

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

ROLL CALL: Clerk Diane Raymond called the Roll. All 40 members were present (Donald Sherer arriving at 9:50 P.M.) There were no absentees.

The CHAIR declared a QUORUM.

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

CALL OF THE MEETING:

MR. FOX said this was a Special Meeting called to review the Report of the Eleventh Charter Revision Commission which was submitted to the Board of Representatives by letter of February 2, 1979.

MR. FOX said what they were doing tonight is specifically governed by Section 7-191 of the Connecticut General Statutes. Our authority is to make recommendations which will then go back to the Charter Revision Commission, and they will meet on, act on, consider, and then send that final report back to this Board. This meeting this evening is really an intermediate step. It is not the final determination as to whether a given issue, or issues, will appear on a referendum.

Within 15 days of the public hearing, the Appointing Authority can make recommendations to the Commission for such changes in such report as it deems desirable, provided if no such recommendations are made within such 15 days, the report of the Commission shall be deemed final.

MR. FOX read the "CALL" of the meeting:

"I, JOHN WAYNE FOX, President of the 15th Board of Representatives of the City of Stamford, Connecticut, pursuant to Section 202 of the Stamford Charter and Section 7-191 of the Connecticut General Statutes, do hereby CALL a SPECIAL MEETING of said Board of Representatives, for:

"CALL" of the meeting (continued)

MR. FOX (continuing).....

WEDNESDAY, MARCH 14, 1979

In The Legislative Chambers of the Board of Representatives

MUNICIPAL OFFICE BUILDING
2nd Fl., 429 Atlantic Street
at 8:00 P. M.

for the following purpose:

To consider and act upon the REPORT OF THE ELEVENTH CHARTER REVISION COMMISSION and the recommendations of the Charter Revision Committee, and to act upon proposed Charter amendments to be submitted to the Referendum, or referred back to the Commission for such changes as it may deem desirable.

CHARTER REVISION COMMITTEE - Ralph Loomis, Chairman

MR. LOOMIS said he talked to the Secretary of State's Office and also an official at the Connecticut Public Expenditures Council. The Board has two options. They can vote and agree with the Charter Revision Commission's Report. If that is the case, it then goes on the ballot and the Commission is done away with. We are done with it.

The second option is to make changes in that report, and those changes really depend upon whatever we may suggest. And if we make any changes, then the report goes back to the Commission. The Commission would then have thirty days to ponder those changes and then it would report back to us and at that time, we would have to take final action.

MR. LOOMIS went on to say he will make his Committee report, and the Board will vote up or down on that report. If it is voted down, then they are open for other recommendations, including the recommendations of the Commission.

He said we really don't have to be formal in the recommendations we turn over to the Commission. It has been the practice of most Commissions in the City to actually have the Committee of the Board informally transmit its recommendations to that Commission at a joint meeting. Instead, tonight we are meeting as a Board to take care of that task, but we don't have to word our recommendations in legal language, or to make it precise. All we need do is give them a sense of our feelings about the general direction of the report.

MR. LOOMIS said his Committee met last night to determine what it would recommend to this full Board and they divided their report into essentially three areas. One, they took action on the tax levy; second was the bonding restrictions; and third were miscellaneous recommendations. Actually, however, there will be two separate recommendations in miscellaneous areas.

FIRST with regard to the tax levy, the vote was 4-1 against the Commission's recommendation regarding a 5% tax levy.

MR. FOX asked Mr. Loomis to indicate as he proceeded, to what section specifically in the report he is referring to so that all Board members may follow.

MR. LOOMIS said his recommendations were not summed up all in one section. That the particular area under discussion is encompassed by several sections: 601, 602, 610, 617, 617.1, and 931 through 937. Essentially he is now talking about all language referring to the Commission's recommendations regarding a 5% tax levy. He would like to keep these recommendations informal and not keep plowing through specific sections here to look up different provisions unless there is a serious question. Mrs. Hawe who was the one vote against on the Committee expressed a desire to send the report back to the Commission with certain concerns she had which she will mention later on. They completely agree with many people in the City that this go on the ballot because the recommendation to be read presently will be a recommendation which the electorate would have to vote on the ballot and the intent, which is a substitute for the Commission's recommendation, would be to limit taxation.

MR. LOOMIS said he will explain why they had trouble with the Commission's 5% tax levy proposal. First of all, the restriction of 5% is arbitrary. It has no relationship to anything, certainly not to the growth of the City or the needs of the City. If you project the figures outward, you find business gets a much better break than does the residential dweller.

Next, they had a philosophical concern about putting stiff, arbitrary, inflexible limits into the City's constitution, a document which by its nature should remain flexible and which should only state general principles much rather than putting in something like 5% which has no correspondence to our circumstances and conditions today, much less in the future. State and Federal revenues are going down, and State aid is going to be dropping by at least 3/4 of a million dollars (\$750,000.00). President Carter says we can expect less help from Washington. Twenty-five per cent of our aid comes from other sources and yet we feel somehow we can make do with this limitation.

There is no provision for disasters or emergencies. What would happen if we had a calamitous situation strike this municipality. How would we make do? Seventy-seven (77%) of our spending comes from the local tax levies. The remainder comes from other grants. If we assume those grants remain stable, we're talking about 3.8% spending increase. If negotiations go beyond 3%, we'll be in court.

Two last things are important. If these restrictions were in effect over the past five years, we're talking about \$7 million less in our budget and no one has offered any indication whatsoever where \$7 million would come. We have been dealing with one-half of the problem here. If we are to be fair with the people, we are also talking about a cut in services because that is inevitable and nobody has made even a whisper about where those services are going to be cut. Everybody wants a tax cut but nobody is willing to do without the services they have grown accustomed to.

The second thing they objected to is that this seriously dilutes, undermines the responsibility, the accountability of the elected representatives of this City. What the people are saying is essentially we've got a ceiling we're going to impose upon you. In effect they are going to make obsolete the actions of the Mayor, the Board of Finance, and the Board of Representatives, because they can do no more than this. Those who are agitating for this kind of restriction have a ready option to throw out of office the elected officials who are not responding to them; you can run against them in general election in November and that is the way to change the system, to get involved.

MR. LOOMIS said he would offer their substitute recommendation in lieu of the 5% tax levy:

Upon reviewing relevant economic and inflationary trends, bonding requirements, demand for City services, productivity achievements, municipal contractual obligations, the Mayor shall set a maximum mill rate or tax levy, whichever you think is appropriate, for the City's budget by March 1st, which cannot be exceeded during the next fiscal year.

A referendum to reject or approve the City's budget shall be held when 10% of the City's registered voters sign petitions calling for such a referendum. 35% of the City's registered voters must participate in said referendum to make the results binding. If a budget is rejected by referendum, the Board of Finance and the Board of Representatives must review and reconsider the budget again. No more than one referendum shall be held during a fiscal year.

A Citizen's Budgetary Advisory Commission, comprised of a broad cross-section of Stamford residents shall advise the Mayor regarding the Operating and Capital needs of the City.

MR. LOOMIS said they felt by putting the power of setting a limitation with the Mayor, people clearly know who to go to. Before, the limitation is imposed, and obviously after it is imposed, during an election year, where they could go directly after the Mayor if they were dissatisfied with that limitation. Secondly, if a concern still existed, why they have provisions for a petition referendum where citizens can come out and act upon the budget and directly defeat it, if it should be too high in their judgment.

Lastly, a recommendation by Fiorenzo Corbo who attended all the Committee's meetings and took an interest in their deliberations, a Citizens' Budgetary Advisory Commission composed of many people, not detailed who they would be, who could regularly advise the Mayor about the Capital and budgetary needs of the City.

MR. LOOMIS MOVED that this recommendation be considered in lieu of the Commission's recommendation and ask for a Second. SECONDED.

MR. BAXTER asked about the 35% of the results that would be required to make it binding. Mr. Loomis said that was correct. Mr. Baxter said so that if you had 34% and most of them voted to accept the budget, you would have a non-binding result, so what would be the status of the budget, accepted or rejected? Mr. Loomis said accepted. Mr. Baxter said then you need 35% to reject the budget, not to make the results binding.

MR. LOOMIS said he is saying that 35% of the City's electorate would have to show up at the polls, voting one way or another, to make the results binding.

MR. BAXTER said then results surely could be in any referendum an acceptance of the budget. Mr. Loomis said that was correct.

MR. BAXTER said an attempt to accept the budget by less than 35% of the people showing up at the polls would be an ineffective acceptance of the budget?

MR. LOOMIS said are you saying that 51% of 35%

MR. BAXTER said what ^{he} is saying what he thinks Mr. Loomis means is that any vote to reject the budget must be a majority vote of at least 35% of the people showing up at the polls. You don't say it that way if you have 34% of the people showing up at the polls and every single one of them votes to accept the budget, they haven't made it, and I don't think that is what you want.

MR. LOOMIS said he understands what Mr. Baxter is saying. It is a negative petition referendum. Those who are taking the petitions out would be taking them out to defeat the budget, and to tell the Board of Representatives and the Board of Finance to lower the budget. There is no way that they could increase.

MR. BAXTER'S second question is that Mr. Loomis said there shall be no more than one such petition referendum in any fiscal year. The Mayor sets a number. It is a number that we get a petition on. 50% of the voters in town come out and reject it unanimously. Now what? The Mayor then comes back and submits the identical budget. Or even he decides, I'll show you, now instead of only raising the budget 15%, I'm gonna raise it 25%. Or if he comes back and reduces it, what happens? If you can only do it once in a year, that having been rejected once, he is free to do anything without the people having the right to say anything about it. Is that right?

MR. LOOMIS said perhaps the language here is loose and the proceedings are informal. The intention and perhaps it could be put in here that if rejected the budget has to be lowered. It has to be lowered, so that the Mayor in the instance you cite could not come back with the same budget. It has to be lowered. And the way this is worked out in practice is that those budget-makers, be the Board of Finance members or City Council members have gotten the message. The people have said we don't want this budget, and they have lowered it in other municipalities. Now, technically, although the budgetmakers could not submit the same budget, they could actually take ONE DOLLAR OFF IT and submit it, and they would be acting within the confines of law. It has been the practice if they try something like that, they are usually not in office at the next election.

MR. ESPOSITO commented on Mr. Baxter's question that when the taxpayers decide that the tax increase is too high, in their petition they could state that they feel it should be only a maximum of 4%. It could be put into Charter language that any petition would have to state what they are desirous of.

MR. ZELINSKI strongly objects to getting alternative recommendations at this late hour, tonight's meeting, a photo-copy of what seems to be scribbled notes, on the alternative recommendations. He received the original recommendations from the Charter Revision Commission under date of February 2, 1979. With all due respect to the 4 members of the Charter Revision Committee of this Board, he is shocked that they have recommended denial of the proposals submitted by the 11th Charter Revision Commission, who were charged by this very Board last fall to develop controls for Stamford's municipal spending, taxation and indebtedness, due partially to petitions that were circulated and signed by some 12,000 people, living and working in this City. They must be heard.

MR. ZELINSKI said after the Commission's intense, comprehensive efforts over the past six months, to reject their recommendations is to make a mockery of the Commission and to insult the intelligence and wisdom of that Commission, so carefully chosen by this Board. The voters of this City should not be denied the chance to be heard, to vote on the Commission's proposals. If the electorate chooses to disapprove of the changes, then the next Board of Representatives could appoint a new Commission. Mr. Zelinski supports totally the proposals of the Commission to be placed on the ballot in November. He has received 98 telephone calls from his constituents urging him to vote in favor of the Commission's recommendations; and 2 telephone calls from his constituents against it; and 5 telephone calls from people who do not live in his district urging him to vote against it. He urges Board members to vote in favor of the Commission's recommendations.

MR. BERNIER said the people made it very clear that they wanted tax relief last summer and that their elected representatives did not really voice the opinion of the electorate, and therefore they wanted to have a more formal voice. This Board is endeavoring to provide that by having a Charter change and by providing some means of limiting the taxes which are levied upon the electorate in the City. In attending some of the meetings, he saw a fine display of the lobbying techniques. It is very effective. During his tenure on the Board of Education, when things needed to be ratified, when unpopular opinions came up, or proposals were brought before it, many times the Education lobbies were out in extreme force. We also had this during the Charter Revision Commission meetings and also the meetings held by this Committee. Everyone in this community is for a decline in taxes. However they are concerned about their ox being gored. They want relief in taxes but they don't want to be affected by it themselves.

MR. BERNIER said that the thing that concerns him most in the recommendations made by our own Committee is the fact that if the taxpayers were dissatisfied with the budget presented by the Mayor, they would have one, quote "no more than one chance at that", and I know how honest various administrations are. They have the best intentions of the voters at heart, but as has been mentioned earlier, there is no reason why conceivably in spite of the voice of the electorate at a special election, why the Mayor or any administration in the future could not barely lower the budget to be presented and the taxpayers would be stuck and they would have no further opportunity to voice their displeasure until the next election. I should like to offer an amendment, at this point, to the Charter Revision Committee's report and that has to do with Section 2 which in essence states that "no more than one referendum shall be held during a fiscal year", and the amendment I would like to offer is that "no more than two referendums may be held during a fiscal year" and I so MOVE.

There is NO SECOND to that Motion.

MR. DeLUCA said the Commission's proposals should not be rejected. He said taking nothing away from the Committee, but their recommendations seemed to smell of SACIA, big business, special interest groups. Nowhere are they thinking about the average John and Jane Q. Public. These people had over 11,000 signed petitions. They're asking for a chance. Let them decide how their money is being spent. People keep crying that the elected representatives are here representing the people. Mr. DeLuca can remember approximately 10 years ago, the so-called elected representatives committed one of the greatest acts of public rape in the City of Stamford when they approved a 20-year retirement for both the firemen and policemen. He doesn't think the Boards at that time knew what they were doing, what the ramifications would be. Today it is killing the City to have these people, after 20 years of service, regardless of age, retiring. The people are saying we gave

you that opportunity and you goofed us up. Don't do it to us again. Give us the right to vote on it.

MR. DeLUCA said maybe by having a restraint of 5% limitation on taxes, a bonded indebtedness of \$17 Million limit, may force these people to come in with meaningful budgets. This is what the people want, to have a say in things. He urges the Board members to reject any proposals submitted by the Charter Revision Committee, and get down to the business of voting on the recommendations from the Commission. He congratulates Paul Callahan for a job well-done as Chairman of the Commission. In the beginning he spoke out publicly against his assignment to the Commission, feeling this was going to be his stepping stone for reelection, but he has done a fantastic job; he has stuck to his guns and I rather respect his opinion more than your special-interest groups and to a certain extent, our Board of Finance.

MR. BLUM said taxes are the price we pay for a civilized society said Justice Oliver Wendell Holmes, but today the price has gone through the roof. The property tax on middle and low-income taxpayer has become a very heavy burden. Along with the high rate of inflation has made it impossible for them to often meet the cost of the bare necessities of life. Since World War II, government has become a large employer at the Federal, State, and Local levels, that it accounts for 14% of the GNP (Gross National Product). The most critical problem facing local governments is raising enough revenue to pay for increased demands of public service; fire, police, education, sanitation, highway maintenance, welfare and other community services have doubled in the last decade.

A limitation of 5% increase on total tax levy obviously restricts government spending. Double-digit inflation has been mentioned but I think it is between 8% and 9%. Mr. Blum hears from people on fixed incomes who lived in Stamford for many years, in the A district, unable to meet the tax payments. He listens to On-The-Line and hears his constituents and other senior citizens on limited reduced incomes saying their tax is high, they lived there for 30 years, they paid their mortgages, and now they are stifled with another mortgage: property tax, a regressive tax at this time in an inflationary period. A circuit-breaker is needed

MR. BLUM said to keep pace with times, the A District should be divided into two districts: Residential and Commercial. The tax laws should be changed to assessment at full market values. The next reevaluation is next year, in 1981. State law mandates 70% assessment then. It should be changed. The URC land that was exempt from taxation for such a long period of time brought the property tax under attack as an unfair tax on the low and middle income homeowners. More frequent assessments would make for a mill rate that is more equitable. Every 3 or 5 years would be better for reassessment. The limitation is not the solution in my opinion. My opinion is that we send this back with recommendations to come back with a revised plan looking into our low, middle income, and senior citizens who are entitled to something in the way of relief for the many years they have contributed to this City. Who is to reap the wealth of this community should pay their fair share of the taxes - they are not! They have the advantages of the courts to reassess their properties while the small homeowner is left paying more than their share of the taxes.

MRS. GOLDSTEIN complimented both the Commission and the Committee for all their work. She said Mr. Zelinski distorted the intent of the Home Rule Act which clearly states that the Appointing Authority clearly has the right to submit recommendations to the Commission. We are not doing anything wrong. We are not denying anybody the vote. We are not changing our government. Secondly she is tired of Education being everybody's whipping boy. Many different lobbies have participated in these recommendations. It was not the Education lobby which spent \$600-some-odd dollars on a full-page ad to try to influence our vote tonight.

MRS. GOLDSTEIN said that it is very crucial that we understand exactly what a 5% limit on the tax levy means. At first 5% doesn't sound too bad, and in time of inflation, if municipalities can keep the 5%, that sounds reasonable. But when you dig deep into this, when you really look into the numbers, that 5% is not 5% and therefore is not reasonable. Presently our tax levy is \$76.6 Million. If we increase this by 5%, as the Commission is proposing, that means next year's fiscal budget would be \$3.8 Million above this year's budget.

Now consider, our tax levy represents 77% of our City's income; 23% comes from other sources. I will assume that that is going to stay the same. Therefore the percentage increase for next fiscal year will be 3.88%. Consider the cost of fuel which is up from 15% to 40% in the City's budget. These are invoiced numbers. The cost of materials are up 8.5%, real numbers. Inflation in all areas is in the area of 8%. We have a \$52 Million unfunded pension deficit that must regularly be included in our budget from now on and from the next 20 or 40 years, depending on whose report you wish to accept. We have an allowable increase of 3.9% for next year according to the Commission. Since 70% of the budget is labor; since all the items I just mentioned are fixed items, where are the cuts going to come from and who will bear the brunt.

What happens when emergencies arise? We have 5% limit on tax levies and these are things I don't understand based on the Commission's report. If we have a true emergency and we have to go above the 5% increase, does the amount become part of a separate tax levy? I don't know. I don't see the answer in the Commission's report. Or, will the increases become part of the current fiscal year tax levy and therefore will it increase the base amount upon which we add 5% in the next fiscal year. Or does the liability incurred not count at all, and are we playing a nice little game of lulling the taxpayers into thinking that we are living within constraints but in reality bypass them. I don't know the answers to the above questions. I don't believe they are answered in the Commission's report. I fully support Mr. Loomis' Committee's recommendations being made to the Commission and I do hope the rest of the Board will, too.

MR. FOX asked the speakers to limit their comments to Mr. Loomis' motion specifically rather than making general comments.

MR. VENTURA said he would not like to see, by law, a boxed-in figure, a law that limits us to a situation that we can never get out of. He is interested in seeing tax stabilization, but we may be in trouble if an emergency arose. The City should be run like a business, a \$99 Million a year business. The Legislature was elected by the people to do its best on behalf of the people. He feels the 5% limitation proposed by the Commission can be detrimental to the economy of the City at times. Their spirit is well-taken. But people like to live here because Stamford has much to offer. If we drive this into the ground by limitations and play on the emotions of the taxpayers, of special-interest groups, we are really going to be in trouble. We don't want Stamford to be a slum city.

MRS. McINERNEY said since Proposition 13, the nation has been taken over by Proposition 13 Fever. However, another fever, equally important, has also spread across our nation in recent years, and that is Freedom-of-Choice. The climate in Stamford was ripe for a tax limitation proposal. Our citizens had a tremendous tax increase in 1976, some as high as 18%, and since then they have been asking year-after-year, at public hearings, for relief. It's no wonder we were petitioned to institute a Charter Revision Commission whose sole purpose was to put a limit on taxes and spending. The issue facing us is two-fold; one: tax limitation; and two, the issue of Freedom-of-choice, the right to choose, the right to be the master of your own destiny, the right to be in control of your life, the right to live the rest of your life in your home, and the right to voice your opinions on the issues which affect your quality of living. Across the country today, hundreds of people are marching for that right of choice. We cannot abandon that fight. The public demands that we continue in their quest for freedom-of-choice and unfortunately the issue before us is taxation, and they are demanding the right to vote on the Charter Revision Commission's recommendations as originally presented to the Board of Representatives.

MRS. McINERNEY said Mr. Loomis' recommendations would prove to have more ramifications, only reinforces political controls over government spending, and may have some technical difficulties. And the worst problem is that constant petitioning annually if the budget increases to a point beyond control, would only serve to polarize the various segments of our community as was just evidenced by remarks made about education and taxpayers. This kind of polarization will literally erode the City. The people are speaking on this issue. All sides of our community have been heard; the liberals, the conservatives, the middle-of-the-roaders, elderly, poor, parents, developers, businesses, educators, municipal employees, politicians, and the media. All are demanding to be involved and should be. The public's vote on the Charter Revision Commission's recommendations would be in fact a sense-of-the-community's resolution. Not endorsing the original proposal of the Commission would be depriving the total community of their right to express their feelings in a democratic manner. If the Board members are all of a mind to consider your proposal, the proposal of the Charter Revision Committee, far more superior to the work of the Commission, then it is Mrs. McInerney's opinion that the only fair and equitable thing to do would be to place BOTH PROPOSITIONS side-by-side on the machine and let our community decide. She has faith in all of the people of this community and she would abide by their choices, regardless of what they are. The people are asking for the opportunity to decide on the growth of municipal spending. Can we deny them that right? She thinks not.

MR. FOX said Mr. Sherer is now present.

MRS. HAWE said she is opposed to the Committee's substitute proposal as put forth by Mr. Loomis and she voted against it in Committee. She said she doesn't think it substantially changes anything in terms of the Mayor setting a limit at the beginning of the budget process. The provision for petition referendum redeems it somewhat, but the Commission's proposed 5% tax limit on the tax levy is a better one. During the past five years, the tax rate has increased an average of 5.1% per year. So how would a 5% limit enacted now cause an undue hardship on the City if we have only had such a similar rise on the average for the past 5 years. It will stabilize our taxes and avoid any enormous increase in one year as we had several years ago.

MRS. HAWE continued that another point to consider is that the main objective of a bureaucracy is self-perpetuation and self-expansion, whether Federal, State, or local, and bigger government doesn't necessarily mean better government. She has several recommendations to make on the operating tax levy limit and her purpose is not to delay or defeat the proposed tax levy limit, but to clear up and investigate a few things so that when the limit does go into effect, it runs smoothly.

MRS. HAWE asked the President now that they are discussing the operating tax levy limit and it doesn't seem that they will be going page by page and section by section is this the time for her to make her MOTION.

MR. FOX said we have a motion on the floor which should be put to a vote. After that, we will then take the second recommendation that is coming out of the Committee and then at the end will have time to take any additional recommendations that Mrs. Hawe or any other member might want to make to the Charter Revision Commission. He suggested she hold her recommendation, her Motion, until the motion on the floor is disposed of.

MRS. HAWE asked if she would then be able to make her Motion and recommendation regardless of the outcome of the vote.

MR. FOX said yes.

MR. WIDER approves the recommendations of the Committee, and respects the efforts of the Commission, nevertheless he is concerned with the City. He finds it impossible to meet the needs of the City with the 5% limit either on increased expenses or expenditures. He hopes all who have been elected are here to take care of the business of the people who elected them. That, he is. He does not think the Charter of the City should have to tell him what a limit should be. There is another way to do the job of limiting excess spending. He recommends adoption of the amendment and the total report of the Committee.

MRS. SANTY said the intense pressures by business, local government officials and special groups rejecting the Commission's report have been felt by all of us. We are the voice of our constituents, and she has received phone calls, letters, telegrams, petitions, the mandate is overwhelmingly of the revisions as proposed by the Commission. The sentiment was summed up by a letter in her mailbox stating that person would like an opportunity to vote on the Charter Revision proposals regarding taxation; and would not like to have that right to vote denied by the Board of Representatives. The person states he is egotistical to think he can vote intelligently. Mrs. Santy also thinks the people can vote intelligently and she will support the proposals of the Commission and let the people who pay the bills decide at the polls.

MR. MacINNIS is in support of the Committee's recommendations. He holds the Commission in high regard, and they did an excellent job. Two points: one is that in the last five years, there has been an annual 5.1% increase. The Consumer Price Index for that same period increased at the rate of 8.0% and that doesn't show rampant reckless spending. It shows our system is working reasonably well. Secondly, two of those years, the increase was less than 5.0%. If there is some kind of spending limit required, and we are in fact suggesting it, it should be flexible. It should not be fixed. In this, he agrees with the Commission in fact

MR. ESPOSITO said we must be sensitive to the public will, but the ultimate responsibility lies with the elected official. To propose referendums at will is to invite anarchy. A representative democracy means the people elect officials who become experts on issues in government, and to vote their conscience based on the specialized knowledge they acquire by participating in this government. We may know what is best for the people. We have access to information which the public may not have. Sit through 3 solid weeks of budget-hearings and you know the City inside-out. We have knowledge and access to information that the citizens do not have; therefore, it is incumbent upon us to act in what we know is best for the City, not what pressure-groups feel is good for the City. The ultimate responsibility for decisions in this City is ours. That is why we are elected. It is not the public's. They elect us to do that. The statement made before that the Charter Revision Committee is responding to special-interest groups I think is utter nonsense. What could SACIA which represents the City's largest taxpaying group possibly have to gain by being opposed to having their taxes limited. Those who favor the Commission's recommendations are the Courtland Terrace Assn., and the Stamford Taxpayers Assn. Those who are opposed to the Commission's recommendations include the Municipal Employees Assn., the Stamford Realtors Assn., SACIA, Family & Children's Services, Riverbank School PTA, CTE, Stamford NAACP, Board of Finance, and the Stamford Labor Council. SACIA and the Labor Council constantly at odds with each other, and on this issue, they are together. With that list, at this point, I don't know what the will of the people is. My conscience says to report the Committee's recommendations and he would urge everyone to do the same.

MRS. MAIHOCK said the overwhelming response from phone calls, letters, and a petition signed by 82 residents from the 19th District was in opposition to the Charter Revision amendments as currently constituted. She also wishes to recognize those residents, much fewer in number, who took the time to write very effectively of their deep concern and voicing their approval of the Charter Revision amendments. Therefore reflecting the majority view in her district, Mrs. Maihock will vote against the Charter Revision amendments. The 19th District needs have never been met comparable to what they should be entitled to under the premise under which our City was originally founded. That slogan was "you pay for what you get, no more, no less." We have not received the proper minimum public works services to which we have been entitled over the years. We do not have sufficient police service. The only service we have received with any degree of satisfaction has been the neighborhood school. They therefore cling tenaciously to this, their only benefit from their large tax payment. A limitation might compromise the quality of education. A rumor was circulated that Riverbank School might be closed, and while she could not substantiate it, it is a very real fear throbbing in the hearts of the parents in the district. She deeply thanks the Commission for their tireless efforts. In all respect to her beloved colleague, Mr. Loomis, Mrs. Maihock finds she cannot agree with the alternate provision to the Charter Revision. We are required to vote on a very important alternative on very short notice. She wonders if the referendum would really function to the satisfaction of all.

MR. HAYS is not going to quote Shakespeare, not even Thomas Jefferson, but he is going to comment on comments received from people we are here to answer to tonight. He is convinced the people want a referendum and they are entitled to a referendum. In his heart, he feels he owes them one. He cannot accept the Commission's proposal. He can accept conceptually the Committee's proposal, and he has confidence that the Commission will put the Committee's informal comment into a clear, true legitimate choice for the people. The real problem in his stomach is that all this activity will not solve the problem without management directed to the point which the Charter will not solve. We're trying to treat the pain and not the disease.

MR. HAYS said we are struggling as a community to finance and manage the growth that we have experienced in the last few years. We are demanding new services in places we never gave services before, but we're not surrendering services in the older places who are still demanding more. We don't want to deprive anybody of anything they're entitled to. We've got to reorganize the whole City's management of its business. And for those of you, including the press, that credit that former mayoral candidate with authoring all this Charter Revision process, I might set you straight that it was Yours Truly who first authored the creation of this Charter Revision Committee, to show my sincere concern. My concern is we look deeper into all those things that will provide the economies that we need, like consolidation of so many City agencies and departments, streamlining of them, a more efficient process to addressing the problems. I am convinced all of this with the obvious and continuing attitude of the public to keep taxes as low as possible will give the public what they really want.

MR. BOCCUZZI said he is not against Education. He loves them. He thinks the people in government brought this particular situation upon themselves. The Mayor, the Board of Finance, and yes, this Board of Representatives had the power to make changes in the budget, cut the budget, and for reason or other, we make cuts that do not stand up, we make cuts in the wrong places, people have to come back in for their money, and taxpayers out there, they see every month where departments come in for money to continue to the end of the fiscal year. But if you go back to budget time, you will find that we on this Board, the Mayor, and the Board of Finance continually cut in places that it can't hold. Mr. Boccuzzi does not particularly like the 5% ceiling but he is going to have to vote for it because with a 5% ceiling, the people are going to say spend the money but spend it in the right places; don't put it all in one or two baskets; that's what we're doing now; that's why we have a problem always. It is going to force the Mayor and the Board of Finance and this Board to allot the money to the right departments. He would like to see, at budget time, all appropriations required to have a 2/3 vote which would be an indication that this is what the City wants. If they want to give all their money to one department, it will take a two-thirds vote. The money must be doled out in a more respected way.

MRS. PARKER said what is best for the good and welfare of the greatest number of citizens is more important than individual interests. Some people would like Stamford to stay at a population of 35,000. A sleepy, unchanging community. There is another word for a community like that, and that word is stagnation. And with stagnation comes disease and death. In Stamford because of its growth and enlightenment, property values to all homeowners have gone to heights beyond our wildest expectations and shall continue to do so unless City government is stopped by capricious, financial crippling for the services, resources and amenities which we have so far enjoyed. What would happen if an arbitrary lid is put on spending. Which shall go down the drain?...the stadium for the Little Leaguers, the beaches, the parks, theatre, youth programs? Can you imagine a referendum on each little group's self-serving purposes? For the most outspoken group, who are in the forefront with their ideas in stopping the rising costs to the taxpayers in Stamford, their ideas may seem to them to be right and just, but in their naivety, are looking at a very narrow view of what is good for Stamford. It is a very short-sighted overview of what can happen when slogans, and banners, and newspaper ads do not reflect what the majority of the people want to see happen in our City. For example, this organization was instrumental and want to take credit for pressuring the City into not accepting the Libby Holman Estate as a gift to Stamford. Their hue and cry at the time was that the cost of maintaining the property, this beautiful open space which we could have availed ourselves of, was too expensive to maintain. The estimated cost was \$45,000 a year. We were not given an opportunity of working out a fee schedule so that it could possibly become self-sustaining, and what a loss! Shall we ever again be granted a gift such as this

MRS. PARKER went on to say so indeed if they loudly take credit for this loss, she thinks we should look into the same short-sightedness of such a group which is crying out now. Is it really in the best interests of the majority of our citizenry. Thank God to the people who came before and had the ability to look ahead and the vision to make the City of Stamford the vital, exciting growth City it is today. As a resident for 29 years, I have seen roadblocks thrown in the paths of these far-seeing people. Somehow their patience and wisdom prevailed.

MR. POLLARD it appears that City Hall has examined itself and has told us it is pleased with itself. The public on the other hand has examined City Hall and their petitions tell us that they are less than pleased. Human nature apparently causes people to blow out a smoke-screen when told that they displease someone, and tonight and in the preceding days, City Hall has done a considerably good job of blowing a smoke-screen. The fact remains the quality of life for anyone living in Stamford, or anywhere, is largely determined by how much extra money they have to spend, and not how much money the government has to spend. We are not voting to pass a law, but to allow our voters a greater voice in their government. They want that right. Their petitions have told us that. They deserve that right and I intend to support that right, by supporting the Commission's recommendation, and by voting against the Committee's recommendation which merely allows City Hall to keep control of our purse-strings.

MR. LIVINGSTON came here with an open mind to do what is exactly right on behalf of the people of the City. Everything seems to have been said. Your public servants are here in this room, 40 members of this Board, and there is no one that works in behalf of the City more than the 40 people in this room. He will not go into the names that they have been called. There is no way Mr. Livingston will deny the people of Stamford from voting or participating in voting on the outlook and the future of our City, but in our process of checks-and-balances, he feels obligated to honor the recommendation of this Committee.

MR. FLOUNDERS said that to accept the proposals in their existing form without questioning those recommendations which we honestly believe are impractical and unworkable is nothing short of being irresponsible. It is very appealing and very easy to respond positively to any proposal that holds out a hope for saving taxes and limiting spending. If such a proposal appeared to be workable and practicable, he would be the first pushing for its approval. But the tax cap and bonding limit sections of the Commission's proposal although well-intended and considered among other options, are in fact not workable. This is a conclusion he is convinced is an honest opinion of this Committee based on the work that they too have invested in examining the Commission's proposal. Re the 5% limit on the tax levy increase each year, if inflation remains above 5%, the proposal as it is now written automatically reduces Stamford's net purchasing power each year. Unless we can figure a way to freeze wages, materials, and all other operating expenses into an annual 5% increase pattern, actually again 3.8%, which is not very likely, not very practical really, something is going to have to give. What should give? All the answers to the questions raised should be provided before we have any part in etching this proposal into stone in our Charter. The snare and delusion is that the proposal is a money-saving step. The truth is that it is not; it is a revenue straight-jacket that does not recognize need. He supports the Committee's recommendation for amendment because it logically and rightly questions those elements in the proposal that defy reason and logic. His constituents want him to oppose the details of the proposal; they do not want him to oppose the concept of the proposal. The concept is fine.

MR. FOX said Mrs. Hawe has raised a question earlier about a motion she would wish to make after Mr. Loomis' motion which is now on the floor. Procedurally there is a point which he would like to confer with the Parliamentarian on in conjunction with this, so there will be a recess of three minutes.

(RECESS 10:34 to 10:50 p.m.)

MR. FOX called the meeting back to order.

MR. MORGAN MOVED THE QUESTION. SECONDED. CARRIED with only a very few no votes. (voice vote).

MR. VENTURA requested a Roll Call Vote. Sufficient show of hands to justify.

MR. FOX asked Mr. Loomis to repeat his Motion which he read about three hours ago, so there would be no question on what is being voted upon.

MR. LOOMIS said:

Upon reviewing relevant economic and inflationary trends, bonding requirements, demand for City services, productivity - measurements, municipal contractual obligations, the Mayor shall set a maximum mill rate or tax levy for the City's budget by March 1st which cannot be exceeded during the next fiscal year. A referendum to reject or approve the City's budget shall be held when ten per cent of the City's registered voters sign petitions calling for such a referendum. Thirty-five per cent of the City's registered voters must participate in said referendum to make the results binding. If a budget is rejected by referendum, the Board of Finance and Board of Representatives must review and reconsider the budget again. No more than one referendum shall be held during a fiscal year. A Citizens Budgetary Advisory Commission, comprised of a broad cross-section of Stamford residents shall advise the Mayor regarding the operating and capital needs of the City.

MR. FOX said if the Motion is Carried, then that recommendation will be sent on by this body to the Charter Revision Commission. A Yes vote is to approve the Motion made by Mr. Loomis and his Committee. The Clerk will Call the Roll.

MR. BLUM asked if we can add to that they can look into other avenues other than those recommended by the Committee.

MR. FOX said no, we cannot. If, after we have finished with the report of the Charter Revision Committee, Mr. Blum wishes to make other recommendations, they can be taken up at that time.

MRS. RAYMOND, the CLERK, called the Roll.

ROLL CALL VOTE:THOSE VOTING IN FAVOR (27 YES):

Darer, Stanley P.	Schlechtweg, Adelaide
Maihock, Audrey	Wider, Lathon
Dixon, Handy	Rybnick, Gerald
Corbo, Fiorenzo	Ventura, Joseph
Goldstein, Sandra L.	Morgan, Michael
Flounders, Burtis	Livingston, Jeremiah
Loomis, Ralph	Baxter, George
Parker, Lorraine	Blum, David
Ritchie, Mildred S.	Guglielmo, Dominick
Hays, George	Summerville, Anne H.
Feighan, Michael P.	Esposito, Paul
Raymond, Diane	MacInnis, William
Markiewicz, Henry	Sherer, Donald
Fox, John Wayne	

THOSE VOTING AGAINST (13 NO):

Bernier, Raymond	Santy, Jeanne-Lois
Hawe, Marie J.	McInerney, Barbara
Tiani, Charles	Zelinski, John
Perillo, Alfred	Fiordelisi, Salvatore
DeLuca, Robert	Boccuzzi, John
Ferrara, Richard	Perillo, Mildred J.
Pollard, Everett	

MR. FOX: The MOTION is CARRIED with 27 YES and 13 NO votes.

MR. LOOMIS said the second recommendation pertains to the Bonding requirements submitted by the Commission. We voted 4-1, with Mrs. Hawe being against. First, the strict limitation would not permit the City to grow and fund the kind of capital rproject needs it has to in the future. The Planning Board appeared and predicted during the next 6 to 10 years, between \$15 and \$25 Million of bonding projects would be needed. The limitation would impose \$17 million which would force us to cut short projects and programs that are needed. The proposal says the Commissioner of Finance in the Spring has to predict how much bonding programs would cost and what the interest rates would be. It is impossible for him to do so as interest rates fluctuate widely from month to month, and it is also impossible to predict the precise cost of certain projects due to inflation.

MR. LOOMIS said we are one of the very few cities in Connecticut with a triple A (AAA) bond rating and this is not given out lightly. I will ask Mr. MacInnis to comment at this point as he has practical experience in this entire field.

MR. MACINNIS said we might endanger our AAA rating with this tax levy limitation. The difference between a Triple A and a double A bond is between 10 and 20 base point; ten base points being a tenth of one percent and 20 base point being two-tenths of a per cent. With a hundred million outstanding debt, a tenth of one per cent would be a hundred thousand dollars a year, and over a 20-year period, that is two million dollars. It will put the City in great jeopardy to take a chance on risking our Triple A rating.

MR. LOOMIS said under present Commission recommendations, emergency-basis capital projects could not be approved. Such things as Urban Renewal which needs extra appropriations to get a project off the ground would come to a dead halt. The other thing is that political chicanery which can come into play is without limits. For example, there is a provision for a referendum if the people decide, that the budgetmakers, perhaps the citizens should allow further bonding. What the Commission doesn't realize, or didn't pass along to us, was the kind of schemes that can be brought into play. The kinds of things that can be done with this scheme frighten us, very frankly, and so we decided in lieu of the Commission recommendation to adopt the recommendation that I'll read to you now:

The total long-term debt outstanding at year's end must not exceed a percentage of the full market value of the Grand List to be specified annually by the Board of Finance.

This simply means that the Board of Finance will take a look at the Grand List, take a look at the needs of the City, look at the bond market, the interest rates, and determine what percentage of the Grand List will be appropriate for us to meet our needs and to be fiscally responsible. So I propose this recommendation in lieu of the Commission's recommendations, which was approved by this Committee by 4-1, and I so MOVE. SECONDED.

MR. FIORDELISI said he recalls that two distinguished representatives of both Dun & Bradstreet and Moody's appeared before one or both of the Charter Revision bodies and stated unequivocally that they could not state in their judgment, and they were senior members of both firms, that Stamford's rating would be in jeopardy, the AAA rating.

MR. LOOMIS said no one appeared before his committee from those companies.

MR. FIORDELISI said it was reported in the ADVOCATE.

MR. LOOMIS said he never saw the article and no one appeared, and he doesn't know if they appeared before the Commission.

MR. FIORDELISI said he believed Mr. Loomis was incorrect but would accept what he said.

MRS. GOLDSTEIN said the capital projects are the very fibre of the City. That Sections 635 and 636 are unworkable, and she would have to vote against the Commission's proposals for that reason. It is impossible for the Finance Commissioner to have information on interest and principal rates for the bonded debt by April 15th. Next, we bond out a mixture of old projects and future projects. The Finance Commissioner will not know by April 15th which new projects the Board of Representatives will approve as this Board does not act on budgets until mid-May of each year.

MRS. GOLDSTEIN said, as Mr. Loomis did, that Section 636 will set into motion a kind of political chicanery that we don't now have and she would hate to see this occur. Over the years, our capital project budget has not gone up in excessive proportions. We have acted very prudently and have stayed within set limits that are self-imposed. There is no reason to change a good system and she urges members to vote again with the Charter Revision Committee.

MR. SHERER MOVED THE QUESTION. SECONDED. CARRIED.

MR. FOX said yet to speak are Mr. Boccuzzi and Mr. Morgan. He asked Mr. Loomis to re-state his Motion so there is no question on what is being voted on.

MR. LOOMIS said the Motion, once again, is:

The total long-term debt outstanding at year's end must not exceed a percentage of the full market value of the Grand List to be specified annually by the Board of Finance.

MR. VENTURA requested a Roll Call Vote. There was a sufficient show of hands.

MRS. RAYMOND, CLERK of the Board, called the Roll:

ROLL CALL VOTE:

THOSE VOTING IN FAVOR (29 YES):

Darer, Stanley	Wider, Lathon
Maihock, Audrey	Rybnick, Gerald
Dixon, Handy	Ventura, Joseph
Corbo, Fiorenzo	Morgan, Michael
Perillo, Alfred E.	Livingston, Jeremiah
Goldstein, Sandra	Baxter, George
Flounders, Burtis	Blum, David
Loomis, Ralph	Boccuzzi, John
Parker, Lorraine	Guglielmo, Dominick
Ritchie, Mildred	Summerville, Anne H.
Hays, George	Esposito, Paul
Feighan, Michael	MacInnis, William
Raymond, Diane	Sherer, Donald
Markiewicz, Henry	Fox, John Wayne
Schlechtweg, Adelaide	

THOSE VOTING AGAINST (11 NO):

Bernier, Raymond	Santy, Jeanne-Lois
Hawe, Marie	McInerney, Barbara
Tiani, Charles	Zelinski, John
DeLuca, Robert	Fiordelisi, Salvatore
Ferrara, Richard	Perillo, Mildred
Pollard, Everett	

MR. FOX said the MOTION is CARRIED with 29 Yes, and 11 No votes. There are still a number of recommendations coming out of the Committee.

MR. LOOMIS said there are three other recommendations. They are short and will not require much deliberation, hopefully. First is Section 610.1 in regard to the calendar the Commission set up. Changing from December to November does not allow a new administration, a new Mayor, to put his imprint on the budgetary process. A new mayor may have a mandate from the public to do certain things so he should control the budgetary process at the very beginning in that case. His Committee voted 4-1 to recommend changing the date in Section 610.1 back to December (instead of November as the Commission noted) and he so MOVED. SECONDED.

MR. FOX called for a machine vote and the Motion CARRIED with 29 yes, 8 no, and 3 abstentions.

MR. LOOMIS said the second recommendation is really a technical one and does not really change the substance in any way, of the Commission's report. In Section 617 there is language that more appropriately belongs under the Mayor's budget under Section 612 and it would actually become 5 (b), Section 612.5(b). The Committee voted 5-0 to recommend that provision which is now in Section 617 be moved to Section 612 and he so MOVED. SECONDED.

MR. FOX said so that there is no question, in particular, Mr. Loomis is referring to language on the bottom of page 13 which reads:

"to fund pensions currently in an amount determined by an independent actuary designated by the Mayor for this purpose."

MR. FOX called for a vote on this and the MOTION CARRIED UNANIMOUSLY (voice vote). (see abstention of Mr. Guglielmo below)

MR. GUGLIELMO asked that he be recorded as an ABSTENTION.

MR. LOOMIS said he has one final motion and that will probably be a catch-all, clean-up motion. It is simply to be that we approve all those things that we did not discuss and which we did not consider here tonight, to make sure that we have taken care of the entire report, and I so MOVE.

MR. FOX said then the motion Mr. Loomis wishes to make is that all other sections of the report are approved as sent down to us.

MR. LOOMIS said there are some provisions of the report that refer to the Purchasing Agent, to the Advisory committee, planning, transfers, etc., and these are good recommendations so we want to indicate our approval of them. We have already displayed our disapproval of the two major recommendations, so this is just meant to clean up the others.

MR. FOX said before a vote is taken on that motion, he understands there are other motions which are to be made by other members of the Board as to other recommendations that they would want to make.

MR. LOOMIS said in that case he would WITHDRAW his motion.

MR. HAYS proposed a modification to Section 614 to give the Board of Representatives authority to delete a sum of money of a given budget as opposed to taking it out line-by-line, or as a line item. The Mayor would then reallocate the line items to the total we approve, for that department. He said leave 614 as it is and add the additional option suggested.

MR. FOX asked if there were a SECOND to that motion. There was not.

MR. VENTURA said he did not understand what Mr. Hays' motion meant and perhaps others did not also. He'd like to hear it once more.

MR. FOX said there was no motion on the floor.

MR. LOOMIS offered to make Mr. Hays' motion for him once over. He MOVED that this Board have the privilege of cutting by department in the budgetary process sums of money and allow the department head to use his discretion as to where those dollars should come out of. SECONDED.

MR. BAXTER said one problem some people already have is with the Education budget where we have no line-by-line control. This change would encourage sloppiness, padding the budget, and allow for less control, and we should reject it.

MRS. GOLDSTEIN feels line-by-line control, at least an attempt at control, is very important. She feels the Commission tried to address that problem by adding something that would give department heads some flexibility in transferring, and that is in Section 618 Control of Appropriations, where the Commission has added the provision saying: "However, with the approval of the controller, with the exception of salaried accounts, a transfer....not to exceed five hundred dollars....may be made in any one fiscal year. In such cases, Board of Finance approval shall not be required." This is the significant part that Board of Finance approval shall not be required. This will go away from departments having to go to us asking for \$50.00 transfer, or to the Board of Finance, or for a \$50.00 additional appropriation. This goes in the direction that Mr. Hays is kind of indicating. Maybe no.

MR. SHERER MOVE THE QUESTION. SECONDED. CARRIED.

MR. FOX said the Motion is the one made by Mr. Loomis with respect to Section 614 and in addition to that, which he has outlined. The vote will be taken by machine. The Motion is LOST, 5 Yes, 32 No, 3 Abstain.

MR. BLUM MOVED that the Commission look into an item they looked into previously permitting of selective tax relief for the elderly, the poor, and others on fixed incomes. SECONDED.

MR. FOX called for a vote, and the MOTION CARRIED UNANIMOUSLY.

MR. DARER MOVED that the Commission give a close look and come up with some recommendations in connection with the budgetary process, specifically in the area of the function of the Department of Budget and Management, recently formed. The citizens of Stamford, in probably the greatest outpouring of democracy, have expressed a will and an interest in our process and they are entitled to our best efforts to achieve the results they have asked for. We have tried to cure a cold and the patient may die. We must go back and look at the inception of the budgetary process and give it much consideration because that is where many of the seed of the ills of this City in its fiscal responsibility lie. Specifically, if the Office of Budget is given the responsibility that it probably should have, as it has in our Federal Government, then when the department heads make their budget requests to the Mayor, through the Office of Management and Budget, and if it is decided that those requests are too high by the Mayor at the first step, then as these budgets are returned to the department heads, then these gentlemen submit to the Mayor how they propose to live within this new budget, and that the Mayor, the Board of Finance and the Board of Representatives give these department heads the right to come back with these recommendations, so that by the time the fiscal year begins on July 1st, everyone in the City, the Mayor, the Board of Finance, the Board of Representatives know where we are going. Mr. Darer does not like additional appropriations except in an emergency. We cannot know in advance when we are going to have enormous snowfalls, or floods, or some Act of God. Part of the sad history of this City has been directly caused by poor budgeting, acceptance of budgets that we should have known were incorrect, and just those type of acts which generate additional appropriations during the fiscal year. He recommends a monthly reporting requirement by department as part of the budget process, so that each month we can take into consideration seasonal adjustments, so that monthly we will know if a department is spending its money appropriately and not spending it early in the year and then having to come in for an additional appropriation. We should know a five-year history so we can see if variances are coming out of that process. It is possible that some of this is already being done, but the Commission should give some thought to this.

MR. DARER continued to say that both a fiscal audit process and a performance audit process should be considered, to be done after a department completes its budget and has spent its money, we then do a performance audit to appraise what we have actually got, what bang for the buck, have the citizens received what they really wanted. Are we performing a service and doing it well, or is it not a service that gave us what we really wanted. With some of these implementations, which are informal, and which I will be happy to write this up and give it to the Commission, I wanted to share these with you. SECONDED.

MR. FOX asked Mr. Darer if he would state in a concise summary exactly what his recommendations are. This entire package has to be put together on which we are working this evening, and get that to the Commission within a relatively short period of time, Friday, March 16th.

MR. LOOMIS is troubled. The Commission was created last summer and had many meeting and hearings. And the Committee had a whole series of meetings and hearings. Now, here, at almost midnight and we are starting to hear and consider for the very first time several proposals which deserve more consideration than the few minutes left now, and he wonders why they haven't been raised during the many months that we have been going through this process. The Commission has only 30 days in which to look over the proposals already being submitted and trying to find out what to do with them, let alone starting to add all this new baggage. He is skeptical about adding the amendments that Mr. Darer has proposed.

MR. RYBNICK said how can you ask a department head to state what his budget means over a period of years when the Police Department alone has four cars wrecked. How do they know that these cars will be wrecked over the course of the fiscal year. The same thing with the Public Works Department that needs over-time. Do they know when they will need over-time. And these emergencies arise all throughout the year. It is a very foolish move to ask this.

MR. BERNIER supports Mr. Darer in essence in his attempt to inform the Commission of our concern about the needs for control and to achieve fiscal responsibility in this City. The things Mr. Darer mentions are common sense management techniques. The fact that they were not presented to the Commission or the Committee in the past is immaterial.

MR. BAXTER said one, in general, said we cannot fault Mr. Darer for not bringing his suggestions out previously, because we have done a lot of important things tonight with stuff we just found on our desk not too much longer than that, and if we were capable of handling those first two issues, we certainly are capable of handling Mr. Darer's. And second, these suggestions do not belong in a Charter or a Constitution, we have a Mayor to implement these sort of sound business practices. We should focus the Commission's attention on the building of the house but not to have them tell us exactly how many nails to use. We should reject Mr. Darer's suggestions to incorporate this into the Charter.

MR. MORGAN said some of Mr. Darer's proposals are interesting, and some of the information is already being provided by the City on a regular basis. However, these are not substantive matters dealt with best by the Charter, but procedural kinds best dealt with by the legislative body or the Mayor's office and through his cabinet.

MR. SHERER MOVED THE QUESTION. SECONDED. CARRIED.

MR. DARER, upon request from Mr. Fox, re-stated his MOTION:

Basically, the key factor in this proposal, is concerning the department heads and how they propose to live with cuts that are made in their budget so that they would have to come back to the Mayor with defined projects, after the Mayor has made his cuts, and have to live within those cuts. It is my understanding this it is not done today and it is a sore spot. The Board of Finance says it is a sore spot, and I think that is a key factor. I also would like to have all these priorities and budgets firmed up so that we eliminate, to the best possible way, additional appropriations except in the case of emergency. That, of course, would be subject to what is an emergency.

Basically, also to ask that we develop a fiscal and a performance audit process, and I so MOVE. SECONDED.

MR. FOX called for a vote by machine. MOTION LOST 7 Yes, 26 NO, 6 Abstentions.
(AND 1 Absent, Mr. Livingston having left the meeting)

MR. ZELINSKI referred to Section 484.1 Duties of Purchasing Agent. He said there is a substantial change in the Charter. He believes the \$1,000 limitation should be in there, and not a undetermined amount which is to be resolved by the Board of Finance. We need a check-and-balance and to avoid possible abuses it should stay at \$1,000.00 and he so MOVED. SECONDED.

MR. LOOMIS urged voting against it. This adds flexibility to the budgeting process and will not hamstring the Purchasing Agent's office.

MR. SHERER MOVED THE QUESTION. SECONDED. CARRIED.

MR. FOX called for a vote on Mr. Zelinski's motion. DEFEATED by a vote of 8 Yes, 23 No, 7 Abstentions. (and 2 absent, Mr. Livingston and Mr. Fiordelisi)

MR. ZELINSKI said he is not one who can't compromise, so he MOVES that the amount be changed to \$3,000.00. SECONDED.

MR. FOX called for a vote on Mr. Zelinski's motion for a \$3,000.00 limitation in Sec. 484.1. DEFEATED by a vote of 12 yes, 19 no, 7 abstentions (and 2 absent).

MR. ZELINSKI said he had one final Motion. Same section, 484.1 that the Purchasing Agent shall have the power to reject all bids....and consider the fiasco of the West Side Fire House experience recently, he wishes to delete that right from being given to the Purchasing Agent, he so MOVED. SECONDED.

MR. LOOMIS said Mr. Zelinski is now fly-specking this entire document, going into areas that were not even touched by the Commission. This is language that has always been in the Charter and has nothing to do with the charge that we have before us here tonight. He is not sure it is permissible to start going through the Charter which wasn't changed or touched by either the Commission or the Committee tonight here in our proceedings, and perhaps Mr. Fox would rule on that.

MR. FOX said Mr. Zelinski would have the right to make recommendations with respect to those sections which have been worked on by the Commission.

MR. FOX called for a vote on the Motion to delete that sentence. MOTION DENIED with 2 Yes votes, 29 No votes, and 7 Abstentions (and 2 absent)

MR. MORGAN said he is not sure procedurally how his proposal should be handled so he will explain it and perhaps Mr. Fox could advise the form a motion might take. The second item we considered was the bonding limitation and we have language that the total long-term debt outstanding must not exceed a percentage of the full Grand List as determined annually by the Board of Finance. And that is the Committee's recommendation which we supported and I voted for it, but unfortunately I had my hand up to be recognized but the question was Moved before I had an opportunity to speak. The point that I would make, and I voted for the Committee's report on this item, but I think that the Board of the Representatives, as well as the Board of Finance, should be involved in that very important decision-making process. The Congress of the United States every year votes on the debt limit, and this is essentially the same thing for our municipality. And there is expertise on this Board that I think should be involved in the process in determining what the total bonded indebtedness for the City ought to be. Whether I can amend the original motion or whether I should make a separate motion now, or some kind of resolution, I leave that up to you.

MR. FOX said this is similar to a question he discussed with Mr. Baxter earlier in conjunction with some motions being considered by Mrs. Howe. He asked the Parliamentarian for his opinion on that.

MR. BAXTER said we couldn't come up with motions that were inconsistent with motions that we had already passed. And what Mr. Morgan says would be inconsistent. The only way we could do it, to get there, would be to go through the motion to Reconsider process, which opens the whole question up, and you need people on the losing side to agree to it, and then discuss the entire issue again. And then Mr. Morgan making his amendment. That's the only way procedurally.

MR. LOOMIS suggested that keeping in spirit with this informal process, the Charter Revision Committee will be meeting with the Commission. We might at the time include in our verbal comments the fact that this is a worthwhile idea, although we don't have the force of a vote behind it, I'm sure it's not a highly controversial one and one they would likely give some consideration to. It certainly is not one that is going to take a lot of their time and effort in looking at

MR. MORGAN said he will accept that, as long as it is brought up.

MR. BOCCUZZI said in Section 484.1, page 4, MOVED that the underscored line, which reads "a sum, the amount of which is to be determined annually by resolution of the Board of Finance" have added to it the words "AND ALSO THE BOARD OF REPRESENTATIVES." SECONDED.

MRS. GOLDSTEIN agrees with this and would like to see this Board added to that procedure which will give the necessary balance to a sum that might seem excessive in some year. It is a reasonable addition.

MR. BLUM feels there should be a specific figure there.

MR. FOX said we have already debated that point and it is a different issue. We seem to be floundering and will listen to debate only on the issue at hand.

MR. WIDER said we have carried out the mandate of the agenda and he Moves that this report be accepted.

MR. FOX said we have a motion and will put it to a vote. We are voting on Mr. Boccuzzi's Motion relating to page 484.1, on page 4, to add to it wording so that it would read to include the Board of Representatives along with the Board of Finance to determine the amount at which a bid is required.

MOVED. SECONDED. CARRIED by voice vote, with one no vote.

MR. LOOMIS MOVED that this Board approve Sections 484.1, 611.5, 618 and that's it. They touch on the other recommendations which are non-controversial in the Charter and clean up the entire report. SECONDED.

MR. BAXTER said he does not object to the substance of it, but silence is construed as consent. What you are doing is gilding the lily, and on general principle, if we don't object to something in this context, it is clear that we have accepted it and there is no need to gild the lily.

MR. LOOMIS said we gilded the lily on many occasions before with the other Charter report and he is merely following that precedent.

MR. FOX said he thinks from a statutory standpoint, Mr. Baxter is correct, but he does not think there is anything improper in the motion that has been made.

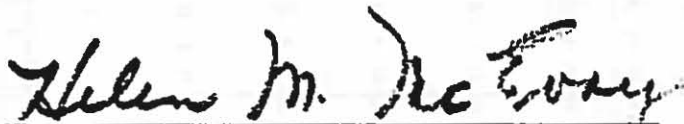
MOVED. SECONDED. CARRIED. Mr. Baxter will be recorded as a NO vote, and Mr. Morgan will ABSTAIN.

MRS. GOLDSTEIN said this Board owes Mr. Loomis and his Committee, and the Charter Revision Commission an enormous vote of thanks for the excellent job that was done by both.

MR. BAXTER MOVED FOR ADJOURNMENT. SECONDED. CARRIED.

ADJOURNMENT AT 12:05 A.M.

By


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

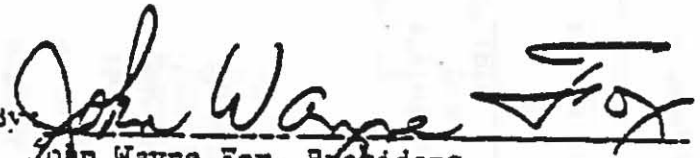
Board of Representatives

HMM:MS

Encl.-Voting Tally Sheet

APPROVED:

By


John Wayne Fox, President
15th Board of Representatives

22 Democrats + 18 Republicans = 40 members

Seat No.	Members	Dist./ Party
1	DARER, Stanley P.	R - 13
2	MAIHOCK, Audrey	R - 19
3	BERNIER, Raymond	R - 8
4	DIXON, Handy	D - 2
5	CORBO, Fiorenzo	R - 8
6	HAWK, Marie J.	R - 1
7	TIANI, Charles J.	R - 15
8	PERILLO, Alfred J.	D - 9
9	GOLDSTEIN, Sandra L.	D - 16
10	DeLUCA, Robert C.	R - 14
11	FERRARA, Richard	R - 10
12	FLOUNDERS, Burtis	R - 14
13	POLLARD, Everett K.	R - 17
14	LOOMIS, Ralph	R - 19
15	SANTY, Jeanne-Lois	R - 18
16	PARKER, Lorraine	D - 16
17	RITCHIE, Mildred S.	R - 10
18	HAYS, George	R - 20
19	FEIGHAN, Michael P.	D - 1
20	RAYMOND, Diane (Clerk)	D - 11
21	MARKIEWICZ, Henry R.	D - 3
22	SCHLECHTWEG, Adelaide	D - 6
23	WIDER, Lathon	D - 3
24	RYBNICK, Gerald J.	D - 4
25	VENTURA, Joseph F.	R - 17
26	McINERNEY, Barbara A.	R - 20
27	MORGAN, Michael G.	D - 12
28	LIVINGSTON, Jeremiah	D - 5
29	BAXTER, George G.	D - 7
30	BLUM, David I.	D - 12
31	ZELINSKI, John R., Jr.	D - 11
32	FIORDELISI, Salvatore	R - 18
33	BOCCUZZI, John J.	D - 2
34	GUGLIELMO, Dominick	D - 5
35	SUMMERVILLE, Annie H.	D - 6
36	ESPOSITO, Paul A.	D - 4
37	PERILLO, Mildred J.	D - 9
38	MacINNIS, William	D - 7
39	SHERER, Donald B.	R - 13
40	FOX, John Wayne (President)	D - 1

CODE:
 O = Absent.
 A = Abstaining.
 Y = YES vote.
 N = NO vote.

MEETING Special 7/14/79 CHARTER REVISION
 Changes in Seating
 Due to change in Republican
 Leadership and new member elected
 change have been made - see left.

VOTING SUBJECT; MOTIONS; ETC.

Test of Machine

Test of Machine

Loomis' motion re Sec. 610.1 return to December date. APPROVED 29 Yes; 8 No, 3 Abstentions.

Loomis' rewording of amendment; this Board to cut by dept. amts. of money instead of line-by-line cuts, decision by dept. heads. DEFEATED, 5 yes, 32 no, 3 abstain. #2

Darer's Motion on dept. heads to report how they will handle cuts, etc. DEFEATED, 7 yes 26 No, 6 abstentions. (absent) #3
 Zelinski motion Sec. 484.1 limit \$1,000.00. DEFEATED 8 yes, 23 NO, 7 abstain (2 gone) #4
 Zelinski motion Sec. 481.4 limit \$3,000.00 DEFEATED 12 yes, 19 no, 7 abstain (2 gone) #5

ZELINSKI Motion Sec. 481.4 re delete right of Purch. Agt. to reject bids. #6
 DEFEATED 2 yes, 29 NO, 7 abstain (2 left) #7