

MINUTES OF WEDNESDAY, SEPTEMBER 5, 1979 REGULAR MEETING

15th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 15th Board of Representatives of the City of Stamford, Connecticut, was held on Wednesday, September 5, 1979, in the Legislative Chambers of the Board of Representatives in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8:38 P.M. by the President, John Wayne Fox, after both parties had met in caucus.

INVOCATION: The Rev. Richard E. Mayberry, St. Francis Parish (Episcopal), 503 Long Ridge Road, Stamford.

PLEDGE OF ALLEGIANCE TO THE FLAG: President Wayne Fox

ROLL CALL: The Roll was called by CLERK ANNIE SUMMERVILLE. There were 34 present and 6 absent. The absent members were Reps. Ferrara (excused), Wider (due to illness), Livingston, Fiordelisi, Hays, Schlechtweg (excused). (Ventura left 9:30 P.M.)

The CHAIR declared a QUORUM.

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

RESIGNATION OF CHARLES J. TIANI (15th District--Republican):

MR. FOX said the first Order of Business to which he would like to bring the Board's attention is a letter received from Mr. Charles J. Tiani, which reads as follows:

"Dear Mr. Fox: Please accept this letter as my submission of resignation from the Board of Representatives. I find it necessary to do so due to time that the operation of my business requires as well as demands on my personal time. It has certainly been a privilege working on the Board and to be of service to the people of the 15th election district. Very Truly yours, Charles J. Tiani." (Dated Aug. 31, 1979)

MR. FOX said he accept with regret the resignation of CHARLES TIANI.

FILLING OF VACANCY IN THE FIFTH DISTRICT (REPUBLICAN):

MR. POLLARD placed in nomination the name of: PHILIP R. STORK. MOVED. SECONDED.

MR. FOX said, there being no other nominations, it is MOVED that nominations be closed and the secretary will be directed to cast one ballot for Mr. Stork as Representative in the 15th District.

MR. FOX administered the OATH OF OFFICE to MR. STORK, who, upon being sworn in, took his seat on the Board.

STANDING COMMITTEE REPORTS

MR. BOCCUZZI MOVED to WAIVE the reading of the Steering Committee Report.
Seconded. Carried unanimously.

STEERING COMMITTEE REPORT

The STEERING COMMITTEE met on Monday, August 20, 1979, in the Democratic Caucus Room. The meeting was called to order at 8:07 P.M.

PRESENT AT STEERING

Wayne Fox, Chairman	Alfred Perillo
John Boccuzzi	Dominick Guglielmo
Handy Dixon	Richard Ferrara
Sandra Goldstein	Mildred Ritchie
Michael Feighan	Ralph Loomis
John Zelinski	Marie Hawe
David Blum	

ABSENT FROM STEERING

Annie Summerville
Lathon Wider
Donald Sherer
George Hays

OTHERS PRESENT

Fiorenzo Corbo
Audrey Maihock
J. Chasek
L. Gambino (WSTC)

(1) THE MAYOR'S APPOINTMENTS:

The three names appearing on the Tentative Agenda were ORDERED ON THE AGENDA.

(2) ADDITIONAL APPROPRIATION (FISCAL) ITEMS:

The six items appearing on the Tentative Agenda were ORDERED ON THE AGENDA.

(3) LEGISLATIVE MATTERS:

Seven items on the Tentative Agenda were ORDERED ON THE AGENDA. Three items were ORDERED HELD: Pensions for Registrars of Voters; Designation of a residential street as a play street; Amending Sec. 18-6 re playing ball, throwing stones, etc. upon City Streets. Ordered removed from the agenda was the item re adopting a City and Town Development Act. Moved to Parks and Recreation Committee was the matter of consolidating two golf courses into one City commission, or two separate commissions. Moved to the Sewer Committee was the matter of permitting the use of PVC plastic pipe in sewers. Moved to the Planning and Zoning Committee was the proposal to amend Ord. 361 re RMF zone. Move to the Personnel Committee were: Aging Commission's request for fringe benefits for 5 additional employees; also Fair Rent Comm. request for medical benefits for full-time investigator.

(4) PERSONNEL MATTERS:

The three items on the Tentative Agenda were ORDERED ON THE AGENDA, also added to the Agenda was an item of the Board of Education school administrators' labor contract. Ordered held in committee were two new items, transferred from L&R as per paragraph above, last sentence.

(5) PLANNING AND ZONING MATTERS:

Two items on Tentative Agenda were ordered on the Agenda, also one from L&R being amendment of Ord. #361 re RMF zone. Two items were ordered off the agenda.

STEERING COMMITTEE REPORT (continued)(6) PUBLIC WORKS MATTERS:

The one item was ordered Held in Committee.

(7) HEALTH AND PROTECTION MATTERS:

The two items were ordered Held in Committee; also ordered held was the matter of Hawk Transpn. and Dickmont Plastics.

(8) PARKS AND RECREATION MATTERS:

Four items on Tentative Agenda were ordered on the agenda. Two items were held: complaints re Sterling Golf Authority from Mr. Fodiman; From L&R the consolidating of two golf courses into one City commission; or two separate commissions.

(9) ENVIRONMENTAL PROTECTION MATTERS:

The three items on Tentative Agenda were ordered Held.

(10) SEWER MATTERS:

Two items ordered on Agenda; also ordered was one from L&R re plastic pipe. One item was ordered held, being sewerage charges, user charge/ICR.

(11) TRANSPORTATION MATTERS:

Ordered on the Agenda was item re restriction of parking of commercial vehicles on residential streets. Ordered held was alternate bus routes suggestion.

(12) CHARTER REVISION MATTERS:

Ordered off the Agenda was Mr. Blum's letter re ballot questions.

(13) RESOLUTIONS:

Ordered on the Agenda were two new items: Mr. Loomis' proposed resolution re Executive Loan Service; also Mr. Handy Dixon's request for regulation and control of motorcycles and their noise.

(14) OLD BUSINESS:

Ordered on the Agenda was request of Messrs. Perillo and DeLuca for their atty., Jas. Bingham, to meet with Corp. Counsel re repeated requests re police departments funds in City employee's private checking account.

(15) NEW BUSINESS:

Next regular Board Meeting to be Wednesday, Oct. 3rd, 1979. Steering 9/17/79.

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, seconded, and carried, the meeting was ADJOURNED at 9:32 P.M., with some members remaining until 9:55 p.m.

JOHN WAYNE FOX, Chairman
Steering Committee

HMM:MS

APPOINTMENTS COMMITTEE - Handy Dixon

MR. DIXON said his Committee met on August 30, 1979. - Present were Reps. Mildred Perillo, Audrey Maihock, John Boccuzzi, Robert DeLuca and Handy Dixon.

MR. DIXON said first is the name of Mr. John Leydon for the Zoning Board of Appeals, whom the Mayor has chosen to WITHDRAW.

MR. PERILLO: POINT OF PERSONAL PRIVILEGE. I would like the record to show that Mr. Dolan in his Stamford Advocate report of this past week reported me as a member of the Appointments Committee and voting in favor of John Leydon. I'm not even on the Appointments Committee and I was no-where near City Hall, so I would like the record to show that.

ZONING BOARD OF APPEALSTerm Expires:(1) MR. JOHN LEYDON (D)

86 Michaels Road

(Held in Committee 8/6/79)

WITHDRAWN BYMAYOR CLAPES.

Dec. 1, 1983

MR. FOX: I received a letter to that effect which was hand delivered to me from the Mayor's Office yesterday. I believe it is a matter of public record that the vote of the committee was 4-1 in favor of Mr. Leydon, and I think that should dispose of it.

MR. DIXON: That is correct and if that is your ruling I would be willing to go along with it.

BOARD OF RECREATION(2) MR. ROBERT E. CALLAHAN (R)

181 Thornridge Drive

(Held in Committee 7/23/79)

APPROVEDUNANIMOUSLY

Dec. 1, 1981

MR. DIXON: The Committee voted 4 yes; 1 abstention, and I so MOVE. SECONDED. CARRIED. (voice vote)

PATRIOTIC AND SPECIAL EVENTS COMMITTEE(3) MS. MARGARET PETERS (D)

178 Four Brooks Road

(Held in Committee 7/23/78)

APPROVEDUNANIMOUSLY

Dec. 1, 1983

MR. DIXON said the Committee voted unanimously in favor and he so MOVED. SECONDED. CARRIED (voice vote)

FISCAL COMMITTEE - Sandra Goldstein

MRS. GOLDSTEIN said the following items are to go on the CONSENT AGENDA:
Fiscal Items #3, 4, 6). In each case, where a secondary committee was involved, that committee concurred in putting the item on the Consent Agenda. Where there was no secondary committee report, the proper Motions were made to Suspend the Rules; they were Seconded and Carried.

FISCAL COMMITTEE (continued)

- (1) \$ 38,965.00 - YOUTH SERVICE BUREAU - PROJECT SUPPORT - Code 794.7551-
Additional Appropriation representing LEAA Grant (91%
Federal and 9% Local) (\$35,422 + \$3,543.00) per Mayor's
request 7/5/79. Board of Finance approved 7/12/79.
Held in Committee 8/6/79.

MR. GOLDSTEIN said Fiscal voted 1 in favor; 2 abstentions; 2 opposed and she so MOVED.

MRS. HAWK: Education, Welfare & Government concurs with 2 votes opposed to it.

MR. FOX: When we have a negative vote we make a motion to approve it keeping in mind the negative report of the Committee.

MRS. GOLDSTEIN: I so MOVE.

MR. FOX: MOVED. SECONDED.

MR. POLLARD: I would like to ask Mrs. Goldstein for some background on the negativity on the vote.

MRS. GOLDSTEIN: Last month we held this request and requested the Director of the Youth Service Bureau to provide us with some additional information. First we didn't have the proper time to analyze the information. Second, the one overriding thing appeared to the Committee was that this was a duplication of services. I would like Mrs. Hawk or Mrs. Ritchie who voted against it to delineate their reasons for it.

MRS. HAWK: One of the main reasons I feel that this is not worth voting for is because there is a lot of overlapping with the Board of Education's services. The project support was in effect from March 1978 to December 1978. There has been no project support in Stamford since then. I don't think that it is a necessary program; I don't think it not worthwhile, but the duplication with the Board of Education services warrants us turning this down.

MR. ESPOSITO: Being one who abstained, I feel that we need more time in committee to examine this, to deal with some of the issues that were raised by Mrs. Goldstein, so I would MOVE that this be returned to committee.

MR. FOX: MOVED. SECONDED.

MRS. HAWK: I don't think that it is worthwhile to return it to committee. I really don't think anything new will come to light between now and next month and I urge you to just vote it down.

MRS. RITCHIE: I feel exactly the same way as Marie does. It is a duplication and this is a case where we are spending Federal money, our tax money; I'd say just to create jobs for people.

FISCAL COMMITTEE (continued)

MR. MacINNIS: How many members are there on the Committee and how many voted on it?

MR. FOX: There are nine members on the committee and five voted on it.

MR. MacINNIS: In other words there are four members who did not get an opportunity to vote. In that event, I would be in favor of returning it to committee.

MR. DIXON: I believe the Youth Service Bureau stands for good cause and you mentioned the fact that you did not have ample time to analyze the information. I don't believe we have anything to lose by having it put back into committee. If we vote it down tonight, we will not only lose the Grant, but we will also lose the Youth Service Bureau.

MRS. GOLDSTEIN: We won't lose Youth Service Bureau. This is a very small portion of the different contractual services. If we vote this down, we will lose the grant.

MR. BLUM: I would like to ask under what agency does the Youth Service Bureau come under?

MRS. GOLDSTEIN: CTE.

MR. VENTURA: MOVE THE QUESTION.

MR. FOX: MOVED. SECONDED. I would suggest we vote by use of the machine. The MOTION IS CARRIED. 19 yes; 15 no; 1 abstention, to return Item #1 to Committee.

- (2) \$ 55,000.00 - POLICE DEPARTMENT - AMEND 1979-1980 CAPITAL PROJECTS BUDGET
\$ 49,500.00 - BY ADDING A PROJECT TO BE KNOWN AS "COMPACT, UNMARKED,
DETECTIVE VEHICLES" to be financed by BONDS. Bd. of Finance
approved 8/9/79.

MRS. GOLDSTEIN: Fiscal cut the request to \$49,500.00 to represent the purchase of nine un-marked vehicles. We voted 5-0 in favor and I so MOVE.

MR. BLUM: Health & Protection concurs.

MR. FOX: MOVED. SECONDED. CARRIED UNANIMOUSLY. (voice vote)

- (5) \$107,452.00 - AMEND 1979-1980 CAPITAL PROJECT BUDGET BY ADDING A PROJECT
TO BE KNOWN AS "ACCEPTANCE OF CATOONA LANE" in the total
sum of \$107,452.00 (\$98,789.50 to be paid by the City and
\$8,662.50 to be assessed against property owners involved).

MRS. GOLDSTEIN: Fiscal voted 5-0 in favor, and I so MOVE.

MR. FOX: MOVED. SECONDED.

MR. PERILLO. Public Works concurs.

FISCAL COMMITTEE (continued)

MRS. GOLDSTEIN: Fiscal would like to add something to the request and we voted on these words. Because Catoona Lane is a City feeder street, the City is paying for the sub-surface drainage work, which normally would be paid for by the residents. The Board of Representatives' passage of these monies tonight recognizes the uniqueness of the Catoona Lane situation and in no way indicates that the Board is setting a precedent in relation to the City's obligation in the area of City Streets Acceptance.

MR. GUGLIELMO: Catoona Lane does have a unique situation, that is it's being impacted on by the Ward Housing Project and the fact that it is a conduit to the Post Road from Stillwater Road. However, I don't feel this addendum is a positive move. The merits of a street being accepted should stand on their own feet and I don't feel that the hands of the Finance Commissioner or the Engineering Department should be tied in any way by this addendum and I would move to strike this from the appropriation.

MR. FOX: Your motion then is to strike the resolution coming out of Fiscal Committee. MOVED. SECONDED.

MRS. GOLDSTEIN: Commissioner Hoffman was at our meeting and he subscribed very strongly this wording because he too would not want it to seem to any Attorney representing any group of citizens in this City that a precedent has been established by our action tonight, so he wants this included.

MR. GUGLIELMO: I feel that the procedure for acceptance of City Streets is well outlined in Chapter 64 of the City Charter, however, if this is Commissioner Hoffman's feelings on this addendum to the appropriation, then I would move to WITHDRAW my motion.

MR. FOX: Mr. Blum is withdrawing his second. I believe we can put this to a vote. The MOTION IS CARRIED UNANIMOUSLY. (voice vote)

MRS. GOLDSTEIN MOVED FOR APPROVAL OF THE CONSENT AGENDA for Fiscal Items #3, 4, and 6. SECONDED. APPROVED UNANIMOUSLY. (voice vote)

LEGISLATIVE AND RULES COMMITTEE - Michael P. Feighan

MR. FEIGHAN: Legislative and Rules Committee met on Wednesday, August 29, 1979. Present were Reps. Baxter, Raymond, Markiewicz, Sherer, Darer, McInerney and Feighan.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING CODE SECTION 15-1 BY DELETING: "and a copy of the same is posted in a conspicuous place at such premises." - submitted by City Rep. Audrey Maihock. Held 8/6/79.

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

LEGISLATIVE AND RULES (continued)

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote) - for publication.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING CODE SECTION 15-2 BY DELETING: "and a copy of the same is posted in a conspicuous place at such premises." - submitted by City Rep. Audrey Mailhock.

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

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote) - for publication.

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL PROVIDING TAX RELIEF FOR THE ELDERLY - last draft of Barry Boodman 2/23/79 with amendments by City Rep. Jeanne-Lois Santy approved 8/6/79 meeting. City Rep. David Blum has proposed additional amendments.

MR. FEIGHAN: The Committee found in its deliberation that the published Ordinance as amended last month by this full Board was published incorrectly. With that in mind it is the feeling of the L&R Committee that the proper procedure would be in fact to publish that Ordinance as amended last month in its proper form.

MR. FOX: Mrs. Santy had an amendment to the Ordinance as originally proposed. That amendment was approved by this Board for publication. That Ordinance as proposed has not been published and it is as you know a two-step process. It is something I don't think we can circumvent. I think the only thing we can do so that this Ordinance can be dealt with properly and in accordance with the procedures set out by the Charter is to have the Ordinance published as directed by this body during our August meeting.

MRS. SANTY: Mr. Fox I agree with your decision. I think it is the only thing we can do. I would like at this time to urge the Legislative and Rules Committee to hold an open hearing regarding this Ordinance as amended; this hasn't been done. I would urge them to give one whole evening to this hearing so that every senior citizen that wants to be heard. They appeared at the last meeting thinking they could be heard and there was a misunderstanding and I would like to have them all express their views

MR. BLUM: I would like to present before the Board my proposal or amendment to Mrs. Santy's amendment because her amendment as passed by this Board does not truly eliminate the language from that Ordinance in which liens and loans are removed entirely from the Ordinance. If this is passed in its entirety with the Santy amendment the Senior Citizens according to the language of this will still have to pay their lien and their loan.

MR. FOX: I believe you have submitted your own proposal to the Steering Committee which in turn was referred to Legislative and Rules Committee and is being considered by that body.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. FOX: Mrs. Santy, I would like to get together with you and Mr. Feighan so that we can review this. As I recall it your amendment, which was approved by this Board in August was that lines 14 through 18 of the original Ordinance be deleted and in addition that paragraph 7 within the body of the Ordinance be deleted. Is that correct?

MR. FEIGHAN: I think it is indicative of the complexity of this issue.

MR. BLUM: I just want to say what would be the difference if we bring my language in now and vote upon it. You have not published the Ordinance in its entirety with the two amendments.

MR. FOX: As I interpret it this body has made a determination and has ordered that a certain thing take place. It is my opinion that we should do that, that we should publish the Ordinance before we do anything else and I think we have made a ruling on that.

MR. ZELINSKI: Just one question how would Mr. Blum get his amendments in after the publication?

MR. FOX: Mr. Blum will not be denied his right to propose his amendment at a later time or to review any proposed amendments he wishes to make with the committee. In my opinion it would not be in accordance with the proper procedures of this Board. I think we have to take one step at a time.

MR. FEIGHAN: As I was saying this does point out the complexity of the issue and it also shows the cautious responsible attitude on the parts of the other members of the committee, whom I don't get a chance to commend often enough in public and the Legislative and Rules Committee is more than willing to take another look at the Ordinance.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL FOR TAX EXEMPTION FOR STAMFORD ART ASSN., their letter 4/2/79; property at 39 Franklin Ave., Stamford; purchased from St. Andrew's Parish. Held 8/6/79

MR. FEIGHAN: The Committee recommended approval of the publication by a vote of 6 in favor; 1 opposed and I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. 27 yes; 4 no; 3 abstentions.

- (5) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL to amend dumping fees - "double taxation" - submitted by City Rep. David Blum. Held 5/21 and 7/2/79

MR. FEIGHAN said Item #5 is being HELD IN COMMITTEE.

LEGISLATIVE AND RULES (continued)

- (6) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL "TO CONTROL AND REGULATE EXCAVATION, FILLING AND GRADING" - submitted by City Reps. Barbara McInerney and George Hays. 8/20/79.

MR. FEIGHAN: Item #6 is being HELD IN COMMITTEE.

- (7) FOR PUBLICATION - AMEND CODE SEC. 10-78 "PROCEDURES" FROM FAIR RENT DIR. DIANE CROUSE. Letter 4/19/79 requesting that landlords be required to give advance notice of rent increases, to hold off eviction proceedings if tenants cannot pay increase imposed without notice. City Rep. David Blum submitted.

MR. FEIGHAN said Item #7 is being HELD IN COMMITTEE.

PERSONNEL COMMITTEE - John R. Zelinski, Jr.

MR. ZELINSKI: The Personnel Committee met on Tuesday, August 28, 1979. Present were Reps. Robert DeLuca, David Blum, Jean-Lois Santy and John Zelinski.

- (1) THE MATTER OF HIRING/PLACEMENT OF PROVISIONAL EMPLOYEES. Per 3/30/79 letter of City Rep. Robert DeLuca. Report made by Chairman John Zelinski at 6/4/ meeting with further study to be made. Held 7/2 and 8/6.

MR. ZELINSKI said Item #1 is being HELD IN COMMITTEE.

- (2) RESOLUTION REQUESTED BY BOARD OF FINANCE TO PROVIDE BENEFITS FOR THEIR PERMANENT PART-TIME CLERK (employed since 1954) WITH SAME BENEFITS AS MEA PERSONNEL RECEIVE, EFFECTIVE JULY 1, 1978; per Charter Section 654. Held 7/2 and 8/6/79.

MR. ZELINSKI said Item #2 is being HELD IN COMMITTEE.

- (3) THE MATTER OF NURSES - PROVISIONAL EMPLOYMENT OF MS. MARIE GAVULA - letter from Mrs. Luther - also submitted by City Rep. Robert DeLuca.

MR. ZELINSKI: Item #3 is being HELD IN COMMITTEE.

- (4) BOARD OF EDUCATION - SCHOOL ADMINISTRATORS' CONTRACT - Contingent upon ratification by union membership and being signed by union and Board of Education.

MR. ZELINSKI: Item #4 is being HELD IN COMMITTEE.

MR. BLUM took exception to this being held and even being on the Agenda as it was knocked down by the union members.

MR. FOX said there is no action being taken on Item #4. He was informed by the Board of Education that the administrators did reject that contract.

PLANNING AND ZONING COMMITTEE - Dominick Guglielmo

MR. GUGLIELMO: Planning and Zoning met on Tuesday, August 28, 1979. Present were committee members Baxter, MacInnis and Guglielmo. Also present were Reps. Corbo, Attorney William Ivler.

(1) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL TO CHANGE WALNUT STREET TO NEW NAME: "WALTER WHEELER DRIVE".

MR. GUGLIELMO: Planning and Zoning voted 2 in favor; 1 opposed of this Ordinance and I so MOVE.

MR. FOX: MOVED. SECONDED.

MRS. MAIHOCK: It is most fitting to remember our esteemed deceased citizens, however, I submit there are other effective ways to honor them other than by changing names of city streets. Such changes in names can result in a multitude of problems, it involves many changes in records by our city agencies, by private individuals and in our city maps. Section 2-21b on page 430 of our Code of Ordinances gives us wise instruction regarding criteria for selection of names for city streets. It states in part the public policy for the City shall be that when possible the names of city streets shall be selected by using geographical or historical characteristics.

MR. SHERER: I was driving in the area of Walnut Street and was surprised to see, contrary to our action yet to be taken, that the street sign is already up. I'm just curious as to how this type of action can take place where the misinformation can emanate from and a multitude of other questions.

MR. FOX: I think there is a reasonable explanation. I believe in February of this year, this Board passed a Resolution approving the name change. Subsequent to that, an inquiry was made of the Corporation Counsel if a street name could be made by way of a resolution. There is some disagreement on it. I don't agree with the decision of the Corporation Counsel, but his opinion was that if you are going to change the name of the street, it has to be done by way of an Ordinance. Consequently, to avoid any question, so that there will be no confusion or misunderstanding, we as a Board, through the Steering Committee took the steps to put this change through again and this time as an Ordinance as suggested by the Corporation Counsel. So I do not believe there was any deceit or any chicanery in conjunction with the changing of the street signs.

MRS. HAWES: No dis-honor to Mr. Wheeler's memory, but I would just like to mention the expense and the inconvenience to residents and especially to businesses on the street where the name of the street is changed and they have to change their letterhead and I think what Mrs. Maihock said made a great deal of sense.

MR. GUGLIELMO: I, casting the one dissenting vote, would urge the Board to vote against this Ordinance. I received a number of phone calls from the residents on Walnut Street and in addition I believe the Board Members have received some correspondence from residents on Walnut Street in opposition to this Ordinance and I would hope this Board would vote down this Proposed Ordinance.

PLANNING AND ZONING (continued)

MR. FOX: I believe we are now prepared to put this to a vote. I would suggest we vote by use of the machine. The MOTION IS LOST, 20 yes; 10 no. (need 21 affirmative votes) 3 abstentions.

MR. BERNIER: Mr. President, I hit the wrong button first of all, if you decided that the vote has been declared I would like to make a motion to reconsider.

MR. FOX: You voted on the prevailing side. You wish to make a motion to reconsider. MOVED. SECONDED. CARRIED. (voice vote)

We will then vote on the Main Motion which is to approve the change of Walnut Street to Walter Wheeler Drive. The MOTION IS LOST, 19 yes; 12 no; 2 abstentions. The reason being that for any such Ordinance to get approval of this Board requires the approval of the majority of the entire Board which would be 21 votes.

- (2) PROPOSED RESOLUTION CONCERNING "ABANDONMENT OF PLEASANT STREET" - RE SALE OF LAND AT PLEASANT ST. AND BROAD ST. to Samuel Scalzi et al; relating to suit of Fraternal Order of Eagles et al vs. Urban Redevelopment Commission. Concerns modification of size of St. John's Park and realigning roads and highways surrounding said Park, etc. Per Mayor's letter 8/9/79.

MR. GUGLIELMO: Item #2 is being HELD IN COMMITTEE.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING ORD. #361 Re RMF ZONE TO ENABLE CONSTRUCTION OF RENTAL APARTMENTS IN DOWNTOWN STAMFORD AREA - from William Ivler, 202 North St.

MR. GUGLIELMO said Item #3 is being HELD IN COMMITTEE.

MR. BOCCUZZI asked for a 5 minute recess.

RECESS LASTED FROM 9:45 - 10:08 P.M.

PUBLIC WORKS COMMITTEE - Alfred C. Perillo NO REPORT

HEALTH AND PROTECTION COMMITTEE - David I. Blum

MR. BLUM: Health and Protection Committee met August 29, 1979. Present were Annie Summerville, Robert DeLuca and David Blum. Excused were Diane Raymond and Richard Ferrara. We discussed the matter of Pigeon Control and we have an Ordinance which we will present at the next Steering Committee. We also discussed the letter from Dr. Gofstein to the Mayor on Hawk Transportation and Dickmont Plastics Corporation and a letter is being sent to the Mayor in response to that particular item.

PARKS AND RECREATION COMMITTEE - Gerald Rybnick, Vice Chairman

- (1) REQUEST TO HANG BANNER - FROM ST. FRANCIS EPISCOPAL CHURCH, 2810 Long Ridge Road - to promote their 11th Annual Antiques Show - request to hang banner across Summer St. the latter half of October. Their letter 8/9/79.

MR. RYBNICK: I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

- (2) REQUEST TO HANG BANNER - from Guidance Dept. of Stamford High School to sponsor their first "All City College/Career Night" (Thursday night, Nov. 1, 1979). Want to hang banner Oct. 18th to Nov. 1st in Summer St. vicinity of Ridgeway Shopping Center. Their letter 8/3/79.

MR. RYBNICK: I so MOVE.

MR. FOX: MOVED. SECONDED.

MR. ESPOSITO: The banner before this is going to be up in the same area the latter half of October. Is that overlapping?

MR. RYBNICK: One is in Ridgeway and one is far down below.

MR. ESPOSITO: To my knowledge there is only one place on Summer Street to be able to hang a banner.

MR. FOX: I believe that is correct. We did at one point have two places, one farther down town and one up Summer Street.

MR. ESPOSITO: Since this request from the Guidance Dept. is not until Oct. 18th which would be after our next month's meeting, I would like to MOVE that we hold this in Committee until next month so that could be resolved.

MR. FOX: MOVED. SECONDED. The MOTION IS CARRIED. (Mrs. Maihock voted no) Item #2 is RETURNED TO COMMITTEE.

MRS. MAIHOCK: I just wanted to point out that on this matter that I had discussed with Mr. Hays and we realize that there was somewhat of a conflict there, but he thought that it could be resolved. Now St. Francis Church certainly does not want to feel that they would be considered over and above the Stamford High School, but we do have to know in advance what the resolution of this could be because it does cost money to order banners.

- (3) REQUEST TO HANG BANNER - FROM ANNUNCIATION GREEK ORTHODOX CHURCH, 1230 Newfield Avenue - to advertise annual food festival and bazaar on Sept. 28, 29, and 30th. Wish to hang banner over Summer St. the week prior to, as well as during the week of the bazaar. Their letter 8/18/79.

MR. RYBNICK: I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

PARKS AND RECREATION (continued)

- (4) REQUEST TO HANG BANNER FROM CONCERT FOR FREEDOM to benefit Soviet Jewry held Saturday evening, Sept. 15, 1979. Wish to hang banner from Labor Day thru Sept. 15th across Summer St. or across Bedford St. (2nd choice). Their letter 8/16/79.

MR. RYBNICK: I so MOVE.

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Marie Hawe NO REPORTSEWER COMMITTEE - John J. Boccuzzi

- (1) REQUEST FOR PROGRESS REPORT ON THE WEST SIDE AND CULLODEN ROAD INTERCEPTORS - from City Rep. Lathon Wider. Held 7/23/79.

MR. BOCCUZZI: We met with Mr. Connors, Mr. Repucci, Mr. Corbo and also Sandra Goldstein. The progress report is available from George Connor's office, Sewer Dept.

- (2) REQUEST FROM CITY REP. FIORENZIO CORBO 7/16/79 FOR PROGRESS REPORT ON THREE LAKES DRIVE TO DETERMINE RATIONALE OF SELECTING THAT AREA TO BE SEWERED AS PROJECT #17-2A. Held 8/6/79.

MR. BOCCUZZI: Mr. Frattaroli was away on vacation at the time but we did find out that easements were sent out on June 18 to all the residents. As of right now no residents have sent back signed easements.

MR. CORBO: Item #2 wasn't too much on the progress report of the project itself about the rationale used, but the City Administrator to delineate the 17-2A area to be sewered, we didn't discuss who has the authority to delineate the area and determine the area to be sewered. Which area is to be excluded from the original project 17-2. According to a letter discussed after the meeting we had with George Connor, he told me that the engineer design determine area to be sewered. What business does he have to advise us which is to be sewered and which isn't to be sewered at the present moment. I would like to have further information about it.

MR. FOX: As I understand it this is not a final report from the Sewer Committee. I believe you mention Mr. Boccuzzi that one individual was away on vacation. I don't believe this is a final report, so it is still possible for you to pursue your inquiry through that committee.

MR. CORBO: I intend to pursue this through the Mayor's Office because the Mayor has to help us in order to resolve this problem, because money being allocated for different area which it needs to be sewered now and not a year from now.

SEWER COMMITTEE (continued)

- (3) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL AMENDING SECTION 50, ORD. #80.10 RE SEWERS TO PERMIT SUBSTITUTING OF POLY VINYL CHLORIDE PLASTIC PIPE (PVC) FOR CAST IRON PIPE - by Geo. Connors, Sewer Comm. Admin. Officer and Asst. City Eng. J. W. Roloff. Also submitted by City Reps. Sandra Goldstein and Lorraine Parker.

MR. BOCCUZZI: I would like to MOVE for publication of this Ordinance. I would request that we publish the Ordinance and then later on vote on it.

MR. FEIGHAN: Legislative and Rules Concurs.

MR. FOX: MOVED. SECONDED.

MR. CORBO MOVED to return the item to committee.

MR. FOX: There is no second to the motion. I believe we can now put the Motion to Publish the Proposed Ordinance to a vote. The MOTION IS CARRIED. (Mr. Corbo and Mr. Blum voting No) (voice vote).

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Lathon Wider NO REPORT.

URBAN RENEWAL COMMITTEE - Ralph Loomis NO REPORT.

ENVIRONMENTAL PROTECTION COMMITTEE - Mildred Ritchie NO REPORT.

MR. DeLUCA: Normally I'm against the practice of trying to bring up something under Suspension of the Rules, but tonight I have before me an issue of grave concern to the people of the Cold Spring Area. On August 2, the EPB rejected an application by the Esposito Construction Company to build condominiums on Cold Spring Road. The Esposito Construction Company came along and made a slight variation to their plans and received a permit from the Building Department to go ahead and start work and yet they never did receive a permit from the EPB. Calls have been made to the EPB trying to verify why they are allowing this contractor to continue the excavating. We are requesting the investigation to the activity of both the EPB and the Building Dept. Why we are requesting this investigation at this time, rather than wait a month, we feel that to allow the builder to continue building, he may have his footings in, the foundations up, what happens if he is in violation. The people will say that he already has a lot of money sunk into his project and it would be a detriment and a hardship to ask him to tear down his building and violation of all inland wetland regulations that allow him to continue with his construction. Therefore I'm calling for a Suspension of the Rules to have an investigation, at least turn this over to our Environmental Protection Committee to begin asking questions about this tomorrow night.

MR. FOX: First of all you are making a motion to Suspend the Rules to take up an item which is not on the Agenda. As I understand it you wish to take

ENVIRONMENTAL PROTECTION COMMITTEE (continued)

MR. FOX: (continuing).....up an item concerning Section 204.2 of our Charter which deals with the power of this body to have a given investigation. Is there a second. MOVED. SECONDED. The MOTION IS CARRIED. 23 Yes; 8 No. (2/3 needed). I believe we can move on to your Main Motion, which is to investigate the Environmental Protection Board pursuant to your letter of August 28, 1979 which has been submitted to the other members of the Board together with a letter dated August 25, 1979 from the Rippowam River Protection Committee. This body has now voted to Suspend the Rules to take up that investigation. Two points which I would like to make in term of procedure, We are dealing with Section 204.2 of the Charter, Power to Investigate Administration. This, in my opinion, is a very serious step which we are being asked to take. It carries subpoena power. The other point I wish to make you aware of just for clarification, Mr. DeLuca, as I understand it, it is your hope that our action will prevent further activity on the site by the builder. I do want to make clear to you that whatever action we take, even if this body decides to investigate, that in itself in my opinion would not stop any activity on the site. This in my opinion would necessitate additional action by someone, most likely in a court of law. The third and final point that I want to make is that an Order to set up this investigation, the vote by this Board has to be by 2/3 of the entire membership. With that in mind, I believe we can proceed to the item.

MR. DeLUCA: I think we would be content just to have our EPB or with the members of the Rippowam Protection Committee and clarify some answers as to why the EPB did not take action to prevent the builder from going ahead and start excavating prior to receiving approval from the Environmental Protection Board. We are interested in going out and getting subpoena powers or being so drastic as you have stated which you have every right to make the statements that you did. By having our Environmental Protection Committee and the Associated parties sit down and hear all sides of the case. Therefore I would like to clarify the motion. Let's just turn it over to our Environmental Protection Committee, let them start investigating.

MR. DARER: With respect to the other members of this Board, it would seem to me that this matter is a committee matter and should have been brought up before the EPB. Listening to Mr. DeLuca's remarks after his initial comments, I think that it was totally out of order if that's what he wanted, because he wanted only to have the EPB do it, then it should have been a committee matter done in the normal course of committee business. I think we have a motion on the floor, unless he wishes to withdraw it, we have to vote on the motion.

MR. FOX: The only motion that has been voted on would be whether or not we would consider an item which is not on the Agenda. That motion has been approve We are now considering an item that is not on the Agenda.

MR. DeLUCA: Mr. Chairman Please, everybody is trying to put words and trying to make up a motion that I didn't even make. I'm making a MOTION now that within the next three weeks the Environmental Protection Committee get together with the Environmental Protection Board and members of the Rippowam River Protection Committee to resolve the problems as to why a permit was issued by the Building Dept., why the EPB did not take action according to the powers invested in them.

ENVIRONMENTAL PROTECTION BOARD (continued)

MR. FOX: MOVED. SECONDED.

MR. SHERER: I would say that the anxieties of the people in the Rippowam River area are properly planted and I think that the motive behind their committee and Gabe's effort is to try to clear up some of these anxieties and I think we allow the good offices of our Board through the Environmental Protection Committee to intercede as early as possible and not wait another month. We may help smooth some of these waves which are now existing and perhaps resolve it.

MRS. GOLDSTEIN: I wholeheartedly agree with the course of action taken now as opposed to an investigation. I think it is important though that and I know it is very short notice, that representation from the Committee be present tomorrow night to ask these questions when the application comes up.

MRS. McINERNEY: I want to know whether Mr. DeLuca also is planning to include the Planning and Zoning Committee of this Board since the permit had to be issued through the Building Dept.

MR. DeLUCA: I don't believe it is necessary to bring Planning and Zoning into it. I believe under the auspices of our capable Chairperson Mildred Ritchie and members of the Rippowam Protection Committee and EPB we can get the answers.

MRS. RITCHIE: I would like to inform the Board that since I was appointed Chairman, I have attended every Environmental Protection Committee meeting. I have had my Committee also attend one of their meetings. I have every intention of being there tomorrow night. I have had our researcher, Judy write to three different towns to get their Ordinances on the wetlands. I have received from our own Environmental Protection Committee their set of rules. There are little conflicts between the State Ordinances and our City Ordinances and this is where the technicality lies. I think that it is going to take a while before we get the thing straightened out. I hope that we can stop the builder. I think that the permit was issued erroneously and I will do everything within my power to help those taxpayers.

MR. PARKER: I have to agree with Mrs. Ritchie and Mr. Sherer and all those who spoke before in favor of supporting Gabe DeLuca's recommendation. There are times the only place the taxpayers can go, even though we are not a legal body, is to the Board of Representatives. I realize the frustration of these people and if we can be a voice for them, I think it is important we do so.

MR. CORBO: The area of jurisdiction of the Environmental Protection Board, which they declined to act on, that specific application. The area of investigation I would say will be the procedure, how about approving plans, sending water upward instead of downward, that's the Building Dept. ruling, which should be looked into. Being a Registered Land Surveyor for the State of Connecticut, I have had occasion to work with EPB many times. I think this ruling, this application was way behind, way past the imagination of any other Engineer or Land Surveyors in the area, because being that it be affected by flood, they should have given more specific consideration.

ENVIRONMENTAL PROTECTION COMMITTEE (continued)

MR. BERNIER: The only point I would like to make is I presume any member of this Board can also attend this meeting. I think that any member who is concerned about the issue whether they be on the Environmental Protection, Public Works, Planning and Zoning Committee, have the right to go and ask questions.

MR. BOCCUZZI: MOVE THE QUESTION.

MR. FOX: MOVED. SECONDED. CARRIED. The MOTION is one made by Mr. DeLuca which requests a meeting between the Environmental Protection Committee of our Board and the Environmental Protection Board to review the questions outlined in his letter of August 28, 1979. It is further request that the meeting be held within the next three weeks. The MOTION IS CARRIED. (Mr. Flounders abstained) (voice vote).

SPECIAL COMMITTEESHOUSE COMMITTEE - Audrey Maihock

MRS. MAIHOCK: I would just like to say I have inquired about Board of Reps. members being given cards for the gate at the parking lot to enable them to park in our newly-leased parking lot during daytime hours when they might have to visit City Hall on business. I have not yet had a reply to this from the Public Works Dept.

DRUG AND ALCOHOL ABUSE COMMITTEE - Jeremiah LivingstonNO REPORTTRANSPORTATION COMMITTEE - Paul A. Esposito

- (1) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL RESTRICTING PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL STREETS. Held 7/2 and 8/6/79.

MR. ESPOSITO said Item #1 is being HELD IN COMMITTEE.

CHARTER REVISION COMMITTEE - Ralph LoomisNO REPORT.SPECIAL INVESTIGATING COMMITTEERE SEWAGE TREATMENT PLANT, ETC. - Michael P. FeighanNO REPORTCOMMUNICATIONS FROM THE MAYOR - NONEPETITIONS- NONEACCEPTANCE OF THE MINUTESAugust 6, 1979 - Regular Board Meeting

MR. FOX: There is one question that has come up with respect to the August 6th meeting which I would like to clarify, I would suggest we HOLD those another mon

ACCEPTANCE OF MINUTES (continued)May 7, 1979 - Regular Meeting

MR. BOCCUZZI MOVED for acceptance of the May 7, 1979 Minutes.

MRS. MCINERNEY: I don't believe Mrs. McEvoy has re-typed those minutes to include the comments that were made to the Union Contract. We have truthfully not met on it yet, so I would ask that you HOLD them again until we can.

MR. FOX: I would appreciate it if you would attempt to arrange a meeting with Mrs. McEvoy on that, so we can proceed to have those minutes approved.

(NOTE: - See Pages 21 and 22 attached, which are the additions to the May 7, 1979 Minutes containing Mrs. McInerney's remarks; will be part of permanent June 4, 1979 - Regular Meeting records.)

MR. BOCCUZZI MOVED for acceptance of the June 4, 1979 Minutes.

MR. FOX: MOVED. SECONDED.

July 2, 1979 - MINUTES

MR. FEIGHAN: In the minutes of July 2, 1979, in the Steering Committee Report, number 3, Legislative matters, the additional items considered, items B & C, it reads, "ordered held in committee, Shellfish regulation". At that particular time at that Steering Committee, that item was not held in Committee, it was voted off the Agenda, not referred to any particular committee by a vote of 12 to 1 against referring it.

MR. FOX: You wish to AMEND the Minutes to reflect that. MOVED. SECONDED. The MOTION IS CARRIED. (voice vote) We can now vote on the approval of the July 2, 1979 Minutes. The MOTION IS CARRIED. (voice vote).

RESOLUTIONS1) PROPOSED RESOLUTION "CONCERNING EXECUTIVE LOAN TASK FORCE"

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

2) PROPOSED RESOLUTION RE NOISE OF MOTORCYCLES TO HAVE STATE REGULATE NOISE. REQUIRE MUFFLERS AND HAVE ANNUAL INSPECTION BY MOTOR VEHICLE DEPT. BEFORE LICENSE ISSUED OR RENEWED: WITH SEVERE PENALTY FOR ANY VIOLATIONS.

MR. FOX: The second Resolution was submitted by Handy Dixon and was amended by him. MOVED. SECONDED.

MR. DIXON: I did re-write the original Resolution and made a few additions. I believe this is something the State should deal seriously with. Laws are not passed to hurt anybody, but rather to protect people. There are State Laws governing motor vehicle noises. I'm not sure if there are any laws dealing specifically with motor cycles. I've received a number of calls from people who think this is the right step to take. I would hope that this Board pass this Resolution and I would hope that copies are sent to our local State Representatives.

RESOLUTIONS (continued)

MR. FOX: MOVED. SECONDED. CARRIED. (voice vote)

COMMUNICATIONS FROM OTHERS BOARDS AND INDIVIDUALS - NONE

MOMENTS OF SILENCE - NONE

OLD BUSINESS:

- 1) CITY REPS. DeLUCA and A. PERILLO'S REQUEST FOR MEETING WITH THEIR ATTORNEY JAMES BINGHAM NEXT WEEK REGARDING REPEATED REQUEST FOR CORPORATION COUNSEL'S OPINION RE CITY FUNDS IN CITY EMPLOYEE'S PRIVATE CHECKING ACCOUNT FOR DISBURSEMENT THEREFROM.

MR. FOX: I believe and hope that that matter will be resolved. I don't think there is any need for any additional comment on that.

MR. PERILLO: I might add that although we did meet on this yesterday, it was agreed upon by both Mr. DeLuca and myself and the Corporation Counsel a fifth request will be re-submitted with more specifics and hopefully an opinion will be rendered by the Corporation counsel.

NEW BUSINESS:

MR. FOX: We can now vote on the date of the October Meeting. Monday, October 1, is a Religious Holiday; October 8 is also a Holiday, Columbus Day. Wednesday October 3, I would entertain a Motion. MOVED. SECONDED. CARRIED. (Mr. Zelinski with a No vote) The next Regular Meeting is WEDNESDAY, OCTOBER 3, 1979.

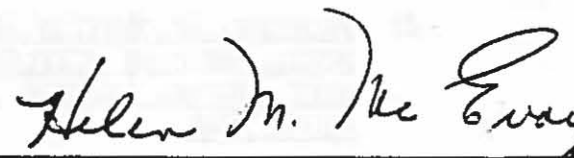
ADJOURNMENT:

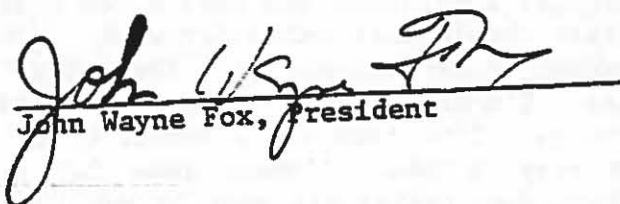
There being no further business before the Board, upon MOTION duly MOVED, SECONDED AND CARRIED, the meeting adjourned at 11:00 P.M.

CMT

APPROVED:

By:


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


John Wayne Fox, President

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