

MINUTES OF MONDAY, JANUARY 14, 1980 REGULAR MEETING

16th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 16th Board of Representatives of the City of Stamford, Connecticut, was held on Monday, January 14, 1980, 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 9:32 P.M. by the President, Sandra Goldstein, after both parties had met in caucus.

INVOCATION: Rev. Lorenzo Robinson, Greater Faith Tabernacle Baptist Church.

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by the President, Sandra Goldstein.

ROLL CALL: The Roll was called by CLERK ANNIE SUMMERVILLE. There were 39 present and 1 absent. The absent member being Jeremiah Livingston. (excused-work)

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

MOMENTS OF SILENCE:

MR. BLUM: This evening I would like to ask that this Board have a moment of silence for a man great in the labor history, a man, George Meany. Let us reflect a moment of passing of George Meany. For the last 25 years, the Representative of some 17 million American workers. Each worker's cause, minimum wage, a safe place to work, workmans compensation were the agenda items of George Meany's efforts. These efforts were not limited to the trade union movement. For the anti-corruption effort of Fiorello LaGuardia, the child labor laws of the thirties, the Civil Rights Act of 1964 and the improvement of social security in the seventies. We find the influence and leadership of George Meany on the social justice. Let us remember his commitment to working people and the cause of justice in his deliberations. I ask for a moment of silence for George Meany.

MR. ZELINSKI: I would also like to ask for a moment of silence for the late Charles Lopriore, Sr. who was a former Chairman of the Board of Recreation and was a Director and Head Pharmacists for the Stamford Hospital for almost 30 years.

MRS. GOLDSTEIN: Before we go on to the Steering Committee Report, I would like to take this opportunity to wish one of our members, Mr. Ralph Loomis the very best. He became a Father very recently and our warmest congratulations to you and your wife, Mr. Loomis.

Also, a former member of our Board, Mr. Jack Schlechtweg, also became a Father very recently, two weeks ago, and to him also the Board's warmest regards and congratulations.

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 Wednesday, January 2, 1980 in the Democratic Caucus Room. The meeting was called for 7:30 P.M. and began at 7:50 P.M. when a quorum was achieved. By 3:03 P.M., all members of Steering were present.

MEMBERS OF STEERING COMMITTEE PRESENT (18):

Goldstein, Sandra
Boccuzzi, John J.
Summerville, Annie M.
Dixon, Handy
Esposito, Paul
Zelinski, John
Blum, David
Guglielmo, Dominick
Perillo, Alfred

Wiederlight, Michael
Fasanelli, Richard
Wider, Sr., Lathon
Livingston, Jeremiah
McInerney, Barbara
Santy, Jeanne-Lois
DeLuca, Robert Gabe
Fauteux, Robert
Maihock, Audrey

OTHER BOARD MEMBERS PRESENT (7):

Joyce, Patrick
Corbo, Fiorenzo
Hawe, Marie
Darer, Stanley
Loomis, Ralph
Hogan, John J.
Donahue, Donald

(1) APPOINTMENTS

ORDERED ON THE AGENDA were: three names for the Transit District, being William A. Green, E. Beatty Raymond and Leonard Vignola; also Craig Koester for the Fair Rent Commission; Paul Brown for Zoning Board of Appeals, and Stuart Robbins as Alternate to the Planning Board. ORDERED HELD IN COMMITTEE be presented next month were: two for the Park Commission, being James Calk and Janet Vanderwaart; also Pat (J. Patrick) Rooney for the Commission on Agi

(2) COMMITTEE CHANGES

PRESIDENT GOLDSTEIN said that Dominick Guglielmo will not be on the ENVIRONMENTAL PROTECTION COMMITTEE and that Patrick Joyce will be on that committee.

(3) FISCAL MATTERS

The first eleven items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA. Nos. 12 and 13 were ordered off the agenda, being Mr. Blum's resolution to include in the 1980-1981 operating budget of the Board a sum of \$5,000 for professional consulting services; also another resolution of Mr. Blum's to include in said budget \$20.00 per month per member for out-of-pocket expenses such as gasoline, telephone, postage, parking, etc.

(4) LEGISLATIVE MATTERS

Four items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA, being (a) publishing ordinance re exempting Housing Authority from dumping fees at solid waste transfer site; (b) publication of ordinance for tax abatement of Salvation Army's clergyman's residence; (c) resolution to pass along cost of publishing legal notices and public meeting notices for tax abatements, etc. to applicants; (d) publication of ordinance re sale of City-owned property at Tresser Blvd. to Connecticut Newspapers.

Also ORDERED ON THE AGENDA was an item appearing under Public Housing and Community Development Committee on the Tentative Agenda, being the publication of a proposed ordinance re moratorium on condominium conversions.

All of the proposed changes to the Rules of Order, as well as new proposals, were ORDERED ON THE AGENDA.

Four items appearing on the Tentative Steering Agenda were ordered Held in Committee, being (a) publication of ordinance for tax abatement for Greenwich Land Trust; (b) publication of ordinance to appoint three alternates to the Board of Finance; (c) publication of ordinance to control and regulate excavation, filling and grading; (d) publication of ordinance re private garbage collectors.

(5) PERSONNEL MATTERS

Two items appearing on the Tentative Steering Agenda were ORDERED ON THE AGENDA, being the Board of Education Administrators' labor contract, and Mr. DeLuca's request to look into the hires and fires policy of Personnel. Ordered Held in Committee were two items, being medical benefits for the Fair Rent Commission's investigator, and fringe benefits for the Commission on Aging employees. Ordered off the agenda was Mr. Corbo's request for a special investigating committee under Section 204.2 to look into the hiring procedures of the Stamford School System.

(6) PLANNING AND ZONING MATTERS

Five of the six items appearing on the agenda were ORDERED ON THE AGENDA. The one that was Held in Committee was acceptance of extension of Harbor Plaza Road.

(7) PUBLIC WORKS COMMITTEE

The one item was ORDERED ON THE AGENDA.

(8) HEALTH & PROTECTION MATTERS

Both items were ordered Held in Committee, Chairwoman Jeanne-Lois Santy announced that henceforth all of her committee meetings would be held on the 4th Wednesday of every month at 7:30 P.M.

(9) PARKS AND RECREATION MATTERS

All three items were ORDERED ON THE AGENDA.

(10) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

The item re Yale & Towne Grant was ORDERED ON THE AGENDA. The Moratorium on Condominium Conversions was moved to Legislative and Rules Committee.

(11) URBAN RENEWAL MATTERS

The one item was ordered Held in Committee, re Parcels 8 and 9 disposition.

(12) ENVIRONMENTAL PROTECTION MATTERS

Ordered Held in Committee for the February meeting was the flood plain regulation matter.

(13) TRANSPORTATION MATTERS

Both items were ordered Held in Committee, being publication of ordinance re tractor trailer control and parking in residential areas; and publication of ordinance re easement - Summer/Bedford One-Way System.

(14) NEW BUSINESS

ORDERED ON THE AGENDA was the item re Mr. Perillo and Mr. DeLuca's request for corporation counsel opinion re checking accounts, etc.

GENERAL

After the Steering Committee Meeting, Leadership met with the co-chairpersons of the various committees.

ADJOURNMENT

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, Seconded, and Carried, the Steering Committee meeting was ADJOURNED at 10:00 P.M., with most of the members leaving by 10:15 P.M.

Leadership then met with the Co-Chairpersons of the various committees.

HMM:MS

SANDRA GOLDSTEIN, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Handy Dixon, Chairman

MR. DIXON: The Appointments Committee met Thursday night, January 10, at 7:30 and completed interviews with those appearing on the Agenda. Present and participating in the meeting were Reps. Mildred Perillo, Mary Jane Signore, Barbara McInerney, Vincent DeNicola, John Boccuzzi, Robert Gabe DeLuca, Stanley Darer and myself, Handy Dixon. I would like to place on the Consent Agenda Items #2, 4, and 5.

MRS. GOLDSTEIN: Are there any objections to Item #2, 4 and 5 being placed on the Consent Agenda? Mr. Dixon, please proceed.

TRANSIT DISTRICTTerm Expires

(1) Leonard Vignola (R)
4 Warren Street

Dec. 1, 1983
4-year term

MR. DIXON: Item #1 on the Agenda, Madam President, is the name of Mr. Leonard Vignola, a Republican seeking confirmation of his appointment to a 4 year term on the newly reorganized Transit District. Mr. Vignola is well known throughout the City of Stamford for his outstanding record and contributions to our City Government which includes 10 years of service on the Board of Finance with some of that time spent as its Chairman. He has a broad range of experience in other categories of service which adds greatly to his credentials and required knowledge for this all important assignment. Mr. Vignola's knowledge in public transportation and related matters provides him with a kind of expertise that can be of great value in reactivating the Transit District and getting it off to a new start. The Appointments Committee spent a full hour with this interview and in our closed discussion and subsequent vote, Mr. Vignola's qualification and determination to serve the City in this capacity was evidenced. The vote was 7 in favor of approval and 1 against, I would therefore, MOVE now for this Board's confirmation.

MRS. GOLDSTEIN: SECONDED. Is there any discussion?

MR. BLUM: I heard from the Appointments Committee that they feel Mr. Vignola is very versed in transportation, yet, it was said that he spent 10 years on the Board of Finance. It was the last Transit District that resigned in the fact that they could not get monies in order for the Transit District to survive. What kind of Transportation expertise does Mr. Vignola have other than the fact, maybe he was on the Board of Finance and he was such a Transportation expert, then why was he not in favor of perpetuating the Transit District with more monies?

MR. BOCCUZZI: Dave, the only thing I can tell you is Mr. Vignola was not in favor of deleting money out of the Transit District. He was on the losing side. He did not have anything against the Transit District.

APPOINTMENTS COMMITTEE:(cont.)

MRS. GOLDSTEIN: The MOTION is to accept Mr. Vignola as a member of the Transit District. We will vote by machine. Please vote up for yes and down for no. Mr. Vignola has been CONFIRMED by a vote of 31 yes; 7 no; 1 abstention.

TRANSIT DISTRICTTerm Expires

(2) Mrs. E. Beatty Raymond
74 Eden Street

Dec. 1, 1981
2-year term

MRS. HAWK: We have a letter in the packet we got tonight from the Mayor asking to replace E. Beatty Raymond in the slot giving her the long term expiring December 1, 1983. Can we put that on Consent if we're going to change the date.

MRS. GOLDSTEIN: I do not believe we can do that. What was voted on in Committee was for Mrs. Raymond to be put into the 2-year term and that is the vote that we will take tonight as I view it.

MR. DIXON: I received a notice from the Mayor in that regard that Mrs. Raymond be placed in the slot that Mr. Green was withdrawn from. Mr. Green was appointed to a 4 year term, Mrs. Raymond a 2 year term, so the Mayor vice versa it and is asking that she be placed in the 4 year term.

MRS. GOLDSTEIN: But did the Committee vote to have her placed in the 4 year term?

MR. DIXON: The Committee vote was as it was on the Agenda for a 2 year term.

MRS. McINERNEY: I believe that since appointments are made at the pleasure of the Mayor and obviously this should have been here a little bit earlier than it was, I do think we can take it out of Consent and work on it separately, as a separate issue.

MRS. GOLDSTEIN: I do agree. We can take Mrs. Raymond off the Consent Agenda and amend this motion if that is the pleasure of the Board and since it was put on Consent, we will have to have a motion to that effect.

MRS. McINERNEY: I MOVE that the name be taken off Consent.

MRS. GOLDSTEIN: MOVED. SECONDED. CARRIED.

MR. DIXON: I will proceed then with Item #2. Mrs. Raymond was interviewed by the Appointments Committee extensively and she answered all the questions put to her to the satisfaction of the Appointments Committee. The Appointments Committee was very impressed with her and believes firmly that she will be an asset to the Transit District whether she is on a 2 year or 4 year term. I would then MOVE for her confirmation to a 4 year term.

APPOINTMENTS COMMITTEE: (cont.)

MRS. GOLDSTEIN: SECONDED by Mrs. McInerney.

MRS. SIGNORE: I am pleased to see a woman with Mrs. Raymond's qualifications in the Transit field considered for this position. I hope we all support her for a 4 year term.

MR. BOCCUZZI: As you know in our discussion in the Caucus, we are not quite sure as to the make-up of this Committee whether it's 4 or 5 right? Now, if it's 4, I would like to know the year, the term that the other 2 people are going to have. If it's 5 with 3 and 2 make-up, I would like to know what their terms are going to be and how many Democrats could be put on that Committee. I have no objection to vote for Mrs. Raymond for the 2 year term, but I will vote against her until I could find out if we really know the exact make-up of this Committee and what the other terms are going to run as far as the people who are on it. I want to know it's 4 or 5 and if it's 4, I want to know what the other two terms are. I am not against Mrs. Raymond as far as a 2 year term.

MRS. GOLDSTEIN: I just want to reiterate that the motion on the floor right now is to confirm Mrs. Raymond for the 4 year term.

MR. BOCCUZZI: POINT OF INFORMATION. If it so be that she is turned down, can we then vote for her for a 2nd term? A 2 year term.

MRS. GOLDSTEIN: If someone moves to vote for her for the 2 year term, I will accept that motion if the first motion is rejected.

MR. WIEDERLIGHT: Mrs. Raymond's name was placed on the Agenda for a 2 year term, can the name now be put in for a 4 year term changing the Agenda around?

MRS. GOLDSTEIN: I will ask the Parliamentarian for an opinion on that, Mr. Hogan.

MR. HOGAN: In my opinion, I question as to whether or not the Agenda can be changed and this is substantive change would not be in order at this time. I don't think you can change the Agenda after it has been submitted to each and every member of the Board and then at the night of the meeting change the term on the Agenda. My opinion is the item as is entered on the Agenda, is the item we should vote on.

MR. DARER: As much as I respect our Parliamentarian, I would tend to disagree for the simple reason that people are appointed at the pleasure of the Mayor. Our Agenda tonight calls for a third person to be voted on for the Transit District. The Mayor withdrew that man's name. That too is a substantive change. Should we vote on a name that's been withdrawn. I really think the Mayor sent this letter down, it was on our desk today. I think Mr. Boccuzzi's point today is a good point but I do feel that as far as the change in terms for Mrs. Raymond, this has been requested in the Mayor's letter. He withdrew one name and asked us to change the slot. I don't really feel that that is a substantive change and we can vote on it.

APPOINTMENTS COMMITTEE: (cont.)

MR. DeLUCA: Like Mrs. Signore says, Mrs. Raymond is a very dedicated person. She has the credentials. Everyone keeps saying it's at the pleasure of the Mayor to make the appointments. Granted it is but I think it's our duty to make sure we are doing the right thing when we interview these people, we confirm their appointments. How can it be the Mayor, I don't know, I can just interject, that he withdrew Mr. Green's name because Mr. Green's name was rejected by our Committee. That could be a fact. I have to agree with our Parliamentarian. I question the fact of us changing the Agenda not unless we do it under the Suspension of the Rules because we are making a change there. It is not on the Agenda for a 4 year term, it's a 2 year term, therefore, I would think that if we're going to change it, we should do it under the Suspension of the Rules. The last point I wish to make is that why can't we just vote for the 2 year term and she does such a fantastic job, which I'm sure she will, there is no reason why the Mayor can't come back and re-appoint her 2 years later.

MRS. GOLDSTEIN: I am going to put the Parliamentarian's Ruling to a vote of this body because I feel that's the only thing to do.

MR. HOGAN: I so MOVE.

MRS. GOLDSTEIN: SECONDED.

MR. HOGAN: I MOVE that the Agenda as submitted to the membership of this Board in reference to this single appointment remain as it is stated on the Agenda and that there be no changes and that it be voted upon as it is stated on the Agenda.

MRS. GOLDSTEIN: SECONDED.

MRS. GUROIAN: I read nothing in our Rules of Order which covers this, so that I assume that Robert's Rules of Order. Robert's Rules says that if an Agenda is voted on at the beginning of the meeting, a change can be made with a majority vote. Once the Agenda is voted on and accepted, then the change after that has to be a 2/3 vote.

MR. BLUM: It says that it's not necessarily, that the order of business must be that way, It could be changed by the body.

MRS. GOLDSTEIN: You can Suspend the Rules to change the order of business, but a Suspension of the Rules to change the order of business would require 2/3 vote.

MRS. GUROIAN: But there is no rule that covers this and this Agenda was never voted on.

MR. HOGAN: For Mrs. Guroian's benefit and the other members' benefit, when we voted to accept the Report of the Steering Committee, we then in effect voted to accept the items on the Agenda tonight.

APPOINTMENTS COMMITTEE: (cont.)

MR. DIXON: It is my understanding, and, of course, I can be wrong, that the Parliamentarian simply advises the Chair and gives his opinion to the Chair and the Chair in turn makes its ruling. Now, that would nullify, very well nullify the motion that's on the floor. You could simple make the ruling based on the advice that you got from your Parliamentarian.

MRS. GOLDSTEIN: You are quite right, Mr. Dixon, however, I choose to put the Parliamentarian's decision to a vote of this Body as I think it is a fairer thing to do. We have a motion on the floor, and that is to keep Mrs. Raymond in the 2 year term. It has been seconded. If you vote up, you are voting to keep the Agenda as it is with Mrs. Raymond in the 2 year seat. We are voting to keep the Agenda the way it was per the motion.

MR. DARER: Wasn't there a motion on the floor that Mrs. Raymond be approved for a 4 year term? I believe that was the first motion. I didn't hear it withdrawn. It was made and seconded.

MRS. GOLDSTEIN: You 're quite right. Mr. Dixon would you withdraw that motion in honor of Mr. Hogan's motion or else we shall take that motion first

MR. DIXON: I can see now that motion was out of order so I do withdraw it.

MRS. GOLDSTEIN: SECONDED. We will now put this to a vote. I am going to repeat the motion. The motion is to keep Mrs. Raymond on the Agenda for the 2-year term.

MR. BOCCUZZI: Aren't we going to vote on Mr. Darer's motion?

MRS. GOLDSTEIN: No.

MR. BOCCUZZI: Doesn't he have the first motion on the floor?

MRS. GOLDSTEIN: The first motion was by Mr. Dixon which was for a 4 year term. He withdrew the motion and the seconder withdrew the motion. We now have a motion before us which is to keep the Agenda as it is. That is Mrs. Raymond will be on the Agenda for a 2 year seat. The next motion if it is made, will be to confirm her.

MRS. GUROLAN: POINT OF INFORMATION. Does that mean that every change that occurs on the Agenda, including that William A. Green which is a change of the Agenda whether he withdraws, the Mayor withdraws it, is printed on the Agenda, will then have to be voted on with a 2/3 vote?

MRS. GOLDSTEIN: No, it does not mean that.

MRS. GUROLAN: Why we singling this one out?

MRS. GOLDSTEIN: Because this is a change in the term, this is not a withdraw:

APPOINTMENTS COMMITTEE: (cont.)

MRS. GUROLAN: You're putting the vote because it's a change of the Agenda.

MR. BOCCUZZI: If I may, the Appointments Committee voted to deny Mr. Green when the Mayor received the information of the Appointments Committee, he withdrew the name of Mr. Green, therefore, there's nothing on the Agenda. What is happening here, is the Appointments Committee met, interviewed Mrs. Raymond with the idea of her being 2 year term. The Mayor now feels because Mr. Green was coming out with a negative vote, he should change Mrs. Raymond's term to a 4 year term. That's not what the Appointments Committee voted on, and I spoke against going to a 4 year term for the reason stated.

MRS. GUROLAN: POINT OF ORDER. In that case, the motion should be to hold into Committee so that they can consider her for a 4 year term. It should not be voting on a change, Suspension of Rules. Then you would have to have a Suspension of the Rules for every one of these changes.

MRS. GOLDSTEIN: There is a motion on the floor, you may vote against the motion if you choose. The motion is to keep Mrs. Raymond on the Agenda for a 2 year term. It has been MOVED. SECONDED. The MOTION is LOST. 20 against; 19 in favor.

MR. RYBNICK: There's so much confusion in here tonight. I think that if Mr. Dixon's Committee would hold Mrs. Raymond in Committee until next month, come back next month with the Mayor's letter that she's on for a 4 year term I think it could easily resolve the question that way.

MRS. GOLDSTEIN: Mr. Rybnick, would you like to make a motion to that effect?

MR. RYBNICK: I so MOVE.

MRS. GOLDSTEIN: SECONDED. We will take a division. The motion to return Mrs. Raymond to Committee has been DEFEATED by a vote of 18 yes; 20 no; 1 abstention.

MR. DARER: I make a motion that we approve Mrs. Raymond for a 4 year term.

MRS. GOLDSTEIN: SECONDED.

MR. DONAHUE: POINT OF ORDER. I believe that could only be taken up now under Suspension of the Rules.

MRS. GOLDSTEIN: I do agree with that. Is there a motion to Suspend the Rules?

MRS. SANTY: I MOVE to SUSPEND the RULES.

MRS. GOLDSTEIN: SECONDED by many.

MRS. GUROLAN: Please, what Rules are we suspending? What Rule, there is no rule that covers this.

APPOINTMENTS COMMITTEE: (cont.)

MR. BOCCUZZI: I think if anybody disagrees with you, they should challenge you and have this body vote either to accept the challenge or accept your ruling. We can't go on back and forth, without even being recognized.

MRS. GUROLAN: I challenge this.

MRS. GOLDSTEIN: Will you please tell me exactly what your challenge is, Mrs. Guroian?

MRS. GUROLAN: I want to know what rule you're suspending?

MRS. GOLDSTEIN: I am suspending the rule that states that, first of all, we don't even have ~~MRS.~~ Raymond on the Agenda now for a 2 year term because that has been defeated. So for all intent and purpose that is not on the Agenda. So we can now Suspend the Rules to consider a name not even on the Agenda. We defeated that. I am saying that we must Suspend the Rules now to consider Mrs. Raymond for a 4 year term. She is not on the Agenda based on the votes this body has taken. If there is any discussion as to my ruling, I will certainly consider this discussion. If not, we will vote on the ruling. I rule that we must Suspend the Rules to consider Mrs. Raymond for a 4 year term. We will vote by the machine. We are voting to uphold the ruling of the Chair, which is that we must Suspend the Rules. The ruling of the Chair has been UPHELD by a vote of 35 yes; 3 no. We will now have to vote to Suspend the Rules to consider Mrs. Raymond for a 4 year term. To Suspend the Rules requires a 2/3 vote. The MOTION is DEFEATED by a vote of 21 yes; 17 no.

MR. ESPOSITO: I would like to MOVE to reconsider the 2 year term. I was on the prevailing side.

MRS. GOLDSTEIN: SECONDED. The MOTION has PASSED, by a vote of 29 in favor; 8 opposed.

MR. DIXON: I would MOVE that Mrs. Raymond be confirmed to a 2 year term.

MRS. GOLDSTEIN: SECONDED.

MRS. McINERNEY: Every appointment that comes before this Board, comes before this Board at the pleasure of the Mayor of the City. It is obvious through the letter that the Mayor sent us today, that perhaps if we have had it in our Caucuses we could have had a reconvening of the Appointments Committee instead of through this charade but it's my feeling that this is so important, this woman is so overly qualified, the Transit District will be facing many serious problems for the next 4 years and 5 years, I think it would be ridiculous for us to take a good person, who should rightfully be sitting there 4 years and vote her in for 2 and say we will reappoint her. Therefore, I would like to make a MOTION that the item be put back into Committee.

MRS. GOLDSTEIN: One moment. Do you want to withdraw that motion, Mrs. McInerney?

MRS. McINERNEY: Yes, I do.

APPOINTMENTS COMMITTEE: (cont.)

MRS. GOLDSTEIN: Since it has not been seconded, that's no problem.

MR. BOCCUZZI: I agree the woman is very qualified, but if you could not tell me if she was well qualified, why didn't the Mayor give her the 4 year term to start with?

MRS. MCINERNEY: I think the Mayor must of been cognizant of that, Mr. Boccuzzi, otherwise, he would not have changed it to 4.

MR. WIDER: I MOVE THE QUESTION.

MRS. GOLDSTEIN: SECONDED. We will bring the name of Mrs. Raymond to a vote. We will vote by use of the machine, up for yes; down for no. Mrs. Raymond has been CONFIRMED by a vote of 36 in favor and 1 opposed.

TRANSIT DISTRICTTerm Expires

- (3) William A. Green (R)
1350 High Ridge Road

Dec. 1, 1983
4-year term

MR. DIXON: The Name of William A. Green has been WITHDRAWN by the Mayor.

FAIR RENT COMMISSION - ALTERNATE

- (4) Craig L. Koester (R)
75 Plymouth Road

Replacing Rosalee
Hampton whose term
expired.

Dec. 1, 1984

APPROVED ON CONSENT AGENDA.ZONING BOARD OF APPEALS

- (5) Paul Brown (D)
47 Stafford Road

Replacing John Leydon Dec. 1, 1983
whose term expired.

APPROVED ON CONSENT AGENDA (2 abstentions - Signore & Santy)PLANNING BOARD - ALTERNATE

- (6) Stuart Robbins (D)
28 Shelter Rock Road

Replacing Phyllis
Sinrich who became a
regular member

Dec. 1, 1984

HELD IN COMMITTEE WITHOUT PREJUDICE

APPOINTMENTS COMMITTEE: (cont.)

MRS. SUMMERVILLE: To Mr. Dixon, was not there a change, a letter from the Mayor stating that the person Mr. Koester is replacing is different than what we have on the Agenda? It's listed on our Agenda that he's replacing Rosalee Hampton. I think we got some correspondence from the Mayor saying that he was replacing someone else, I think the name is Estelle Hane.

MRS. GOLDSTEIN: We will note this, but, we are confirming Mr. Koester to a seat as an alternate on the Fair Rent Commission, by voting in favor of the Consent Agenda. Mr. Dixon has MOVED Mr. Koester and Mr. Brown. SECONDED. CARRIED.

FISCAL COMMITTEE - Co-Chairpersons Paul Esposito & Marie Hawe

MR. ESPOSITO: Fiscal met on Monday, January 7th. and Tuesday, January 8th. and Wednesday, January 9th. At our Monday meeting, which is regular monthly meeting, in attendance was myself, Mrs. Hawe, Mrs. Lyons, Mrs. Conti, Mr. Hogan, Mr. Fauteux, Mr. Rybnick, Mr. Livingston and Mr. Flounders.

MR. ESPOSITO said Fiscal recommends that the following items be placed on the CONSENT AGENDA. Item #2, 6, 9. 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.

- (1) \$24,700.00 - POLICE DEPARTMENT - RESOLUTION TO AMEND THE 1979/80 CAPITAL PROJECTS BUDGET BY ADDING \$24,700.00 for
 \$22,000.00 "#410.500 UNMARKED DETECTIVE VEHICLES (3 compact cars
 Approved - all for \$16,500.00 and 1 Chief's car 4-dr 6 cy. \$8,200.00)
 to be compact to be financed by taxation. Bd. of Finance approved
 cars 12/13/79 subject to action by Planning Board. Planning
 Board approved on 12/18/79. Mayor's letter 12/5/79;
 Dep. Chief Considine's request 11/19/79; Chief Cizancas'
 11/16/79.

MR. ESPOSITO: Fiscal voted 9-0 in favor and I so MOVE.

MRS. SANTY: The Health & Protection Committee met jointly with Fiscal and we voted UNANIMOUSLY AGAINST this appropriation. I would like to speak to that after Mr. Zelinski.

MR. ZELINSKI: I have a letter here in front of me dated Nov. 16th from the Chief of Police pertaining to repair costs of the present vehicle used by the Chief of Police and I'm a little concerned about the cost. I see here in 1977, the repairs costs were \$283.16. then I see in the year 1978, the repairs costs were \$953.14. and the cost to date which would be Nov. 16th, \$656.47. Mr. Esposito, does this pertain to any type of an accident or just simply repairs costs as far as maintenance of the vehicle?

FISCAL COMMITTEE: (cont.)

MR. ESPOSITO: It is my understanding that is general maintenance of the vehicle and I think that is why they are trying to get a new car for the Chief.

MR. ZELINSKI: I find that very difficult to believe that it would be so high. As an example 1978, \$953.00 for oil, oil filters and things like this. It does not include anything as far as the cost of labor because the labor is free. It is done in the Police Department. That seems like a very abnormally high cost for just simple maintenance even if the car is a 1973 Chrysler. Was anything brought up during the Committee pertaining to that?

MR. ESPOSITO: No, it was not and I find it interesting what that has to do with the appropriation. We're talking about a new car and you're asking questions about the maintenance of the old car. Seems it doesn't have any bearing on the issue. Could you explain the relevance to the issue?

MR. ZELINSKI: Yes, I'm concerned that if that figure is correct, it seems like it's extremely high and would have a bearing because, if indeed, that figure is very low, maybe \$200.00 then it might have a bearing on us voting on the appropriation for that particular part of the appropriation. On the other hand, if it is correct, then it might be indeed in order to pass the appropriation. I cannot rationalize \$953.00 for simply oil, oil filter and things as far as the maintenance of that particular vehicle for 1 year.

MRS. SANTY: With the Committee's decision in mind, I MOVE to delete \$2,700. from this appropriation to recommend the purchasing of 4 compact cars in place of 3 compact cars and 1 Pontiac Bonneville for the Chief, making the total appropriation \$22,000.00.

MRS. GOLDSTEIN: SECONDED by Mr. Zelinski.

MRS. SANTY: The reasoning given to purchase 3 compact cars for the detective and 1 Pontiac Bonneville for the Chief was very unrealistic. It was given because of his size. My question is if we hire a detective that's over 6ft. 2, we going to go out and purchase a larger automobile for him, we have to turn in the compact car. I think at a time we are all being asked to conserve energy and tax dollars, this is certainly a way to do both. I know for a fact, that larger Corporations are buying smaller compact cars to conserve and they are not interested in how tall the person is, although I have a personal involvement here, so I know the person, my son-in-law who is 6ft. 6, but I feel this is important for us to understand and I think that asking the Chief to conserve a little, I'm sure he would be more than willing to do that.

MR. ESPOSITO: At our meeting, Lt. Peterson addressed this issue and the reason for the full size sedan was more than simply the Chief's size. First of all, they are toning down the size of the car for the Chief rather than

FISCAL: (cont.)

MR. ESPOSITO: (continuing)....8 cylinder his current car, they're looking for a 6 cylinder which will save on gasoline but more than that, Lt. Peterson and the Police Commission and Members of the Police Dept. feel very strongly that they want to be represented by a Chief who rides around in a , at least a respectable car, not a Volkswagen, not that Volkswagen might not be respectable. We don't give our Mayor a compact car. We recognize that the Mayor represents the City, the Chief of Police represents the City. A number of other people represent the City and not only in deference to the Chief's size, but also his position, the Police Dept. and the Police Commission feel very strongly about this.

MR. WIEDERLIGHT: I would like to concur with Mr. Esposito. The Chief of Police is a man of formidable stature in the Community and he should be riding around in a car that represents such a position that he holds.

MR. DZIEZYC: I believe it would be appropriate for the Chief to set an example for the rest of the Police Force and the City of Stamford. To show the City of Stamford that he will contribute to conserve energy. He's going to save taxpayers money and I'm sure the Chief wouldn't mind experiencing a little discomfort in a compact car, because we're all using small cars these days and knowing that he's saving the taxpayers money and conserving energy in this atmosphere of energy saving.

MR. DeLUCA: I have to concur with Mr. Dziezyk. I sympathize with Lt. Peterson, the Police Commission about showing respect for our Police Chief but I am more concerned about showing respect for the taxpayers' dollar. Mrs. Santy, I know people 6 ft. 6, 6 ft. 4, that drive compact cars. They have incurred no physical disabilities. They're able to maneuver and I think it would be wonderful for the Police Chief to set the example by riding around in a compact car. We should be concerned with the taxpayers' dollar not just the respect of who's driving the car.

MR. BLUM: I would only hope that when we do buy a compact car that we wouldn't consider a Toyota or a Volkswagen. I would only hope that we would consider an American made car.

MR. GUGLIELMO: I'd just like to say that the type of car the individual drives around in will not generate any more respect for that individual. That's really all I have to say. I don't think that whatever car the Chief drives in or seen in will generate anymore or less respect. I think that will be determined by the job that he does.

MRS. PERILLO: MOVE THE QUESTION

MRS. GOLDSTEIN: MOVE. SECONDED. Yet to speak are Mr. Flounders and Mr. Wiederlight for the second time.

FISCAL: (cont.)

MRS. GOLDSTEIN: We will now vote on the motion to amend, which would be a motion to delete the request by \$2,700.

MR. ZELINSKI: How many votes would be needed to pass this?

MRS. GOLDSTEIN: A motion to amend is a majority. We will vote by use of the machine. The MOTION TO AMEND the main motion by deleting \$2,700. has been PASSED by a vote of 21 yes; 17 no; 1 abstention.

MR. ESPOSITO: I now MOVE the main motion to appropriate \$22,000. to amend the 1979/80 Capital Projects Budget for the Police Dept.

MRS. GOLDSTEIN: SECONDED. This will require 2/3 vote. The MOTION IS CARRIED. (voice vote - 1 against, Mrs. Perillo)

- (2) \$ 666.00 - POLICE DEPARTMENT - RESOLUTION TO AMEND THE 1979/80
(transfer) CAPITAL PROJECTS BUDGET BY ADDING \$666.00 to the follow-
ing projects by TRANSFER as below, per Mayor's request.
Bd. of Finance approved 12/13/79.

ADD TO THE FOLLOWING PROJECTS:

#410.748 Blazer Vehicle	\$ 20.00
#410.754 Communications Van	646.00
	<u>\$666.00</u>

TRANSFER FROM:

#410.496 Gasoline Storage Tank	<u>\$666.00</u>
	-0-

The balance remaining in the #410.496 Gasoline Storage Tank account of \$419.00 is to be CLOSED OUT.

ITEM #2 APPROVED ON THE CONSENT AGENDA.

- (3) ~~-\$1,515.00--~~ E. GAYNOR BRENNAN GOLF COMMISSION - Code 670.2650 NEW
\$1,010.00 EQUIPMENT - Additional Appropriation per Mayor's re-
Approved - quest, Ralph Vitti's 11/19/79 - to purchase three used
2 carts(not 3) golf carts for patrol and supervisory maintenance pur-
poses. Bd. of Finance approved 12 '79.

MR. ESPOSITO: Item #3 is \$1,515.00 for the E. Gaynor Brennan Golf Commission for new equipment. This is an appropriation to purchase 3 used golf carts. Fiscal voted 5-4 in favor and I so MOVE.

MRS. GOLDSTEIN: SECONDED. We don't need a report from the Secondary Committee, it's under \$2,000.00.

MRS. HAWES: I would like to make a MOTION to amend this, to change the amount to \$1,010.00 which would result in a deletion of one of these carts.

FISCAL COMMITTEE: (cont.)

MRS. HAWE: (continuing)....Last month the Brennan Golf Course came to us and told us that they wanted to build a starter's booth. They could save money because they could eliminate a starter since the cashier could do both jobs, that it was going to save us \$5,000. which in that regard, it will.

MRS. GOLDSTEIN: Excuse me, Mrs. Hawe, I would like a second to your motion to amend. SECONDED by Mr. DeLuca.

MRS. HAWE: Now, this month we find that they come in for three carts, that the rangers which they're going to hire, 3 part-time rangers, can use to survey the grounds. One will be used for the ranger that's on duty at the time, one for Mr. Vitti and one for the Superintendent of Greens. I contend that each of these don't need their own cart, that all three are not going to be out there all day long using them and I think we can safely delete the price of one from this, that's why I'm moving to change it to \$1,010.00.

MR. DeLUCA: Although the Parks and Recreation Committee is not a Secondary Committee on deciding, we did vote 4-0 in favor of deleting one of the carts also. Personally, just like to give them the benefit of the doubt, because really I don't see the need why this is an emergency, because, the Golf Season doesn't start until April, doesn't go into full swing until May. Why we have to bother with an emergency appropriation at this time I don't see the logic of it. Our Parks and Recreation Committee are in favor of deleting one of the carts.

MRS. GOLDSTEIN: If there is no further discussion on the amendment, we will put it to a vote. This will in effect delete one cart and bring the total to \$1,010.00. The MOTION IS CARRIED. We will now go to the Main Motion.

MR. ESPOSITO: I now MOVE that we approve \$1,010.00.

MRS. GOLDSTEIN: SECONDED. The MOTION IS CARRIED. (voice vote)

- (4) \$ 950.00 - E. GAYNOR BRENNAN GOLF COMMISSION - Code 670.2210
MAINTENANCE OF BUILDINGS - Additional Appropriation to paint the 19th Hole Restaurant Interior per R. Vitti's request 11/19/79 and Mayor's request. Bd. of Finance approved 12/12/79.

MR. ESPOSITO: Fiscal voted 3-1 to approve and I so MOVE.

MRS. GOLDSTEIN: SECONDED by Mrs. Hawe.

FISCAL: (cont.)

MR. BLUM: Last month we had some items dealing with the E. Gaynor Brennan Golf Commission. Similar items also in maintenance and so on. I just would like to know why now again, we're coming with other maintenance of buildings and aren't they at one time, can't they come at one time for all these items, or must they come various months? What's the rationale each time of coming in for different times?

MR. ESPOSITO: To explain the reason for recent rash of appropriations for the E. Gaynor Brennan Golf Course, apparently, this restaurant has been in great disrepair. It's an old building and it has been closed temporarily, had been closed by the Health Department. There are a number of violations and what they are attempting to do is correct those violations and correct the lack of maintenance in the past and not only item #4 but item #5 is an attempt to deal with those health violations.

MRS. MAIHOCK: I understood at that meeting that the last time this restaurant was painted was seven years ago. I don't believe that should be denied.

MR. JOYCE: I'd like to ask, perhaps, a question of the body here. In other words, I don't understand why this particular Golf Authority or Golf Comm. is coming in, apparently to supplemental appropriations. Don't these people have a budget where they put this. Certainly if you have a problem with the health code or you need a paint job on your clubhouse, don't you know this at the time of the beginning of your fiscal year when you submit your budget? I don't understand the idea of coming in piece-meal for various items that come up. In other words, I certainly would think there's enough intelligence in the people who are operating this particular facility to know whether or not they are going to have to paint their clubhouse and in the fiscal year for which they submit their budget. It just doesn't make sense.

MR. DONAHUE: The both items 4 and 5 on the agenda are brought about at this time, because the franchise of the 19th Hole is just gone out to bid. The 19th Hole Restaurant will bring in somewhere in excess of \$21,000. however, many of the corrections that have to be made in that restaurant if it's to be operated as a restaurant are mandated by the Health Department. It must be painted, it must have non-porous floors, stainless steel fixtures in the kitchen, non-porous counter tops. If this appropriation is not granted, it cannot be opened by a Restaurant according to the Health Dept. and furthermore, we would lose that income to the City.

MRS. CONTI: I have compiled some figures on the Brennan Golf Course and its cost to the taxpayers of Stamford. In the year 1978/9, the revenue from Gaynor Brennan was \$127,282.81. The Operating Budget was \$137,654.86 or a subsidy by the taxpayers on the Operating Budget of \$10,372.05 but in addition, over and above that loss, there were also Capital expenditures

FISCAL: (cont.)

MRS. CONTI: (continuing)...in the year 78/79 of \$62,957.11. In the Fiscal year 1977/78, the revenue was \$125,010.95. The Operating Budget was \$136,206.16 or an operating subsidy by the taxpayers of \$11,195.21. Now, the Capital expenditures that year 1977/78 were \$67,527.89 so the total cost to the taxpayers over and above the revenue from Brennan Golf Course for two years is \$152,052.26. Now, this does not include the debt service on the Capital Projects that were bonded. A lot of people keep telling me this is a money maker. Any project which cost the taxpayers of Stamford over \$152,000. in two years time is neither a money maker nor self-sustaining operation. Most of us have constituents who are hard-pressed to pay bills, taxes and mortgages in these high inflationary times, and I refuse to burden them with additional expenditures for an entertainment facility which is neither vital or necessary to the well being of Stamford and its citizens. Property owners pay taxes for vital services and the expenses to cover those must be appropriated. In order to provide for the necessities, we must economize on the luxury items such as these appropriations 4 and 5 for the Brennan Golf Course. When Brennan representatives came before the Fiscal Committee, they led the Committee members to believe the 19th Hole Restaurant was falling apart due to normal wear and tear as the building was 80 years old. This was a blatant mis-statement of the facts which are as follows: The City of Stamford acquired the Brennan facility in 1949 and spent \$24,000. in 1954 to completely renovate the 19th Hole Restaurant. Anyone who is close to my age will remember that in 1954, you could have virtually built a castle for \$24,000. So the fact is, we have a building which was completely rebuilt 26 years ago that is falling apart despite Capital expenditures of over \$130,000. in the last two Fiscal years, plus Operating Budgets of almost a \$170,000. in those same two years. My colleague, I say to you, that if this building is falling apart as the Brennan representative led the Fiscal Committee to believe, then something is radically wrong. But, the issue before us at the moment is item 4 and 5 on the Fiscal. I don't know any of you with constituents, struggling to vote for these items after hearing these figures.

MR. BOCCUZZI: I'd just like to know if Mrs. Conti has a breakdown as far as she said that the Capital Projects for two years was a hundred some thousand Correct?

MRS. CONTI: Yes.

MR. BOCCUZZI: Is that extended over how many years, the bond.

MRS. CONTI: That is one year 's expenditures from the computer run-off shee

MR. BOCCUZZI: May I ask Mrs. Conti, if we're paying those bonds in two year, ten years, or twenty years?

MRS. CONTI: I didn't say they were all bonded issues. This is Capital expenditures for the one year's time.

FISCAL: (cont.)

MR. BOCCUZZI: With that in mind I would suggest that the Capital Projects cannot be put in two year cate gory. I would also suggest, Mrs. Conti, that the Brennan Golf Course, although it operated at a loss in two years of \$21,000. on the Operating Budget, she would check a lot of the other departments of the City of Stamford, Parks and Recreation to find that none of the come anywhere near close paying for their Operating Budget. Am I to assume then that she doesn't approve of spending money for say a place to put your boats? Repair playgrounds? That's a luxury , we don't need it, according to her. I would suggest that we approve the items for the Brennan Golf.

MRS. GOLDSTEIN: We will put this to a vote. There is a motion on the floor Item #4, for \$950.00 for the E. Gaynor Brennan Golf Course. This requires a 2/3 vote. The MOTION IS CARRIED. 26 in favor; 11 opposed; 2 abstentions.

- (5) \$20,700.00 - E. GAYNOR BRENNAN GOLF COMMISSION - Resolution to AMEND THE 1979/80 CAPITAL PROJECTS BUDGET by adding \$20,700. for "project #670.813 - 19th Hole Restaurant Renovation" to correct Health Dept. violations in Men's Room, Employees' Toilet and Kitchen per Ms. Patterson's letter 10/9/79. Bd. of Finance approved 12/13/79.

Plumbing - new fixtures	\$ 5,000.00
Ceramic Tile - two toilets	3,400.00
Quarry Tile Floor - Kitchen	3,750.00
Stainless Steel shelving & tables	3,776.00
Formica for Kitchen Walls & Ceiling	3,000.00
Carpentry Work	1,200.00
Architect Fees	500.00
	<u>\$20,626.00</u>

MR. ESPOSITO: Fiscal voted 8-1 in favor and I so MOVE.

MRS. GOLDSTEIN: SECONDED.

MR. DeLUCA: Parks and Recreation concurs by a vote of 4-0.

MRS. GOLDSTEIN: I am going to take a machine vote. The MOTION IS CARRIED. 30 in favor; 8 opposed; 1 abstention.

- (6) \$1,000.00 - PARKS DEPARTMENT - CODE 610.1201 OVERTIME - Additional Appropriation per Supt. Cook and Mayor's request form. (Parks requested \$5,000. but Administration reduced to \$1,000 until sufficient time to review budgetary performance.) Bd. of Finance approved 12/13/79.

ITEM #6 APPROVED ON THE CONSENT AGENDA.

FISCAL: (cont.)

- (7) \$ 5,500.00 - HEALTH DEPARTMENT - RESOLUTION TO AMEND THE 1979/80 CAPITAL PROJECTS BUDGET BY \$5,500.00 FOR "#550.457 NEW AUTOMOBILES" to replace automobile which was a total loss due to accident 9/12/79 (1972 Duster) Employee involved in accident is in process of leaving City employment. Bd. of Finance approved 12/13/79. To be financed by bonds (taxation). Planning Board's letter 12/6/79 advised their unanimous approval.

MR. ESPOSITO: Fiscal voted 7-2 in favor and I so MOVE.

MRS. GOLDSTEIN: SECONDED.

MRS. SANTY: Health & Protection concurs 5 in favor.

MR. ZELINSKI: I just have one question of Representative Esposito. Being the City does not carry that type of insurance, has the Law Dept. initiated any type of action to obtain the funds from any other source?

MR. ESPOSITO: Not to my knowledge, no.

MRS. CONTI: I would just like to speak to one point that came out in the Fiscal Committee. The fact that Dr. Gofstein, as Health Director, has old wrecked cars hanging around the Health Dept. lot and I think that's appalling because these are very hazardous to small children and I don't know why there not gotten rid of.

MRS. GOLDSTEIN: We will put the item to a vote. The MOTION is CARRIED. I would just like to have the no votes once more; Mrs. Hawe, Mrs. McInerney, Mrs. Conti, Mr. Stork.

- (8) -\$626,930.00 - FINANCE DEPARTMENT - Code 293, 440, 460 - PENSION FUNDS-
\$512,930.00 Additional Appropriation per Budget Dir. F. Harrison request 11/26/79, and Mayor's request form, to fund difference between amount budgeted for 1979/80 and actuarial recommendation. Bd. of Finance approved 12/13/79

Account Number	Pension Fund Title	Per Cent Covered Payroll	Covered Payroll	Actuarial Funding Level	Fiscal Yr. 1879/1980 Budget	Balance Needed to Actuarial
293.1410	Classified	12.7%	\$12,288,375	\$1,560,624	\$1,274,070	\$286,554.
293.1411	Custodian	34.0%	2,232,193	758,946	713,542	45,404
440.1413	Police	57.0%	4,196,755	2,392,150	2,317,325	74,825
460.1412	Fire	59.1%	3,681,100	2,175,530	1,956,283	106,147.
				\$6,387,250	\$6,261,220	\$512,930.

MR. ESPOSITO: Item #8 to appropriate \$512,930.00 Finance Dept. This is to pay the pension funds. This figure is different from the one that's on

FISCAL COMMITTEE: (cont.) Item #8

MR. ESPOSITO: (continuing)... our Agenda because there is a computational error by the Finance Department. The computational error is in item # 460.1412 the pension fund titled the Fire Department. It reads on our Agenda \$219,247.00. It should read \$106,147 to give us a grand total of \$512,930.00. Fiscal voted 7 in favor, none opposed, 2 abstentions and I so MOVE.

MRS. GOLDSTEIN: SECONDED.

MR. BLUM: Personnel concurs.

MRS. CONTI: POINT OF PERSONAL PRIVILEGE. Let the record show that I took no part in this discussion or vote.

MRS. GOLDSTEIN: Mrs. McEvoy, would you please indicate that and we have one abstention, that is Mr. Hogan and Mr. Guglielmo.

MR. ZELINSKI: I 'd like to ask Mr. Esposito if during the presentation for this was anything discussed pertaining to the SACIA report of last year where it was suggested by their committee to get a better return on the funds shown that we had been getting in the past and if so, are these funds going to be put in an old account earning that low rate of interest?

MR. ESPOSITO: They are going to be put in the same account they had been put it previously. The only reason this money is being appropriated now is that when Budget time, we had not gotten actual report with the precise figures. Since that time, Martin Segal and Company has given us the exact figures and these are those figures. We addressed ourselves to that issue and not to the performance of the pension funds.

MR. JOYCE: I hear the term precise figures being used. An error of \$106,147 is not very precise. I just don't understand how these people who are suppose to do calculations here can make such a mistake in their calculations. It's like shooting for San Francisco and hitting Honolulu, Hawaii. How can we possibly expect to run a stable Fiscal Government here if we are missing by these kind of numbers? I just don't understand this. I think the question should be asked by the Finance Committee of the people who present these things. This is ridiculous.

MR. ESPOSITO: I might point out that this is highly unusual error. In my two years on the Fiscal Committee, I don't think this has ever happened and I have no idea how it happened. All I know is frequently when you're using calculators and I don't even know if a calculator was used to compute these things but all you have to do is push one wrong number and you can be off \$106. I think the credit goes to the Finance Department for catching it.

MRS. HAWE: If I can say something to Mr. Joyce. When it was originally calculated, the 15 vacancies in the Fire Dept. were mistakenly added in to compute the pension and that was caught and that was the error, so it wasn't as if they didn't know where the error was.

FISCAL: (cont.)

MR. JOYCE: Am I to assume the error was in on the part of the consultants? What do we pay the consultants? Maybe we should subtract that from their fee.

MR. ESPOSITO: No, the assumption is that the error is on the part of the Finance Dept.

MR. JOYCE: Well you know some taxpayer has to pay this money and it isn't just something that comes out of thin air. I hope that fact is recorded in the future.

MRS. GOLDSTEIN: The Motion has been MOVED. SECONDED. The MOTION IS CARRIED. (voice vote)

- (9) \$150,000.00 - BOARD OF EDUCATION - RESOLUTION TO AMEND THE 1979/80 CAPITAL PROJECTS BUDGET BY ADDING \$150,000. FOR PROJECT "#3063 VOCATIONAL HORTICULTURAL REGIONAL CENTER PHASE II" to be funded by 100% grant from Conn. State Dept. of Education, Div. of Vocational Education. To be financed by the issuance of BONDS. Planning Board approved 12/18/79. Bd. of Finance approved 12/13/79.

ITEM #9 APPROVED ON THE CONSENT AGENDA.

- (10) THE BOARD OF REPRESENTATIVES, IN ORDER TO COMPLY WITH CHARTER SECTION "484.1 Duties of Purchasing Agent" (as per referendums of 1977 and 1979) shall set a sum above which the Purchasing Agent shall put out for bid the supplies and/or services sought. This sum shall be arrived at by resolutions of the Board of Finance and the Board of Representatives; and if they adopt differing amounts for a given year, then the lower sum shall apply. (The current figure is \$1,000.00)

The Board of Finance, on 12/13/79, adopted a resolution, unanimously, setting the figure as THREE THOUSAND DOLLARS (\$3,000.00), as follows:

in "NOW, THEREFORE, BE IT RESOLVED THAT the Board of Finance, subject to the concurrence of the Board of Representatives, directs the Purchasing Agent of the City of Stamford to observe proper bid procedures, as outlined in the Charter and by Ordinance, for all contracts for supplies materials or equipment which shall exceed the sum of Three Thousand Dollars (\$3,000.00).

MR. ESPOSITO: Item #10 was HELD by the Fiscal Committee.

FISCAL: (cont.).

MR. ESPOSITO: I would like to MOVE CONSENT ITEMS #2, 6, and 9 for approval.

MRS. GOLDSTEIN: MOVED. SECONDED. CARRIED.

LEGISLATIVE & RULES COMMITTEE - Co-Chairmen John Zelinski and Ralph Loomis

- (1) FOR PUBLICATION - PROPOSED ORDINANCE FOR EXEMPTION TO HOUSING AUTHORITY OF PAYMENT OF FEES FOR DUMPING AT SOLID WASTE TRANSFER SITE. Letter 12/11/79 from Atty. Sydney Kweskin.

MR. LOOMIS: Item #1 is being HELD because no one appeared to discuss that with us on the night of our meeting last Thursday.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATEMENT TO SALVATION ARMY INC., for clergyman residence at 36 Peper Ridge Rd. property purchased. Submitted by Atty. William J. Murray 12/7/79.

MR. LOOMIS: Item #2 is publication of a Proposed Ordinance for the tax abatement to the Salvation Army for a structure on their property at 36 Pepper Ridge Road. Our Committee discussed this with Mr. Murray, the Attorney for the Salvation Army and also present was the Executive Dir. of the Salvation Army. This is a tax abatement for the structure which the Director lives in on the property of the Salvation Army and our Committee voted unanimously to approve this proposed ordinance to be voted upon in final form at our next meeting and I so MOVE.

MRS. GOLDSTEIN: SECONDED. The MOTION IS CARRIED. (Mrs. McInerney opposed) (voice vote)

- (3) PROPOSED RESOLUTION FOR CITY TO CHARGE FEES FOR COST OF PUBLISHING LEGAL NOTICES, NOTICES OF PUBLIC HEARINGS (WHEN NECESSARY), ETC., FOR APPLICANTS REQUESTING TAX ABATEMENT, TAX EXEMPTION, FEE EXEMPTION, \$1.00 EASEMENTS GRANTED, ETC. Submitted by Clerk of the Board Annie Summerville.

MR. LOOMIS: We discussed Item #3 and tentatively voted to move on this item. This is the Charging fees for those who have us put legal notices in the paper for hearing, however, since our meeting, I have received word from the Law Dept. that there are some problems with this proposal and we will HOLD IT.

LEGISLATIVE & RULES (cont.)

- (4) FOR PUBLICATION - PROPOSED ORDINANCE FOR SALE OF CITY-OWNED PROPERTY AT TRESSER BOULEVARD TO CONNECTICUT NEWSPAPERS, INC. in the sum of \$230,000.00 LESS \$25,900 (cost of relocating recreational facilities) for a net of \$204,100.00. Bd. of Finance approved 11/8/79. Planning Board also approved. Mayor's re-submission 12/17/79.

MR. LOOMIS: I would like to HOLD this in COMMITTEE and we expect to have a full report by our next meeting.

MRS. GOLDSTEIN: Thank you Mr. Loomis. Mr. Zelinski, I believe you will be giving the rest of the report.

MR. ZELINSKI: I would like to say that we did have our meeting on Thursday, January 10th and present at that meeting for the record were Reps. Donahue, Wiederlight, Blum, Corbo, Fasanelli, Conti, Pollard, Loomis, Zelinski. The next item on our Agenda is Item #5 and for the benefits of the Representatives, items 5 through 26 will all deal with Rule Changes.

- (5) PROPOSED RULE OF ORDER OF 16th BOARD submitted by S. Goldstein 12/31/79
Page 4, Number 7, shall be changed to read as follows:
"The Steering Committee shall include the President, the Clerk, the Majority Leader, and the Minority Leader. At least one member from each of the other Standing Committees as well as 2 additional Board Members; one from each party shall also serve on the Steering Committee. Co-Chairman not on Steering shall be ex-officio members of the Committee and shall have the right to vote in the event of the absence of the Co-Chairman who is a designated member of Steering".

MR. ZELINSKI: Item #5 which is on page 4, #7, shall be changed to read as above. Our Committee voted 7 in favor, 2 against for this proposed change with the exclusion of that one sentence which reads "as well as 2 additional Board members; one from each party shall also serve on the Steering Committee" and I so MOVE.

MRS. GOLDSTEIN: SECONDED by Mr. Corbo.

MRS. McINERNEY: Are we supposed to vote on these as they are written or are you allowed to amend? Is the Committee allowed to amend these as they're going along?

MRS. GOLDSTEIN: The Committee can make amendments that are not substantive amendments. Any substantive amendment would have to be presented to Steering again as per our Rules. Our Rules state "these rules shall not be amended except by the vote of at least 2/3". We ourselves amended that for this meeting at our Organizational Meeting and these rules tonight can be changed by a vote, by a majority vote of our Board. To continue, yes, which would be 21. The members present at a meeting in which the notices of said meeting

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: (continuing)...includes the text of the amendment. Now this is as in publishing. If there is a substantive change, then this will have to go back to Steering and the text will have to reappear on the Agenda. However, to delete that sentence, I do not feel is a substantive change needing re-publication so to speak on the Agenda, that would be a change that can be brought before the body this evening. Is there any discussion on the motion which is to approve Item #5 and delete the following sentence "as well as two additional Board members, one from each party shall also serve on the Steering Committee."

MR. GUGLIELMO: I would just like to disagree with your ruling. I believe that is a substantive change.

MR. DARER: I would like to at this time, make a statement. It appears to me that Legislative & Rules met on these rules the nights of some other committee meeting and so with your permission, I don't see any reason why, provided there is a discussion on, limited discussion if you will, on any of these rules. Why we can't set our rules tonight. I don't know why substantive has to come into the question at all. The L & R Committee met, they came up with some decisions where, we are the Board of Representatives, we're fixing our rules tonight, by majority vote, I would think that if myself or someone else will to make an amendment to a rule, that it could be done tonight, without considering that a substantive change. This is our, in effect, our organizational meeting, for rules tonight.

MR. LOOMIS: As Co-Chairman of the L & R Committee, I'd like to disagree with Mr. Darer. The fact is that as you have read, the rules state otherwise, and they state otherwise, because I don't think changes in our rules should be taken lightly. They should only be done with serious consideration so those of us, I should say, those outside the members of our Committee has what is on this Agenda and did not know until tonight the night of our meeting here these various other changes in the way of amendments that are being made and I don't think it's fair to do that without the approval of the Steering Committee so I think we should vote on these issues as we see them on the Agenda unless, I would certainly think that if it's not very substantive then we could accept those changes.

MR. DONAHUE: I agree completely with Mr. Loomis. That is what the rules intend and it so states that on Page 8 of the rules under Amendments, Section 1.

MR. JOYCE: I don't understand why this must go back to the Steering Committee. I think it might remain in the Committee in the L & R Committee but I don't understand why it would have to go back to Steering Committee.

MRS. GOLDSTEIN: Our rules state that the text of any amendment to the rules must be published in our Agenda. Anything that goes on the Agenda, must come before the Steering so that is why, however, L & R, can submit its recommendation if they are substantive to Steering and Steering can place them if it so chooses by a majority vote on the Agenda. That's why, it is part of our rule. Anything we vote on tonight, however will be voted on by any change will be made by a majority vote..

LEGISLATIVE & RULES (cont.)

MRS. CONTI: POINT OF INFORMATION. You say anything we vote on tonight will be by majority vote. What about anything that should be sent back to Committee?

MRS. GOLDSTEIN: To send something back to Committee takes a majority.

MRS. CONTI: No, no, but I mean then when it comes out of Committee again would be then 2/3?

MR. ZELINSKI: I took the time and trouble to look through our Minutes of Organizational Meeting which was held on December 3, and at that time, the acting Chairman approved a motion to accept the Rules of Order of the 15th Board of Representative subject to change by a majority vote in our January meeting. I don't think it said any, it does not say anything there in writing. All we're doing is changing our own rules, the rules that we go by, we are not passing any fiscal item or legislation item, this only affects the 40 members here this evening. I think that if there is any additions or subtractions, now would be the time to do it and I think it would be in order in that case and I don't agree that anything has to be sent back to Steering Committee to be considered at a later date.

MR. DONAHUE: The vote was unanimous that we accept these rules until they are changed tonight by majority vote. There was no change in the intent of amendment section other than the vote count itself from 2/3 to a simple majority, so that section still stands.

MRS. GOLDSTEIN: We will bring to a vote Item #5, deleting the sentence as so stated, we're going to take this by use of the machine. The MOTION has been DEFEATED by a vote of 17 in favor; 21 opposed.

MR. BOCCUZZI: We just voted against that one particular part. That's all we voted on. Now we're going to go back to the whole thing, now we accept it as is.

MRS. GOLDSTEIN: We voted not just on that sentence. We voted on the motion, the main motion on the floor, it wasn't an amendment. The Main Motion made by Mr. Zelinski was to change, L & R voted in favor of Mr. Zelinski's motion. He made that motion, that motion was not amended, the motion was to accept the following terminology, the Steering Committee members shall include etc. deleting as well as two additional members and going on to Co-Chairman, Co-Chairman not on Steering shall be ex-officio members.

MR. LOOMIS: I think many of us were under the impression as you stated the motion that all we were doing was acting upon a deletion of that one phrase. I mean, that seems to be implicit in what you said. So I think in fairness it may be.

MRS. GOLDSTEIN: If somebody moves to reconsider, I will accept that motion. Mr. Guglielmo has made a Motion to re-consider. SECONDED. MOTION PASSED. We are back to Mr. Zelinski's motion which is to accept the rule with the deletion of "as well as two additional Board members, one from each party"

LEGISLATIVE & RULES (cont.)

MR. ESPOSITO: POINT OF INFORMATION. Let's assume as I was working on the assumption, we don't agree with L & R's change and we want to pass the item as it's written there. How do we do it?

MRS. GOLDSTEIN: By amending his motion to include "as well as two additional members."

MR. BOCCUZZI: Would you give us the vote off the machine? What was the vote actually? Machine count, what was it?

MRS. GOLDSTEIN: 17 to 22. I had two changes.

MR. BOCCUZZI: In all due fairness, you did not announce the vote. I didn't hear it.

MRS. GOLDSTEIN: I'm sorry I did.

MR. JOYCE: POINT OF ORDER.

MRS. GOLDSTEIN: I would like to finish speaking and then I will take your point of order, Mr. Joyce. In order to have that entire item considered, you must amend his motion.

MR. JOYCE: If we're going to have any sense to these votes, you can't have I think what Mr. Boccuzzi is noting, is this. There has to be a finality to the vote here. You can't have people changing their vote saying Oh, I meant to vote no or I meant to vote yes. When you get to a point with this apparatus and machinery and this vote is tabulated, there has to be a point in time where you were about to announce the vote and then someone said I don't like the way things are going, I'm going to change the vote, you can't do that.

MR. ESPOSITO: With all respect to Mr. Joyce, you can do that up until, it is our privilege up until the vote is announced. Anyone can change their vote up until that point.

MR. DARER: I'd like to make an amendment to Mr. Zelinski's motion that we include the full text of the rule change on page 4, number 7.

MRS. GOLDSTEIN: SECONDED.

MR. LOOMIS: I'd like to speak against Mr. Darer's amendment. I think the philosophy in the spirit in which we were guided when going through the various changes was trying to create a greater efficiency streamlining the number of Committees reducing the numbers of people who are on all these Committees. The Steering Committee as we all know has gotten almost as big as this full board, and so by reducing the size of the Steering Committee hopefully will increase the efficiency with which that body operates by paring down the numbers of persons on that committee. The effect of Mr. Darer's amendment here is to add two more than we had recommended, so I would hope that we could stick with Mr. Zelinski's motion as he's made it.

LEGISLATIVE & RULES (cont.)

MR. DENICOLA: I would like to MOVE the QUESTION.

MRS. PERILLO: SECOND.

MRS. GOLDSTEIN: Mrs. Guroian is the only speaker remaining on the list. The MOTION is CARRIED.

MR. ZELINSKI: POINT OF INFORMATION. Would I be correct in assuming at this present time we are going to be voting not on my motion but on Mr. Darer's amendment to my motion?

MRS. GOLDSTEIN: Yes, and his amendment to the motion is to accept the full text. We will put that to a vote. Mr. Darer's MOTION has been LOST by a vote of 12 in favor; 27 opposed. We will now go to the main motion, which is to approve item #5 but delete "as well as 2 additional Board members; one from each party shall also serve on the Steering Committee". I am going to reset the machine and please vote up for yes; down for no.

MR. FLOUNDERS: I think your deletion is grammatically incorrect. You keep saying that we will delete "as well as 2 additional Board members, one from each party shall also serve on the Steering Committee". You say you're going to delete that. That would leave in that sentence "at least one member from each of the other standing committees"

MRS. GOLDSTEIN: That is Mr. Zelinski's motion, Mr. Flounders.

MR. FLOUNDERS: That isn't a sentence.

MRS. GOLDSTEIN: We are voting on the motion whether that is a sentence or not.

MR. FLOUNDERS: There must be a hidden Agenda.

MR. BOCCUZZI: Aren't we voting on to delete the word, where it says Standing Committee, after we're going to delete from that point to where it says Standing Committee.

MRS. GOLDSTEIN: I'm going to ask Mr. Zelinski, since I have not declared the vote, I'm going to clear the machine and I am going to avoid confusion, I'm going to ask Mr. Zelinski to read his motion again.

MR. ZELINSKI: The Steering Committee shall include the President, the Clerk, the Majority Leader, the Minority Leader. At least one member from each of the other Standing Committees shall also serve on the Steering Committee.

MRS. GOLDSTEIN: The words, Mr. Zelinski, you wish to add a phrase to that.

LEGISLATIVE & RULES (cont.)

MR. ZELINSKI: No, then Co-Chairman not on Steering shall be ex-officio members of the Committee and shall have the right to vote in the event of the absence of the Co-Chairman who is a designated member of Steering.

MRS. GOLDSTEIN: So then what you are deleting then unlike what you said previously is, you are deleting "as well as 2 additional Board members, one from each party".

MR. ZELINSKI: That is correct.

MRS. GOLDSTEIN: Do we have a second to Mr. Zelinski's motion? We will take a machine vote. The MOTION has PASSED by a vote of 32 in favor; 4 opposed.

(6) PROPOSED RULES OF ORDER OF 16th BOARD submitted by S. Goldstein 12/31/

Page 5, Number 12 shall be changed to read as follows:

"In addition to any other duties or function assigned, the Steering Committee shall prepare the Agenda for all meetings of this Board and shall refer to appropriate Committees all matters which come before the Board. All matters which any Representative shall desire to be placed on such Agenda shall be presented to the Steering Committee not less than 5 days before such meeting unless waived by a 2/3 vote of Steering. No business other than what appears on the Agenda shall be transacted, except by consent of two-thirds of the members present at the meeting of the Board of Representatives."

MR. ZELINSKI: Item #6 which deals with page 5, number 12 shall be changed to read as follows: "In addition to any other duties or function assigned, The Steering Committee...."

MRS. GOLDSTEIN: Excuse me, just to save time if you have made no change at all in this and it just is as present on the Agenda, we will move #6. I will accept a motion.

MR. ZELINSKI: If that's agreeable with everybody, I will be more than happy to do that. I MOVE our Committee voted unanimously to approve Rule Change #6.

MRS. GOLDSTEIN: SECONDED. We will put it to a vote. MOTION CARRIED: 1 opposed. (voice vote)

(7) PROPOSED RULES OF ORDER of 16th BOARD submitted by P. Esposito 12/3/79

Page 4, No 1 shall be changed to read:

"There shall be the following STANDING COMMITTEES:

LEGISLATIVE & RULES (cont.)

"I.	Steering	20	members
II.	Appointments.....	9	"
III.	Fiscal.....	10	"
IV.	Legislative and Rules.....	9	"
V.	Personnel.....	7	"
VI.	Planning and Zoning.....	5	"
VII.	Public Works.....	7	"
VIII.	Transportation, Traffic & Parking.....	5	"
IX.	Health, Protection and Substance Abuse.....	5	"
X.	Parks and Recreation.....	5	"
XI.	Education, Welfare and Government.....	3	"
XII.	Sewer.....	3	"
XIII.	Public Housing & Community Development.....	5	"
XIV.	Urban Renewal.....	5	"
XV.	Environmental Protection.....	3	"

MR. ZELINSKI: Item #7 was rejected by our Committee 5 against and 4 in favor. Just for the record, I would MOVE that item #7 be approved.

MRS. GOLDSTEIN: What we do is take a positive vote, we don't vote on a negative motion. We have a Motion to approve item #7. Seconded. With the knowledge that L & R voted against it, if you recall in our previous Board, you don't make a negative motion and vote on that negative motion.

MR. GUGLIELMO: On this item, it calls for 20 Members Steering. I see that we have one additional Transportation, one additional Standing Committee which is Transportation, Traffic and Parking. What is the second?

MR. ZELINSKI: I'm sorry, I don't follow the question.

MR. GUGLIELMO: The question is there are presently 18 on Steering. On this proposed Rule Change, we have 20 members of Steering. I know of one additional, one Transportation, Traffic and Parking. We're making a Standing Committee. I'd like to know what the other position is on Steering.

MR. ZELINSKI: Right now at the present time, there are 14 Committees that are Standing Committees plus the President, the Clerk, the Majority Leader, the Minority Leader. 14 plus 4 would be 18. The reason there would be 20 which was under the assumption that Item #5 would have passed would have increased Steering by the 2 members. So that's why this has to be rejected, otherwise you're going to have two extra members on Steering. There are 14 Standing Committees now.

MR. CONTI: Do you read item #3. It says Fiscal 10, Fiscal is supposed to be 9. That's where the additional one would have come in.

MR. BLUM: I would like to ask a question. Inasmuch as Item #5 did not pass with the extra 2 members on the Committee, that's why, when this came before L&R the vote was 5-4 so there was dissension of 4 votes that wanted to accept this proposed rule change. I would like to ask whether we can take each individual item up as we had done on Item #13. In other words not destroy the the entire proposed rule change Item #7.

LEGISLATIVE AND RULES (cont.)

MRS. GOLDSTEIN: We haven't even come to Item #13 yet.

MR. DONAHUE: The motion on the floor is to, has been moved and seconded to consider this item in total. It has been motioned and seconded, it must be taken in total.

MR. JOYCE: Earlier, you were discussing the question of the matter of substance or lack of substance in terms of the modification of a rule change, I think in connection with Item #5. I think Mr. Zelinski just mentioned that the change in Item #5, rule change #5 would now make the proper number for Item #1 here to have Steering Committee number change from 20 to 18. Is it the ruling of the Chair that to coincide as a corrective amendment we might say would be a matter not going to the substance of this particular route change. Would the floor or the Chair entertain an amendment to change that 20 to 18?

MRS. GOLDSTEIN: I would accept that Mr. Joyce.

MR. JOYCE: In that case I would.

MRS. GOLDSTEIN: We are going to vote on amending Steering to read "18 members" MOVED. SECONDED.

MR. GUGLIELMO: POINT OF ORDER. Under our rules as adopted, I see that Steering has 18 members. There are 13 Standing Committees, and then the 4, the President, Clerk, Majority Leader, Minority Leader. What is the other position. That's 17, are there, in fact, 18.

MR. ESPOSITO: During the 15th Board, the Assistant Minority Leader was also placed on the Steering.

MRS. GUROIAN: Are there any other considerations coming which if passed, would make a change in this? Well, then why are we voting on it now?

MRS. GOLDSTEIN: We must vote on these items in order, we are now up to #7. L&R voted this out unfavorably, we must vote on any motion in a positive fashion. We have an amendment on the floor, we are going to vote on the amendment first.

MR. GUGLIELMO: POINT OF INFORMATION. If in fact, the Assistant Minority Leader has a spot on Steering, as was explained, then it should be 19.

MRS. GOLDSTEIN: If you wish to have Steering changed to 18 members, then I would say that you vote in favor of this motion. We will vote on the amendment to reduce Steering to 18 members. The MOTION IS CARRIED. (voice vote) We will now go on to the main motion which is to accept #7 with the amendment that Steering will now have 18.

LEGISLATIVE & RULES (cont.)

MR. LOOMIS: I would like to speak against the adopting of this proposed rule change. We, the Committee, acted upon a comprehensive reorganization in another item coming up, #13. I actually have some problems with that, but nevertheless, I think when we're discussing the ordering of Committee, the number of people on Committees, we should wait to #13 where our thinking and our logic are encompassed in that particular recommendation. There is a certain procedure that we follow in going through all these, and I think if you want to keep all these recommendations consistent, we should vote down some, vote up some and then we'll have rules that make sense. If we adopt these, I'm sure we're going to be really enacting any substantive changes which we're really aiming at

MR. ZELINSKI: I would just like to encourage my fellow Colleagues to vote in favor of this particular rule change.

MRS. HAWES: I would agree with Mr. Loomis. I think this proposed rule change really doesn't have much value. In particular Fiscal raising it to 10 members, I see no point in that. Committees traditionally have odd numbers and I see no reason to raise it to 10.

MR. DONAHUE: The Committee in meeting the other night decided this should be left alone and did work on a future proposal, #13 on the Agenda. Insufficient consideration was given to all the changes that are required within this document and I would urge everyone to vote this down.

MR. WIEDERLIGHT: It confuses me why Mr. Zelinski would advise us to vote affirmatively on #7 inasmuch as we spent in the L&R quite a bit of time on rule #13 and we specifically voted this one down to go right on to #13 and as Mr. Donahue has indicated we did not give very much consideration as far as discussion to #7 in favor of #13.

MR. ZELINSKI: POINT OF PERSONAL PRIVILEGE. Mr. Wiederlight said about the discussion and so forth, the Committee's recommendation was 5 against and 4 in favor. 4 Committee members were in favor of this rule change.

MR. DeLUCA: MOVE THE QUESTION.

MRS. GOLDSTEIN: SECONDED. Remaining on the list to speak is Mr. Conti, Mr. Guglielmo. The MOTION IS CARRIED. We will now vote on #7 on the Agenda as amended, which changes Steering to 18 members. The MOTION is LOST by a vote of 31 opposed; 7 in favor; 1 abstention.

MR. DeLUCA: POINT OF ORDER. The hour is getting late. Is it possible that we can move over to Personnel and some of the other items because, the way the trend is going, we can be here all night on these rules changes and the only effect they are going to have is on how our Board operates. We have many items that are going to affect how the City operates. We've got Ordinances to pass, we've got Planning and Zoning items that are going to have an impact on the City.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: You always have the right to move to Suspend the Rules to consider an item out of order. That requires a 2/3 vote.

MR. DeLUCA: I make a motion to Suspend the Rules. Do I have to do it for each item on L&R?

MRS. GOLDSTEIN: To move any item out of order, we must do that, perhaps, if you do not wish to make such a motion, we can proceed quickly with these rules.

MR. ZELINSKI: I would like to make a motion at this time, that we Suspend the Rules to take up Item #1 under Personnel, which is the Administrators Contract. If we do not vote on it by 12 midnight, it is an approved contract.

MRS. GOLDSTEIN: Mr. Zelinski, we have until the 18th to vote on that before it becomes law.

MR. ZELINSKI: I stand corrected.

MRS. GOLDSTEIN: Do you wish to withdraw that motion?

MR. ZELINSKI: I would.

(8) PROPOSED RULES OF ORDER OF 16th BOARD submitted by P. Esposito 12/3/79.

Page 4, No. 7 shall be changed to read:

"The STEERING COMMITTEE shall include the President, the Clerk, the Majority Leader and the Minority Leader. At least one member from each of the other Standing Committees shall serve thereon; as well as two additional Board members - one from each Party."

MR. ZELINSKI: Item #8 was the same as #5 so we did not consider that. I make a MOTION that we approve #8.

MRS. GOLDSTEIN: SECONDED. You voted against this but we are going to put a positive motion, which is to accept #8. Item #8 has been DEFEATED.

(9) PROPOSED RULES OF ORDER OF 16th BOARD submitted by P. Esposito 12/3/79.

Page 5, No. 13 shall be changed to read:

"It shall be the duty of the Chairman of each Committee to call a meeting of his Committee at least once a month if any matter has been referred to it by the Steering Committee."

MR. ZELINSKI: Item #9 was approved unanimously and I so MOVE.

LEGISLATIVE & RULES COMMITTEE (cont.)

MRS. GOLDSTEIN: MOVED. SECONDED. CARRIED.

(10) PROPOSED RULES OF ORDER OF 16th BOARD submitted by David Blum:

On Page 4, under COMMITTEES, item #7 shall be changed to read:

"The Steering Committee shall include the President, the Clerk, the Majority Leader, the Minority Leader, the Assistant Majority Leader, the Assistant Minority Leader and the Chairperson of each of the nine Standing Committees listed in Item #1."

MR. ZELINSKI: Item #10 was also rejected.

MRS. GOLDSTEIN: I will accept a positive motion.

MR. ZELINSKI: so MOVED.

MRS. GOLDSTEIN: MOVED. SECONDED, to accept item #10 although, it was voted negatively by L&R.

MR. BLUM: I was just talking to Mr. Esposito and he said that the Assistant Minority Leader and the Assistant Majority Leader are now members of Steering.

MR. ZELINSKI: The answer is No.

MRS. SANTY: Let me explain. I am a member of Steering as Chairman of a Committee not as Assistant Minority Leader and I think Mr. Livingston is a member of Steering as a Chairman of another Committee. Does that clarify it, Mr. Blum?

MR. ZELINSKI: I would like to MOVE the QUESTION.

MRS. GOLDSTEIN: MOVED. SECONDED. Let us put Item #10 to a vote. It was voted negatively by L&R. Item #10 has been DEFEATED. (voice vote)

(11) PROPOSED RULE OF ORDER OF 16th BOARD submitted by F. Corbo 1/10/79:

Under "COMMITTEES", add the following text to Paragraph 14:

"Advancement to an earlier time in the evening of important items on the Agenda, regardless of the Committee assignment, shall be accomplished upon motion made and approved by a majority vote of members present and voting at that meeting."

MR. ZELINSKI: Item #11 was moved out 4 in favor, 5 against, which means it was defeated, but for the purpose of the record, I would MOVE that his item be accepted.

LEGISLATIVE & RULES COMMITTEE (cont.)

MRS. GOLDSTEIN: MOVED. SECONDED. Item #11 has been DEFEATED. (voice vote)

(12) PROPOSED RULES OF ORDER OF 16th BOARD submitted by F. Corbo 1/10/79:

Under "COMMITTEES", Paragraph 1, effect an exchange of places in the order as follows:

"Committee III shall be LEGISLATIVE AND RULES COMMITTEE
Committee IV shall be FISCAL COMMITTEE.

MR. ZELINSKI: Item #12 was approved 7 in favor and 2 against and I so MOVE.

MRS. GOLDSTEIN: Item #12 has come out favorably from L&R. Is there any discussion.

MRS. HAWE: I'd like to ask Mr. Zelinski or Mr. Loomis what the rationale was for approving #12.

MR. ZELINSKI: If I may, I would like to defer to Rep. Corbo, who was the Representative who recommended this change.

MR. CORBO: The rationale I proposed this item was that the main function of this Body is Legislative mostly, and would like to deal first with the L&R items on prime time and to refer the fiscal items after that.

MR. DARER: I would strongly recommend that this item be defeated. It would seem to me that the fiscal report which we are the final body on approval of expenditures, should be considered early in the evening. There are times we are spending great amounts of the taxpayers money and I think that is a matter that should be taken up first and foremost right after appointments as it is currently. Having served on L&R for two years, I think that many of the items that L&R considers deal with rather mundane facts like abatements, changes in certain ordinances which aren't necessarily of vital importance to the running of the City, but must be done, but I think fiscal matters really take precedence.

MR. DONAHUE: I will speak in agreement with Mr. Darer, I think this is a time of increased fiscal responsibility and we should continue to give the fiscal committee priority that it now has.

MR. WIDER: I must concur with my Co-Chairman. I feel like the fiscal affairs of this City are some of the most important affairs this Legislative Body must take and I wouldn't like to see us put some other items that could be taken of at a later date over the most important thing. We deal with the lives of our children who are fiscal activities. I would certainly love to see the Agenda remain as it is.

LEGISLATIVE & RULES COMMITTEE (cont.)

MR. FLOUNDERS: MOVE THE QUESTION.

MRS. GOLDSTEIN: The only person remaining to speak is Mrs. Hawe. MOVED. SECONDED. CARRIED. I am going to take a machine vote on Item #12. The MOTION has been DEFEATED by a vote of 26 against; 12 in favor; 1 abstention.

(13) PROPOSED RULES OF ORDER OF 16th BOARD submitted by D. Blum:

Page 4, under "COMMITTEES" item #1 shall be changed to read:

		No. of <u>MEMBERS</u>
I.	<u>Steering</u>	15
II.	<u>Appointments</u>	9
III.	<u>Fiscal</u>	9
IV.	<u>Legislative, Government and Rules</u>	9
	*(formerly Legislative & Rules, and Government part of Education, Welfare and Government)	
V.	<u>Personnel</u>	7
VI.	<u>PUBLIC WORKS</u>	9
	*(formerly Public Works, Planning & Zoning, Sewer & House)	
VII.	<u>Health, Education and Welfare</u>	5
	*(formerly Health & Protection, Drug & Alcohol Abuse, and Education & Welfare of EW&G.)	
VIII.	<u>Environmental Protection, Parks & Recreation</u>	5
IX.	<u>Community Development, Housing and Urban Renewal</u>	5
	*(formerly Urban Renewal, & Publ. Hsg. & Com. Dev.)	
X.	<u>Transportation, Traffic and Parking</u>	3
	*(formerly Transportation)	

(Note: * this for information only - not to appear in Rules of Order)

MR. ZELINSKI: On your desk this evening there is a short memo from myself pertaining to this item. The only only change is there is an error in the memo that I sent. The correct number under Public Works and Sewer which is Committee Roman numeral # VI, now reads 5 members. That is an error and should read 7 members. We discussed each separate Committee but the recommendation of L&R was to bring this out, the whole section 13, and that was the consensus and the vote was 7 in favor and 2 against.

MRS. GOLDSTEIN: Please clarify this for me because I assume you are going to be making a motion on this. Right now we are looking at Item #13 on page 8 of our Agenda. Item #13 says Public Works has 9 members, you wish to change that to read 5, or 7, or is there some other changes in that you wish to make.

MR. ZELINSKI: There were approximately 4 other changes in this particular rule change that is not reflected in the agenda but is on a separate memorandum that was on the desk this evening. The changes on those particular 2 changes dealt with only Committees and that would be Roman numeral #VI

LEGISLATIVE & RULES (cont.)

MR. ZELINSKI: (continuing).....on the agenda reads, "Public Works as the Committee formerly Public Works, Planning and Zoning, Sewer, and House". Our Committee decided to rather have Planning & Zoning incorporated to Public Works, to keep it as a separate Committee so that only change would read, "Public Works and Sewers" and instead of having 9 members as is shown on the agenda, the correct number of Committee members would be 7. Roman numeral #VII reads "Health, Education & Welfare Committee (formerly Health & Protection, Drug & Alcohol Abuse, and the Education & Welfare of EWG Committee". That would be changed just "Education Committee" consisting of 5 members. Those are the only corrections. Community Development, Housing and Urban R^Enewal on the Agenda has 5 members. That should read 7 and as far as I can see, those are the only changes other than what is already on the agenda as proposed rule #13 change. Our Committee voted 7 in favor, 2 against and I so MOVE.

MRS. GOLDSTEIN: MOVED. SECONDED.

MR. LOOMIS: I think there are real problems with this recommendation. Mr. Donahue and myself voted against this in Committee. I think anyone could see by the changes here if we were to adopt this change #13, would in effect have to re-organize the entire Board. Some people would lose Chairmanships, few persons would be knocked off the Committee. Some Committee would require additional members. I don't think we want to go through this entire process particularly, now that we have just begun working and we are settling down without going through this whole process of re-organizing the Board. I think we have 2 alternatives. First of all, I think there are some real substantive changes here so you as President, could rule because they are changes, we'd have to go through Steering once again to have this. Really what is a new change from what our agenda appeared at or if not, if that is not your ruling, then I would move to have this effectively go into adoption after our last meeting of this current Board, you see so that it would then become rules for the next Board. But, in any event, I do believe your ruling could probably be made here so that we wouldn't have to vote on it right now at this meeting.

MRS. GOLDSTEIN: I'm going to ask Mr. Hogan, our Parliamentarian, to advise the Board, as well as myself, as to whether the changes as proposed by L&R would be considered substantive changes and would require a re-publishing in our agenda.

MR. HOGAN: For the information of the Board Members, it is my opinion that there are very substantive changes in this proposed change #13 and that I also would lend the weight of the Parliamentarian's opinion to your ruling. That in view of there being substantive changes in this, that it be referred back to Steering for further action. I don't see how we can possibly go through a re-organization of the entire Standing Committee of the Board this evening with what we have presented to us.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: I shall agree with your interpretation of our rule and I shall rule that Item #13, the changes made in the text as entered on our agenda, are substantive and should be referred to Steering by L&R.

MR. ZELINSKI: With all respect to Rep. Hogan and yourself, I disagree. Number 1, I had mentioned first of all, earlier, the minutes of the organizational meeting where Mr. Pollard was the temporary Chairman, and made a motion that was accepted. The motion was to accept the rules of order of the 15th Board of Representatives subject to change by a majority vote in our January meeting. Now, this evening, we had seen where there had been a report by the Fiscal Committee, and even though, on the agenda, it specified an appropriation of X number of dollars, we here this evening made an amendment that was not on the agenda which reduced the purchase of vehicles. That was not on the agenda. If we would go along with your ruling tonight, that means that we could not have amended, only accepted, or rejected the particular thing on the agenda, so I feel we are not changing drastically Rule #13. We are simply changing a portion of that, if it were. If we could change the whole meaning of rule #13, then I would agree with Mr. Hogan and yourself. All, as I mention, we are changing are 2 committees: Roman numeral VI, Roman numeral VII and a couple of Committee members. That is all we are doing and I would have to, in all due respect, disagree with your opinion.

MRS. GOLDSTEIN: Are you challenging the Rule of the Chair?

MR. ZELINSKI: Yes.

MRS. GOLDSTEIN: Is there a second. Seconded. I would then like to explain why I have ruled as I have, before I put this to a vote. There is a definite difference between amending our Rules of Order and approving or amending an appropriation request before us. The difference relates to our own Rule which makes it mandatory that the text be published. I have permitted changes, amendments, that really are not substantive. I think the changes that L&R are suggesting in Item #13, are very substantive and require re-publication, so to speak. By re-publication, I mean the text should be written on our agenda.

MR. DONAHUE: This is a POINT OF ORDER. What Mr. Zelinski is referring to is not an amendment to the Rules of Order. There is a difference and there is a stipulation within these rules that states, as you have already said, that notice of said meeting must include the text of the proposed amendment. We have not received that text with the notice of the meeting. The text that you received tonight is substantially different and even the members of the L&R Committee did not receive that text until this very evening. It is completely different than the text that was presented in the Agenda which we received last week.

MRS. GOLDSTEIN: I want to remind you that we are now voting on an appeal to my ruling which was that this go back to Steering.

MR. BOCCUZZI: Five minute recess.

MRS. GOLDSTEIN: MOVED. SECONDED, CARRIED.

LEGISLATIVE & RULES (cont.)

RECESS LASTED FROM 12:07 to 12:12 A.M.

MRS. GOLDSTEIN: I would like to explain what the problem was prior to going into recess. I had misunderstood the Parliamentarian's opinion which was that the Rule Changes as proposed by Mr. Zelinski, were substantive changes. That was the extent of what he said. I had carried it one step forward which I should not have done. I, therefore, will rule as our Parliamentaria had declared. That the Rule change of Item #13, as proposed by Mr. Zelinski represent a substantive change from the text that is printed in our agenda. Mr. Zelinski, do you still wish to over-rule that?

MR. ZELINSKI: Yes.

MRS. GOLDSTEIN: SECONDED. Is there any discussion?

MRS. GUROLAN: Would you please tell me when we left the room, I was under the impression there was a motion on the floor which had been seconded which you were about to put to a vote..

MRS. GOLDSTEIN: Yes, There was.

MRS. GUROLAN: (remarks notaudible)

MRS. GOLDSTEIN: My appeal, my ruling was an incorrect ruling based on what Mr. Hogan

MRS. GUROLAN: Did the person who made the motion take back the motion that was on the floor when I left the room?

MRS. GOLDSTEIN: The motion on the floor was to reject, was to appeal my decision.

MRS. GUROLAN: Right.

MRS. GOLDSTEIN: I have changed my decision, my decision was incorrect. I had misunderstood Mr. Hogan. I now rule that it is a substantive change. It has been challenged by Mr. Zelinski, that challenge has been Seconded.

MR. ZELINSKI: POINT OF INFORMATION. I am now confused. The motion that I made was to approve Rule #13, the change which incorporated the memorandum that I had instructed to be put on the desk this evening, which was approximately 2 changes that is not reflected in the agenda. Now your ruling is what?

MRS. GOLDSTEIN: That it is a substantive change.

MR. ZELINSKI: Can we vote on what I'm suggesting or not?

MRS. GOLDSTEIN: I am saying because it is a substantive change, we cannot vote on your amendment but we have to vote on the original amendment as proposed.

LEGISLATIVE & RULES COMMITTEE (cont.)

MR. ZELINSKI: What I started to say is to clarify the situation, I would be willing to withdraw my challenge to your ruling if it would be permissible at this time to make an amendment and take up each separate committee under #13 rather than the package?

MRS. GOLDSTEIN: Mr. Zelinski, we have a challenge to the Chair right now. If there is no further discussion on that we will put it to a vote. Mr. Zelinski has challenged my ruling that item #13 as changed by L&R and by Mr. Zelinski's motion, is a substantive change and therefore, we have to consider item #13 as presented on our agenda. The vote is 34 in favor of sustaining the ruling of the Chair, 4 opposed, therefore, we will have to consider Item #13 as presented in our text.

MRS. MCINERNEY: I think that on the basis on which this is written, I would like to make a motion to have it voted down at this time.

MRS. GOLDSTEIN: SECONDED.

MR. WIDER: I'm sorry but I have to disagree with the motion. I have absolutely nothing against the rules, item #13, but the form in which it is being presented to the Board is what I oppose. I would like to vote on what I have before me and I think it has to go back to Steering and be put in form and presented to us on our agenda, even though it needs a 2/3 vote, I feel that it's so important because this changes the whole subject of the Board. I would like to amend Mrs. McInerney's motion to return it to the L&R Committee.

MRS. GOLDSTEIN: SECONDED.

MR. BOCCUZZI: POINT OF INFORMATION. In order to make sure we are doing the right thing. Mrs. McInerney has the first amendment on the floor, is that correct? First motion on the floor. If Mr. Wider wants to amend her motion, doesn't she have to accept that. How can you change the substance of her motion. What you're doing is saying, you're asking her to retract her motion because she made a motion.

MRS. GOLDSTEIN: You may amend a motion without the person who has made the motion liking your amendment.

MR. BOCCUZZI: Will you have to vote to amend the motion?

MRS. GOLDSTEIN: We first vote on the amendment. The amendment which has been seconded is to recommit item #13 to Legislative & Rules. We will just discuss the amendment which is to recommit item #13 to L&R.

MR. POLLARD: I'm in support of returning Item #13 to Committee. L&R spent an awful lot of time trying to reorganize Committees that were relatively inactive and aggregate them into some logical fashion which would give them some significant work load. I think that the changes we made are worthwhile. I have no objection to their coming back to this Board requiring a 2/3 vote. I think they're of sufficient stature to gain a 2/3 vote of this Board and I think it really is appropriate that it goes back through Steering and to Legislative and Rules again.

LEGISLATIVE & RULES (cont.)

MR. DeNICOLA: I would like to MOVE the QUESTION.

MRS. GOLDSTEIN: MOVED. SECONDED. We will now vote on the amendment to Mrs. McInerney's motion, which is to recommit Item #13 to L&R.

MR. ZELINSKI: POINT OF INFORMATION. Would it be out of order to make an amendment to the amendmant at this present point.

MRS. GOLDSTEIN: It is not out of order to amend an amendment.

MR. ZELINSKI: The only amendment I would like to amend that, I think a great deal of effort has been put in by Representative Blum to this particular proposal and as we did during our organization meeting requiring only a simple majority, I think it would be only fair that we also consider this at the February meeting, also by simple majority not by a 2/3 vote, and that would be my motion.

MRS. CONTI: POINT OF INFORMATION. I believe I asked you about that at the very beginning of this Committee report and you said that on anything that we did not act on tonight would have to be by 2/3 vote to rule on that.

MRS. GOLDSTEIN: You're quite right Mrs. Conti, and there was no second to Mr. Zelinski's motion so let us now go and vote.

MR. BLUM: POINT OF INFORMATION. I would like to know whether by returning it to Committee would we be acting in the sense of an organizational or, is this the last time, Jan. 14th, that we will be talking about an organizational meeting? If so then from now on, anything we talk about organization has to go to a 2/3 vote.

MRS. GOLDSTEIN: Any amendment to^{our} rules, after this evening, will require a 2/3 vote.

MRS. GUROIAN: POINT OF INFORMATION. I'm completely confused. As I understand it, an amendment to a motion when it is adopted becomes part of the motion and then you vote on the whole motion. So that if we pass his amendment, the new motion that we vote on will be that we defeat this but we refer it to Committee.

MRS. GOLDSTEIN: I'm sorry, Mrs. Guroian, I really did not understand what you said.

MRS. GUROIAN: As I understand the way things are done, when you vote an amendment to a motion, that amendment then becomes part of the motion and you vote on the motion.

MRS. GOLDSTEIN: That is correct.

MRS. GUROIAN: If we vote yes on this, the motion that we vote on after that it becomes part of Mrs. McInerney's motion will then read that we rejected #13 but we refer it to Committee?

MR. ESPOSITO: I just want to point out the motion is to recommit so we just automatically go back to Committee.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: Yes, it would automatically go back.

MRS. GUROLAN: No, that's a new motion then. It was not an amendment to the other motion. Because an amendment becomes incorporated into the motion and that amendment is directly opposed, changes the whole sense of the

MRS. GOLDSTEIN: Mrs. Guroian, a motion to recommit takes precedence, you're quite right, over any other motion on the floor before.

MRS. GUROLAN: Then it's not an amendment?

MRS. GOLDSTEIN: Yes, I stand corrected, you are quite right, your point is very well taken. What we have is a motion by Mr. Wider, which will take precedence over Mrs. McInerney's motion. That has been MOVED. SECONDED. We will take a machine vote, this requires a majority. The MOTION to RECOMMIT has been DEFEATED by a vote of 25 in favor; 12 opposed; 1 abstention. We will now go back to Mrs. McInerney's motion. Would you care to repeat your motion.

MRS. MCINERNEY: Yes, my Motion was that I wanted to defeat Item #13.

MRS. GOLDSTEIN: SECONDED.

MR. ESPOSITO: Just a suggestion to be consistent with policy, that that be phrased in the positive.

MRS. GOLDSTEIN: Mrs. McInerney, would you so move.

MRS. MCINERNEY: I make a MOTION that we approve Item #13.

MRS. GOLDSTEIN: SECONDED.

MR. ZELINSKI: I would like to make an amendment to that motion to exclude the last Committee which is Transportation, Traffic & Parking. My rationale is we had discussed this, that Transportation should be a Standing Committee because of the importance of the Traffic situation in Stamford and I would encourage my fellow colleagues to vote for my amendment which, indeed, we would defeat the rest of it, but then we would be in a position to vote on that one Committee as a Standing Committee, and I so MOVE.

MRS. GOLDSTEIN: The motion is to accept Rule #13 and is your amendment to delete Roman numeral X from Rule #13?

MR. ZELINSKI: That's correct.

MRS. GOLDSTEIN: SECONDED.

MR. DONAHUE: Legislative & Rules Committee voted to consider Item #13 as a package. Mr. Zelinski in making that motion is acting in direct conflict of the intent of that Committee. He cannot now separate that part of #13. He is acting in conflict of the Legislative and Rules Committee.

LEGISLATIVE & RULES COMMITTEE (cont.)

MR. ZELINSKI: POINT OF PERSONAL PRIVILEGE. At anytime any Representative, for Mr. Donahue's information, can change their vote from a Committee or anything else under the full discussion of the full Board. The reason for this is the important amendment that I am making. We all know the seriousness of the transportation situation in Stamford and there was great deal of discussion as to making Transportation Committee a Standing Committee because of the importance of it. If my amendment loses, then the Transportation Committee will not be a permanent Standing Committee.

MR. DARER: I must admit that the Rule #13 that I see in front of me, Item #10 is included under a quoted statement, "There shall be the following Standing Committees" including Item #10, so I don't understand why we're having an amendment to delete it with the rationale being that we want the Transportation Committee as a Standing Committee. It is a Standing Committee under this. I am only reading the rules. The rules say, "There shall be the following Standing Committees" so what are we amending here.

MRS. GOLDSTEIN: Mr. Zelinski has made a motion to amend Mrs. McInerney's by deleting Item #10. His rationale is his prerogative.

MR. DARER: I'm reading the proposed Rule of Order. It says here, "There shall be the following Standing Committees" including Item #10 which is, under this rule, a Standing Committee. Now, could you tell me what we're voting on an amendment for?

MR. BOCCUZZI: I think what's happening here is Mr. Zelinski has a feeling that Mrs. McInerney's request to defeat Item #13 will be voted on and Item #13 will be defeated as a whole. He's trying to pull out Item #10 but he is doing it the wrong way. I think what he should do if it goes down in the package, re-submit it at the next committee meeting and put it before the Board that Transportation, Traffic and Parking be a Standing Committee, then that will be presented to the Board, we will vote on it and it will take a 2/3 vote, but it's no way we can put that on tonight the way this is set-up.

MRS. GOLDSTEIN: Would you like to withdraw your motion Mr. Zelinski.

MR. ZELINSKI: No.

MR. BLUM: I would like to clarify Mr. Darer at the Rules of the Board, right now they stand and on the Rules Number Committees, you will not find Traffic or Transportation at all, they now stand at Steering, Appointments, Fiscal, and so on, but there is no Traffic in a Standing Committee. The Traffic or Transportation Committee is a Special Committee.

MR. RYBNICK: MOVE THE QUESTION.

MRS. GOLDSTEIN: SECONDED. Let us vote on Mr. Zelinski's amendment which is to delete Roman numeral X from Item #13. The MOTION is DEFEATED. We will now go to the main motion. Mrs. McInerney, I will ask you to state it again.

LEGISLATIVE & RULES (cont.)

MRS. MCINERNEY: My MOTION is to approve Item #13 as written.

MRS. GOLDSTEIN: SECONDED.

MRS. CONTI: POINT OF INFORMATION. Actually, if we pass this as it stands on the agenda, would it not be in conflict with the previous rule that we passed for 18 on the Steering Committee?

MRS. GOLDSTEIN: It certainly would be, Mrs. Conti. Yes. We will vote by use of the machine. The MOTION to accept Item #13 has been DEFEATED by a vote of 33 opposed; 2 in favor; 3 abstentions.

(14) PROPOSED RULES OF ORDER OF 16th BOARD submitted by Rep. DeLuca 11/3

Page 4 "Committees", Para. #2, shall read: (second sentence is new)

"2. Such Committees shall be composed of members of the major political parties in substantially the ratio in which such parties are represented on the Board. Chairpersons of Committees shall be selected in direct proportion to the ratio of their parties on Board's memberships; and in cases of disputes, lots shall be drawn and shall govern."

MR. ZELINSKI: The L&R Committee rejected this by a vote of 5 against, 4 in favor but as been the practice, I would MOVE that this be approved.

MRS. GOLDSTEIN: SECONDED by Mr. Blum.

MR. DARER: I feel that the Committee and Chairmanships that have been set up by this Board to date should stand for the term of this Board. As I've spoken to you about this amendment in the past, you know that I feel very strongly about the equity and the democratic concept that I believe this amendment put forth. I would like to strongly ask the members of the Board to support this. My comment is strongly in favor of this for the following reasons; It seems to me that when we work in a City and serve on a Board, like the Board of Representatives, it is of the essence that we have a democratic representation and I think, that the work load would be and the City would be better served if this amendment was passed. I appreciate that we have already established and set this Board up even though we're only voting on Rules tonight. I would like this rule to be passed with the proviso, that it would go into effect at the termination of the Board, the Board following this Board, the 17th Board, would have this rule on the books at that time, and would consider it because it would be on the books. I strongly believe that this eliminate much of the criticism directed toward this Board by members of the community on the way we handle our Chairmanship and selection of Committees and things of that kind. I think it would relieve the President, the Leadership from the internecine type of warfare that goes on at the time of organization of the Board. I think this is a correct approach to democratic government.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: Are you proposing to amend Rule #14 to include a date as to when it should begin?

MR. DARER: It's a proviso. This would go into effect, an amendment, this would go into effect not presently but at the termination of this Board, it would become part of the rules.

MRS. GOLDSTEIN: SECONDED.

MR. ZELINSKI: POINT OF INFORMATION. I don't believe, and correct me if I'm wrong, that this 16th Board can impose the rules of the 17th Board. I know your rationale but I don't think it's legal for us to make rules for the next Board. At their organizational meeting, they will accept the rules that they wish to be governed by. We really have no jurisdiction over the next Board.

MR. DARER: Mr. Zelinski, we do so many things that I would just ask you to consider this. I'm not saying that we are making rules for the 17th Board. As far as I'm concerned on the last day in office of this Board, this rule comes into effect. It then becomes part of the rules of the 16th Board, which the 17th Board then have to deal with simply as a ground rule for their rules. The 17th Board may turn around and say we don't want this rule, but we tend to work with the rules of the Board that exist and then we go on to amend them and change them. What I would like to see is this in place at least for the 17th Board to consider as the will of the 16th Board, but we didn't want to upset anything that had already taken place, and therefore, we are putting it in on the last day of our term in office.

MR. ESPOSITO: I have a question about the meaning of the last sentence and I suppose I should direct this to Rep. DeLuca. Chairpersons of Committees shall be selected in direct proportion to the ratio of their parties on the Board's memberships; and in cases of disputes, that's my question, lots shall be drawn and shall govern. Now, is that in terms of the number of persons who will be Chairpersons or the persons who actually will be placed as Chairpersons of Committees. For example, is it your intent or is it the meaning of that sentence, that if we should disagree, that the Chairman of L&R should be a Republican or Democrat, that it would be resolved by lots?

In other words, the concept that Mr. Darer's talking about, I can really agree with, whether I would vote for it or not, is another question. I agree with it, but I can see a situation where we have another interesting Presidential election in two years and we can't agree on any of these committees and all the committees are resolved by a lot and that sound outrageous.

MR. DeLUCA: Since you refer the question, it could conceivably be where we are going to have a tie 20-20 and rather than be here all night and still come up with the same tie vote, let's just draw by a lot. This way we won't have to worry about making spectacles of ourselves and staying here for 5 hours trying to elect various committee chairmans.

LEGISLATIVE & RULES(cont.)

MR. ZELINSKI: It says right in the Rules of Order of the 16th Board that we adopted at the Organizational Meeting, it says that the order of Business shall be and the second order of business adoptions of rules. We cannot impose any rules on a future Board. It would be illegal.

MR. DARER: Rather than using the word "termination" which I did not say, could you say that this rule would go into effect on the last day of this Board.

MRS. GOLDSTEIN: Does the seconder agree with that? We are voting on Mr. Darer's amendment which is that this rule go into effect on the last day of the 16th Board. The AMENDMENT has been DEFEATED by a vote of 18 against; 16 in favor. We will now go to the Main Motion which is to accept Rule #14. We will vote by use of the machine. The MOTION has been DEFEATED by a vote of 21 against; 14 in favor.

MR. BLUM: I'd like to make a MOTION that we adjourn this meeting and return Wednesday to finish.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

(15) PROPOSED RULES OF ORDER OF 16th BOARD submitted by Rep. Blum:

Page 4, under COMMITTEES, Item #8 shall be changed to read:

"The STEERING COMMITTEE shall meet during the second week of the month for the purpose of making up the Agenda for the next month's meeting. It shall screen all communications addressed to the Board, channeling such communications not properly the responsibility of the Board to the proper authorities.

"During the even-numbered months, the following committees shall appear on the Agenda:

Steering Committee
Fiscal Committee
Personnel Committee
Public Works Committee
Health, Education and Welfare Committee
Transportation, Traffic and Parking Committee

"During the odd-numbered months, the following committees shall appear on the Agenda:

Steering Committee
Legislative, Government & Rules Committee
Appointments Committee
Environmental Protection, Parks & Recreation Committee
Community Development, Housing & Urban Renewal Committee

LEGISLATIVE & RULES (cont.)

Item #15 (continued)

"Any Special Committees, or other Standing Committees shall be formed and meeting dates set at the discretion of a majority of the Steering Committee memberships.

"Committees not scheduled for a particular month, may bring up matters of an urgent nature under Suspension of Rules."

MRS. GOLDSTEIN: SECONDED. If there is no discussion, we will proceed to a vote. Item #15 is DEFEATED. (voice vote)

(16) PROPOSED RULES OF ORDER OF 16th BOARD submitted by L. Wider 11/28/79:

Page 5 - "Committees" - add two new paragraphs: #16 and #17:

"No. 16 to read: All Board members shall receive all information which is submitted to any member of the Board, whether it be from constituents, City departments, Officials, boards, commissions, authorities, researchers, Board Office, State or Federal agency, and any and all material which is published regarding relevant affairs. This is in order to comply with the Freedom of Information Act, and in order that Board may function to its fullest capacity."

MR. ZELINSKI: Item #16 was rejected by our Committee, 5 against; 3 in favor 1 abstention, but I would make a MOTION that we accept Rule change #16.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

(17) PROPOSED RULES OF ORDER OF 16th BOARD submitted by L. Wider 11/28/79:

Page 5 - "Committees" - add two new paragraphs: #16 & #17:

"No. 17 to read: When one Board is completing its term of office and another Board is coming on, all submitted legislative resolutions, ordinances, instruments, legal documents etc., shall be put on the Steering Agenda of the succeeding Board until such matters have been completed in a satisfactory manner."

(Rationale: Much legislation has been lost because the promoter of the legislation may not be a part of the succeeding Board. Therefore, valuable legislation would be lost that would be beneficial to the citizens of Stamford. Also the new Board would have the benefit of the work done by the previous Board and all data received, thus saving time effort and expense.)

MR. ZELINSKI: Item #17 was also rejected 7 against; 2 in favor but I would make a MOTION that we approve.

MRS. GOLDSTEIN: Seconded by Mr. Boccuzzi.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: If there is no discussion we will bring #17 to a vote.
The MOTION IS DEFEATED. (voice vote)

(18) PROPOSED RULES OF ORDER OF 16th BOARD submitted by R. G. DeLuca:

Re voting procedures, that no passing while roll call vote is taken:

Page 6 "VOTING", Paragraph 2 existing text shall be designated as 2(a)

Paragraph 2 (b) shall read: "There shall be no passes during a Roll Call Vote".

MR. ZELINSKI: Rule change #18 was also rejected by our Committee, 7 against 2 in favor, but I MOVE for acceptance.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

(19) PROPOSED RULES OF ORDER OF 16th BOARD submitted by R. G. DeLuca:

Re voting procedure, that voting lights not to be illuminated until AFTER votes are recorded:

Page 7 "MACHINE VOTING", Paragraph 9 existing text shall be designate as 9 (a).

Paragraph 9 (b) shall read: "The 'No light' switch shall be utilized so that voting lights shall not appear. The President, after he has ascertained that all members have voted, shall cause the voting lights to illuminate."

MR. ZELINSKI: Item #19 was also rejected, 7 against, 1 in favor, 1 abstain, but I would MOVE that it be accepted.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

(20) PROPOSED RULES OF ORDER OF 16th BOARD submitted by G. Guroian 12/20/79

Page 4 - Item #6 now reads:

6. The President of the Board, the Majority Leader and the Minority Leader may participate in any meeting of any Committee of which they are not regular members, but without the right to vote.

NEW TEXT TO BE ADDED:

"Members of the Board of Representatives shall have the right to attend any Board of Representatives' committee meeting."

MR. ZELINSKI: Item #20 was approved unanimously by our L&R Committee and I so MOVE.

LEGISLATIVE & RULES (cont.)

MRS. GOLDSTEIN: SECONDED. Is there any discussion?

MRS. SANTY: I understood it was standard procedure that any member of this Board could attend any meeting. Why would we have to have this, Mr. Zelinski

MR. ZELINSKI: That's a very good question, but I guess it was the Representatives' opinion that there could be a situation and I could possibly see it where the Chairman of a Committee could ask another Board member to leave if he were not a member of their committee. It's not in the rule changes I think all this is doing is simply giving every member here the right to attend the Committee meeting even though they can't vote at it.

MRS. GUROLAN: Even though it's current practice, there's no harm in making it a right of every member of this Board.

MRS. McINERNEY: Even though we are a Legislative Body, we are operating under the laws of the State of Connecticut and the Freedom of Information Act says that all meetings of any legislative body are open to the public which obviously, as a Member of this Board, you will be part of that public. The only time that they are not, if they're in executive session to specifically talk about personnel problems and that would be people personnel problems. So, technically, you do not need this.

MR. ZELINSKI: If I may, just one final comment. If that were the case, then our rules would not have to read the President of the Board, the Majority Leader, the Minority Leader may participate in any meeting. If that were the case, we might as well eliminate those 3 positions.

MRS. McINERNEY: We could do that just as easily because not to admit anybody is a misdemeanor.

MRS. GOLDSTEIN: We'll put it to a machine vote. The MOTION HAS PASSED by a vote of 26 in favor; 7 opposed.

(21) PROPOSED RULES OF ORDER OF 16th BOARD submitted by David Blum 1/2/80:

"VII. Amend Health, Education and Welfare to:

"Health, Welfare and Protection Committee"

MR. ZELINSKI: Item #21 was rejected by our Committee, but I would MOVE that it be accepted.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

LEGISLATIVE & RULES (cont.)(22) PROPOSED RULES OF ORDER OF 16th BOARD submitted by D. Blum 1/2/80:

"VIII. A new Committee: "Education Committee" to be formed.

Inasmuch as Education has the largest budget of all City departments, and many abuses in Education are being thrown on the parents and taxpayers of the City of Stamford, therefore, this 16th Board of Representatives should have a Committee looking into these matters such as we do for other departments.

MR. ZELINSKI: Item #22 is also rejected by our Committee, but I would MOVE that it be accepted.

MRS. GOLDSTEIN: SECONDED. Item #22 is DEFEATED. (voice vote)

(23) PROPOSED RULES OF ORDER OF 16th BOARD submitted by D. Blum 1/2/80:

"IX. There are now departments in our City Government that should be placed into an over-sight committee of this Board:

Commission on Aging
Fair Rent Commission

What Committee takes care of these departments or commissions?

MR. ZELINSKI: Item #23 was also rejected, but I MOVE it be accepted.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

(24) PROPOSED RULES OF ORDER OF 16th BOARD submitted by former Board member Charles Wilmot (16th Dist.) 6/19/78; now sponsored by Rep. D. Blum:

"RESOLUTIONS - All resolutions emanating from Standing Committees of the Board should be drafted and present in writing to the full membership of the Board by the Chairman of the committee prior to the regular monthly meeting. (This change could be effected by a simple amendment to Rule #9, under Committees of the Rules of Order.)"

MR. ZELINSKI: Item #24 was accepted, 6 in favor; 3 against and I so MOVE.

MRS. GOLDSTEIN: We are going to take a machine vote. Item #24 has been PASSED by a vote of 29 in favor; 4 opposed.

LEGISLATIVE & RULES (cont.)

- (25) PROPOSED RULES OF ORDER OF 16th BOARD submitted by former Board member Charles Wilmot (16th Dist. 6/19/78; now sponsored by Rep. D. Blum:

"PERSONAL PRIVILEGE" - Suggestion that the definition of Personal Privilege Motion be clearly stated for the Board members so that it may be used properly and not abused, as this would achieve a higher level of efficiency and decorum in the conduct of the regular meetings.

MR. ZELINSKI: Item #25 was rejected. It's not a rule change but I MOVE that it be approved.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

- (26) PROPOSED RULES OF ORDER OF 16th BOARD submitted by former Board member Charles Wilmot (16th Dist.) 6/19/78: now sponsored by Rep. D. Blum:

SUSPENSION OF RULES - I believe our Board has been considering too many critical decisions, especially on Additional appropriations, under Suspension of the Rules. It is especially unfortunate to see the secondary committee report waived in so many cases where the expertise and interest of the secondary committee members could provide valuable guidance to the full membership:

To help rectify the situation, I would suggest the following:

- (a) When a committee has items to be brought up at the regular meeting of the Board under Suspension of the Rules, a description of the items and the reasons for bringing them up under Suspension should in writing prior to the regular meeting.
- (b) Insofar as possible, all secondary committees should meet with primary committees on those items which they are jointly considering.

MR. ZELINSKI: Also rejected, but I MOVE it be accepted.

MRS. GOLDSTEIN: SECONDED. The MOTION IS DEFEATED. (voice vote)

- (27) FOR PUBLICATION - PROPOSED ORDINANCE RE "MORATORIUM ON CONDOMINIUM CONVERSIONS" per 12/31/79 letter from Rep. J. Zelinski.

MR. ZELINSKI: That concludes the Rule Changes. Item #27, we had a Public Meeting from 7:00 to 8:30 and our Committee voted to keep this in committee so there is no report. I just like at this time to thank the members of the Legislative & Rules Committee who worked very hard on all these Rule Changes. We met from 7:00 until 12:45, working on all these changes. I just want to publicly thank the members who stayed right to the end.

PERSONNEL COMMITTEE - Chairman David I. Blum

- (1) PROPOSED LABOR CONTRACT (RE-SUBMISSION) BETWEEN BOARD OF EDUCATION AND STAMFORD EDUCATION ASSN., ADMINISTRATION UNIT. Official receipt date is 12/20/79 -- 30 days ending 1/18/80. (30-day period to approve reject, or no action is automatic acceptance.)

MR. BLUM: The Contract was discussed in Committee with the Board of Education and Labor Negotiator Mr. Elkie Stone and with their Stamford Education Union. The particular Contract had many discrepancies, namely the fact that some of the items were there and should never have been there, namely by Mr. Stone. One of the clauses he felt was the "Inservice Courses". On page 19, article 15, they claim that this was put in error into the Contract. They no longer have this item, and the entire clause was deleted, Inservice Course Benefits and it goes from 19 all the way to page 21 of the Contract. We also found out that there was some typographical errors there and the main item, the wages were discussed and what the 9% really means is 8% in money 1% in fringe benefits making a total of 9%. If you will look at the salary schedule on the back of the Contract, tells you in the first year from 79, by the way, this is retroactive from July 1, 1979 and it goes to the Contract ends June 30, 1981, it gives you the schedule of High School Principals, Elementary School Principals, Planning Officers, Vice-Principals, Coordinators.

MRS. GOLDSTEIN: Mr. Blum, we have a POINT OF ORDER.

MR. BLUM: I'm just trying to report.

MR. GOLDSTEIN: Mr. Blum, a Point of Order can interrupt any speaker.

MR. DARER: I don't mean to interrupt Mr. Blum, I'd be very interested to know how his Committee voted and then if there's any discussion on the motion to approve, we can make that discussion, but I really, I attended Mr. Blum's meeting and I don't want to sit through the whole description of the Contract.

MRS. GOLDSTEIN: Mr. Blum, it would be proper for you to tell us how your Committee voted on the Contract and move it, and then you may continue.

MR. BLUM: Well, I always thought, previous to this, any Contract is discussed but if you don't want to do that, I, we'll present the Committee voted unanimously to accept the Contract 6-0 with the proviso that the changes would be made by the Board of Education, namely, the affirmative action program and the elimination of the Inservice Courses with these ...

MRS. GOLDSTEIN: Yes, but you have made a Motion to accept the Contract.

MR. BLUM: I haven't made that motion.

MRS. GOLDSTEIN: I believe you made a motion to accept the Contract with the proviso and you named 2 provisos.

PERSONNEL COMMITTEE (cont.)

MR. BLUM: If you wish to make that ruling so shall it be. I'm trying to give you a report. I gave you a report that, in fact, the Personnel Committee accepted the Contract 0-0 with certain exceptions. If you feel you would like me to present on the floor, a Motion to accept, I shall do. I make a MOTION to accept the Contract.

MRS. GOLDSTEIN: SECONDED.

MRS. CONTI: POINT OF INFORMATION. Isn't there a Secondary Committee here?

MRS. GOLDSTEIN: The Secondary Committee is Fiscal, Mr. Esposito.

MR. ESPOSITO: Fiscal met with Personnel on this item but we did not have a quorum so we could not vote on this, and I would therefore MOVE we waive the Secondary Committee Report.

MR. BLUM: It has come to my attention this evening that certain Members of the Committee feel to accept this Contract on the proviso that ahead of the fact that the Stamford Education Unit have not accepted the new Contract as written might be illegal, so I would like to pass the microphone over to the Parliamentarian, a member of my Committee. Mr. Hogan who has come out this particular item, that, in fact this is the new Contract that is now before you on your table. Maybe many of you have not read it, but it excludes the portion that I told you about, beside they put an affirmative action clause into the Contract and they removed certain items, I believe, where it said on the old one, "This is an Agreement", some of them said it was an agreement that dates back to 1977. There were certain agreements that had different figures on it. I really believe in talking with Mr. Stone that I feel how the Board of Education negotiates their Contract has a lot to be desired.

MRS. GOLDSTEIN: Let us go to Mr. Hogan who has a Parliamentary point.

MR. HOGAN: I'd rather not say it's a Parliamentary point. I would just like to call the attention of the Board Members to the fact that the General Statute of the State of Connecticut govern the negotiation procedures between the Board of Education and the Stamford Administrators Unit specifically states: The Statutes that the Contract that is filed with the Town Clerk shall be the Contract that shall be forwarded to this Board and voted upon by this Board. I call to the Members attention, that this Board cannot amend that Contract change or add to or delete and that the Contract that we had received from the Board of Education and Administrators and it was filed in the Town Clerk's Office on the latter part of December. That the new Contract, if it is to become a final labor agreement, will have to go for ratification again to the Board of Education and to the Stamford Administrators. This as I say is law and it's a point that I would present for the Members' information.

MRS. MAIHOCK: It was somewhat disconcerting to arrive tonight and find this corrected copy on our desk. I had spent much time reading the other copy and I was quite familiar with that. It was my understanding, Mr. Blum, that the Service recognition on Page 3 was to be deleted. I notice it is still in the corrected copy. Would you please explain that?

PERSONNEL COMMITTEE (cont.)

MRS. GOLDSTEIN: Mrs. Maihock, we will be voting on the copy as presented to Mr. Blum's Committee to Personnel by the Board of Education

MRS. MAIHOCK: We can't have a POINT OF INFORMATION to find out some of these things?

MRS. GOLDSTEIN: You can, but we are voting on the old Contract before us Mrs. Maihock, not on the new Contract. The new Contract before us that was left in our packet tonight, was not ratified by the Membership and, therefore by State Law, we cannot vote on that.

MR. BOCCUZZI: I was just going to say what you said. I think to cut down a lot of time, you just have to realize that the Contract that's on our desk tonight, actually is not a legal contract because the Unit themselves have not voted on the Contract with the changes. Even though they have good intentions, we were told that they would, I think we have to wait and make sure that they do. They said they would last time but there was a change, so I think in order to make a long story short, I MOVE that we reject the Contract without prejudice on the grounds submitted by Mr. Hogan.

MRS. GOLDSTEIN: SECONDED.

MR. ESPOSITO: It is my understanding that the Contract that's on our desk has only one change in it, and if there's more than one change, I would stand corrected but the change is the affirmative action statement. Is that assumption correct, that is the only change.

MR. BLUM: The other change is Article, on page 19 of the old Contract, Article 15, Inservice Courses is an error and is deleted from this so called new Contract. In other words, Page 19, 20, 21, completely go on from the new contract, Staff Development, Inservice Course Benefits, does not belong in the Contract. They claim they put it there in error.

MRS. GOLDSTEIN: I just would like to clarify something. Mr. Blum originally made a motion to accept the Contract. It was Seconded. We cannot have two separate motions like that. Yours isn't an amendment. If Mr. Blum will withdraw his motion to accept the Contract, we can vote on Mr. Boccuzzi's motion to reject "without prejudice" pending ratification by the general membership.

MRS. CONTI: POINT OF INFORMATION. Which copy is Mr. Boccuzzi moving that we reject?

MR. BOCCUZZI: The original one, the first one we got couple weeks back.

MRS. CONTI: And which one is Mr. Blum moving?

MRS. GOLDSTEIN: We are only discussing the original one. We cannot discuss the second one. Mr. Blum, would you want to withdraw your Motion?

MR. BLUM: How can I withdraw a motion when the Committee discuss this and I gave a report.

MRS. GOLDSTEIN: You can.

PERSONNEL COMMITTEE (cont.)

MRS. CONTI: I'll second Mr. Blum's motion.

MRS. GOLDSTEIN: Mr. Blum's motion was seconded already. If you do not wish to withdraw it.

MR. BLUM: Mr. Boccuzzi can make an amendment to my motion.

MRS. GOLDSTEIN: You don't have to make an amendment like that. We will just vote to reject your motion if that is the will of the Body.

MR. ZELINSKI: POINT OF INFORMATION. I don't believe Rep. Blum can withdraw the motion because his Committee did meet and vote on it and that's the way it has to be presented tonight unless there was another meeting.

MRS. GOLDSTEIN: That is a point well taken.

MR. DARER: If we reject Mr. Blum's motion does that since we are not rejecting it without prejudice, Will that automatically put that original Contract into force?

MR. BLUM: I would like to make the MOTION.

MRS. GOLDSTEIN: If we reject Mr. Blum's motion, the Contract will not be enforced and can be resubmitted by the Board of Education next month. Mr. Boccuzzi is saying that he would like us to reject it without prejudice. Anyway you reject it, it can be resubmitted next month.

MR. DIXON: POINT OF CLARIFICATION, Is it in order to make a substitute motion?

MRS. GOLDSTEIN: You can state your substitute motion.

MR. DIXON: Well, a substitute motion in this case would be a motion to reject I mean to reject without prejudice. Would that kind of motion be in order?

MRS. GOLDSTEIN: Yes, that kind of motion would be in order.

MR. DIXON: Then I would MOVE.

MRS. GOLDSTEIN: Mr. Dixon had asked for a substitute motion. I will rule a substitute motion to Mr. Blum's motion will be in order if it is seconded. There is a SECOND to that.

MR. ZELINSKI: POINT OF INFORMATION. How can you have two motions on the floor? Either it's an amendment. You can't have two motions on the floor which are in dire opposition. Mr. Blum's motion is to approve. Mr. Dixon's motion is to reject.

MRS. GOLDSTEIN: We can have a substitute motion Mr. Zelinski however, if this Board wishes to vote it down, it can. We will vote on the substitute motion now. Excuse me Mr. Blum, let's take a vote on that. The hour is late

PERSONNEL COMMITTEE (cont.)

MR. BLUM: The hour is late yes, and I would like to say a few words and then I will withdraw my motion.

MRS. GOLDSTEIN: Mr. Blum, we have already determined that because of the way your Committee has voted, you have to present your motion as stated by your Committee and that is favorably. Mr. Dixon has asked this body to consider a substitute motion which was seconded. That substitute motion would reject the Contract without prejudice.

MR. ZELINSKI: POINT OF PERSONAL PRIVILEGE. May I ask for a ruling from the Parliamentarian if a substitute motion would be in order in place of another motion on the floor. I don't believe it's proper.

MR. HOGAN: I think a substitute motion would be in order if it didn't clash with the main motion. With the Committee's motion and I think it does clash and I would have to say in my opinion, that the substitute motion would not be in order at this time.

MRS. GOLDSTEIN: I will accept that, Mr. Hogan.

MR. BLUM: I would just like to say one thing from a directive that I have from the Board of Education. In our deliberation, we asked that they put a non-discrimination clause, and the question came out that the Unit did not vote on it. The directive from the Board of Education on Affirmative Action says that the Board of Education, a non-discriminatory clause should be included in all collective bargaining Contracts, entered into by this Board. It's a part parcel of the directive to the Board of Education, and what they did they forgot to put it there. They put it there. I don't think, in my opinion, and I've been around, that that Contract or that particular clause has to be voted on up or down. They have to comply with Affirmative Action. That's the Affirmative Action program of the Board of Education right here in my hand. They failed to put it into the Contract. They put it into the Contract, and I don't see where ratification has to come into that particular clause, but if you feel that's so important, I will withdraw and I'm sure the Committee would so need be, go along with me and let Mr. Boccuzzi's motion suffice.

MRS. GOLDSTEIN: Alright, quite frankly I would like to see this expedited. Mr. Blum, it would be very, very expeditious if we can vote on your original motion.

MR. BOCCUZZI: MOVE the QUESTION.

MRS. GOLDSTEIN: You cannot move the question until your'e recognized Sir, Mr. Wiederlight, you have the floor next.

MR. WIEDERLIGHT: I was going to state that it was not only the Affirmative Action clause that we found fault with in the Contract, but there were several other typographical errors, etc. that we found fault with and that's why we rejected the Contract. specifically Article 17 where they had a typographical error that said the Contract shall

PERSONNEL COMMITTEE (cont.)

MR. WIEDERLIGHT: (continuing)...In Article 17, the Contract was, the typographical error said that it would date back to July 1, 1977 instead of 1979 and that was one of the other key factors that we felt that had to be changed. So, at this point, the only motion that we should rightfully entertain if we feel the Contract is generally a good one, is Mr. Boccuzzi.

MRS. GOLDSTEIN: We have a motion on the floor. The motion is to accept the Contract. If you do not wish to accept the Contract, vote it down.

MR. DeNICOLA: I like to MOVE THE QUESTION.

MRS. GOLDSTEIN: SECONDED. We will go to the Main Motion which is to accept the Contract.

MR. BOCCUZZI: I don't want to belabor the point, but we must remember what Mr. Hogan said.

MRS. GOLDSTEIN: The MOTION to accept the Contract has been LOST by a vote of 19 No; 9 yes; 6 abstentions.

- (2) LETTER OF DEC. 29, 1979 FROM CITY REP. ROBERT GABE DeLUCA REQUESTING POLICY OF "HIRES AND FIRES" BE CLARIFIED FOR ALL HIRING AUTHORITIES BY THE PERSONNEL DEPARTMENT AND COMMISSION.

MR. BLUM: Item #2 is being processed. We will be having a meeting with the Personnel Commission, with the Director of Personnel at their next meeting to resolve this particular item.

PLANNING AND ZONING COMMITTEE - Chairman Dominic Guglielmo

MR. GUGLIELMO: Planning and Zoning met on Tuesday, January 8, at 8:00 P.M. In attendance were Committee members: Fasanelli, Guglielmo, Guroian and Wider. Others in attendance were Reps. Blum, Conti, Donahue, Esposito, Flounders, Hogan and Attorney Bob Wechsler. Items #3 and #4 I'd like to place on the Consent Agenda.

MRS. GOLDSTEIN: Are there any problems with placing Item #3 and #4 on Consent? Let's go to #1.

- (1) ACCEPTANCE OF PONY TRAIL ROAD AS A CITY STREET. Submitted by Rep. Guglielmo. Held in Committee previously. Originally submitted by Rowan Construction, and Atty. Shiffman of Epifanio, Tooher & Shiffman.

MR. GUGLIELMO: Planning & Zoning voted 2 in favor with 2 abstentions, and I so MOVE.

MRS. GOLDSTEIN: SECONDED.

PLANNING & ZONING COMMITTEE (cont,)

MRS. MAIHOCK: I just wondered if you would explain if the conditions which made it necessary to hold this previously have been corrected. Could you advise me?

MR. GUGLIELMO: Yes, they have.

MRS. GOLDSTEIN: If there is no further discussion, let us put the acceptance of Pony Trail Road as A City Street to a vote. The MOTION IS CARRIED. (voice)

- (2) VAN BUREN CIRCLE AS A CITY STREET TO BE BROUGHT UP TO CITY STANDARDS.
Submitted by Rep. Guglielmo. Ten residents submitted petition on 10/14/ desiring to go ahead with Chapter 64 process. Held in Committee previous

MR. GUGLIELMO: Item #2 is a Resolution, which I believe all the Board Members have received, requesting the Mayor to direct an Engineering and Cost Study to bring Van Buren Circle to accepted City Standards. Planning & Zoning voted 3 in favor with 1 abstention and I would so MOVE.

MRS. GOLDSTEIN: SECONDED.

MR. DeLUCA: Just a clarification. This here is just a Resolution to go ahead with the cost estimate,

MR. Guglielmo: That's correct.

MR. DeLUCA: Looking at the Agenda it says acceptance of Van Buren Circle as a City Street. I hate like heck to have that written into our minutes because somebody's liable to come along and say you voted to accept it.

MR. GUGLIELMO: My Motion is to accept a Resolution requesting the Mayor to direct an Engineering and Cost Study to bring Van Buren Circle to accepted City Standards.

MRS. GOLDSTEIN: SECONDED. The MOTION IS CARRIED. (voice vote)

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE RE LAND TRANSACTION BETWEEN CITY AND KNIGHTS OF COLUMBUS - per Mayor's letter 10/19/79 subject to Traffic Dept. advice who have indicated since that a 12ft. strip to be retained by City. Approved for publication 12/20/79.

(a) Sale of City-owned land on Elm St./Hawthorne St. to K. of C. for \$19,000.00.

(b) Purchase of K. of C. owned land by City for \$1.00 as additional appropriation.

ITEM #3 APPROVED ON CONSENT AGENDA.

PLANNING & ZONING COMMITTEE (cont.)

- (4) FOR FINAL ADOPTION - PROPOSED ORDINANCE FOR DISCONTINUANCE OF CROSBY STREET - Bd. of Finance approved 9/13/79; their resolution containing stipulations that discontinuance is subject to easements, utilities' right of accessibility, no construction of any improvements, no long-term storage of materials, etc. City Rep. L. Wider requested public hearing. 15th Board approved this FOR PUBLICATION at 11/14/79 meeting. Pitney-Bowes now owns land on both sides of street and desires to use road for a parking lot for employees, and requested City to give the street to them. Due to demise of 15th Board, the 16th Board approved for re-publication 12/20/79.

ITEM #4 APPROVED ON CONSENT AGENDA.

MR. GUGLIELMO: I MOVE Item #3 and #4 on the CONSENT AGENDA.

MRS. GOLDSTEIN: SECONDED. CARRIED. (voice vote)

- (5) REQUEST 12/26/79 FROM ATTY. BOB WECHSLER (TELEPHONE) TO APPROVE SALE OF CITY-OWNED PROPERTY TO THOMAS J. McDONALD, SAMUEL W. SCALZI, THE ESTATE OF JOHN SCALZI AND THE ESTATE OF LEONARD SCALZI - TWO PARCELS,

per Mayor's letter 8/9/79 and Corp. Counsel's 7/27. Board of Finance approved 9/13/79. Held in Committee. Atty. Wechsler said ready to go ahead now; will write.

TRACT I Premises abutting Broad St. consisting of 8,456 sq. ft.

TRACT II Premises formerly know as Pleasant St. - 8,952 sq. ft.

MR. GUGLIELMO: Item #5 is HELD IN COMMITTEE.

- (6) COMPANION TO ITEM #5 ABOVE - PROPOSED RESOLUTION (ORDINANCE?) CONCERNING ABANDONMENT OF PLEASANT STREET - Part of Mayor's letter 8/9/79 re property to be sold to Scalzi et al. 12/26/79 Atty. Bob Wechsler said ready to go ahead now. He will write. This held with #5 above, previously.

MR. GUGLIELMO: Item #6 is HELD IN COMMITTEE.

PUBLIC WORKS COMMITTEE - Co-Chairman Alfred Perillo and Everett Pollard.

- (1) BOARD OF EDUCATION RESOLUTION OF AUGUST 28, 1979 DISCONTINUING MARTHA HOYT SCHOOL AND RESOLVING TO TURN OVER TO PUBLIC WORKS DEPARTMENT AFTER BOARD OF REPRESENTATIVES APPROVES SUCH ACTION.

MR. PERILLO: For lack of information from the Public Works Dept. we're HOLDING IN COMMITTEE Item #1.

HEALTH AND PROTECTION COMMITTEE - Chairlady Jeanne-Lois Santy - NO REPORT

PARKS AND RECREATION COMMITTEE - Chairman Robert Gabe DeLuca.

MR. DeLUCA: Parks and Recreation Committee met on Monday, January 7th. In attendance were Reps. Donahue, Perillo and Pollard.

- (1) REQUEST FROM AMERICAN ASSOCIATION OF UNIVERSITY WOMEN, MS. ROSEMARY WHITE, PRES., 12/17/79 TO HANG BANNER ON SUMMER STREET DURING MONTH OF FEBRUARY FOR FUND-RAISING PROJECT.

MR. DeLUCA: Item #1, we recommend approval 4-0, and I so MOVE.

MR. BOCCUZZI: Second.

MRS. GOLDSTEIN: MOVED. SECONDED. CARRIED. (voice vote)

- (2) REQUEST OF 12/10/79 FROM LOGLISCI RE PROBLEM AT KOSCIUSKO PARK WHERE THEIR MODEL AIRPLANE FLYING CLUB HAS RECENTLY BEEN PUSHED OFF FIELD BY OUT-OF-TOWN SOCCER PLAYERS. SUPTS. COOK AND GIORDANO CLAIM STATE OF CONN. OVER-RULES THEM. Reps. Boccuzzi and DeLuca join in submitting this.

MR. DeLUCA: Item #3 was attended by members of both the E. Gaynor Brennan and Sterling Farms Golf Authority as well as interested citizens of Stamford and the consensus is that probably would be a good idea to abolish the Sterling Farms Golf Authority and the way things stand now, both E. Gaynor Brennan and Sterling Farms Golf Authority will hold a joint meeting to formalize some plans on how we should go about doing this and our own Parks and Recreation Committee will formalize their own plans, and we will hold a meeting in the future to arrive at a solution to accomplish this task.

EDUCATION, WELFARE AND GOVERNMENT - Chairman Robert Fauteux - NO REPORT

SEWER COMMITTEE - Vice Chairman Fiorenzo Corbo NO REPORT

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Co Chairman Lathon Wider and Stanley Darer

MR WIDER: The Public Housing & Community Development Committee met on the evening of January 9th. in the Mayor's Conference Room. Present were: Mr. Dixon, Mr. Darer, Mr. Roos and myself. We discussed the UDAG Grant of \$953,00 and the application that would be submitted by the Mayor which has been mailed out to all of you which is the package that we have and we have drawn up a Resolution which would authorize the Mayor to submit the application. I now refer you to the Co-Chairman Mr. Stanley Darer to read the Resolution.

PUBLIC HOUSING & COMMUNITY DEVELOPMENT (cont.)

MR. DARER: 'Whereas, the City of Stamford is interested in the renovation of 320 sq. feet of blighted and vacant industrial space in the Yale & Towne complex; Whereas, the City of Stamford may apply for an Urban Development Action Grant with this Board's approval; Now, Therefore, the Board of Representatives hereby authorizes the Mayor of the City of Stamford to apply for Urban Development Action Grant funding in the amount of \$953,000. and I so MOVE.

MRS. GOLDSTEIN: SECONDED by Mr. Wider. The Resolution is PASSED. (voice)

URBAN RENEWAL COMMITTEE - Chairman Richard Fasanelli - NO REPORT

ENVIRONMENTAL PROTECTION COMMITTEE - Chairlady Audrey Maihock

MRS. MAIHOCK: I wish to advise this Board that the Environmental protection Board has provided the Environmental Protection Committee with the preliminary proposals of Regulations for Flood Prone Areas of the City of Stamford, Connecticut which will be considered at the regular scheduled meeting of the Environmental Protection Board in the Personnel Examination Room on January 17, 1980, at which time interested parties will be able to provide input to these Regulations.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Chairlady Doris Bowlby - NO REPORT

TRANSPORTATION COMMITTEE - Chairman Patrick Joyce - NO REPORT

COMMUNICATIONS FROM THE MAYOR - NONE

PETITIONS - NONE

ACCEPTANCE OF THE MINUTES

November 14, 1979 - Regular Board Meeting

MRS. MAIHOCK: Yes, I have a correction I'd like made, please. It would be on Page 48, under House Committee and it would be line 4. I think that the tape could of had double entry there somehow because it should read on that line "Board which has given us greater visibility to insure our vote". Somehow two extra words, sounding similar were incorporated which absolutel make no sense at all.

ACCEPTANCE OF THE MINUTES (cont.)

MRS. GOLDSTEIN: I will accept a motion to accept the Minutes as corrected.
SECONDED. CARRIED.

December 3, 1979 - Organizational Meeting

MRS. GOLDSTEIN: SECONDED. CARRIED.

RESOLUTIONS: NONE

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS - NONE

OLD BUSINESS: NONE

NEW BUSINESS:

- (1) REQUEST FROM REPS. ALFRED PERILLO AND ROBERT GABE DeLUCA TO SUBMIT REQUEST FROM THE PRESIDENT OF THE BOARD TO THE LAW DEPARTMENT FOR AN OPINION AS TO THE LEGALITY OF ANY CITY EMPLOYEE HAVING A PRIVATE CHECKING ACCOUNT USING CITY FUNDS IN SAID ACCOUNT. REPLY REQUESTED WITHIN TEN (10) DAYS

MR. PERILLO: On our Agenda is a request from 2 Representatives who have served on both the 15th and now the 16th Board of Representatives. Being duly elected by the constituents of our Districts we will vote again to represent both they and the City. The item on the Agenda of concern to both parties. Nine months have now gone by since we first submitted a request, this request, I believe it has taken its toll. At this time an answer is in order; Is it legal for any City employee to have a private checking account with City funds accountable to no one? This is the extent of our request and this Administration won't give us an opinion. We are all aware that all the information was turned over to the Grand Jury for investigation. We have made our debut before the Grand Jury, but we see no purpose for this procedure as it has nothing to do with our request. Our concern is the legality of such an operation; therefore, Madam President, will you submit, once again, our request to the Law Department for an opinion on this matter. A reply within 10 days is also requested.

MRS. GOLDSTEIN: Mr. Perillo, you are making a Motion that the President of the Board request an opinion from Corporation Counsel regarding whether it is legal for a City Employee, any City Employee, to have a private checking account? SECONDED.

MR. BOCCUZZI: I would like to correct that. I think you should ask the Law Department for an opinion. As it is now, we have no Corporation Counsel and that just gives them another loophole.

NEW BUSINESS (cont.)

MRS. GOLDSTEIN: I shall ask the question of the Law Department. I will direct the communication to the Deputy Corporation Counsel. The MOTION was MOVED. SECONDED. CARRIED. (voice vote)

I just would like to remind the Members of Steering, that we will be meeting on January 21st. at 7:30 P.M.. Starting next month, we will resume our regular schedule of first MONday of each month.

MRS. McINERNEY: I would like to direct the Administrative Assistant on two items which appeared on Steering last month. I got literature for one which was the fill Ordinance but today we do not have any information in writing on the Refuse fee change. It was suppose to be last month. It is definitely suppose to be this month with documentation.

MRS. GOLDSTEIN: I will accept a MOTION to adjourn.

ADJOURNMENT:

There being no further business before the Board of Representatives, upon MOTION duly MOVED. SECONDED, AND CARRIED, the meeting adjourned at 1:40 A.M.

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

CMT :AF

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
16th Board of Representatives

Note: The above meeting was broadcast
by Radio WSTC
and WYRS.