

MINUTES OF MONDAY, NOVEMBER 10, 1980 REGULAR BOARD MEETING

16th Board of Representatives

City of Stamford, Connecticut

A regular monthly meeting of the 16th Board of Representatives of the City of Stamford was held on MONDAY, NOVEMBER 10, 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 9:08 P.M. by PRESIDENT SANDRA GOLDSTEIN, after both political parties had met in caucus.

INVOCATION: Brig. Joseph Kittle, The Salvation Army, 20 Beehler St., Stamford gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG: President Sandra Goldstein led the Pledge.

ROLL CALL: Clerk of the Board Annie M. Summerville called the Roll. There were 34 present and 6 absent at the time of Roll Call, but Rep. Michael Wiederlight came in at 9:20 p.m., making it 35 present and 5 absent. The five absent members were Reps. McInerney, DeLuca (ill), Lyons, Kunsaw, and Philip Stork, who did come in at 12:15 A.M.

The CHAIR declared a QUORUM.

CHECK OF THE VOTING MACHINE: Upon checking the machine, the President found it to be in good working order.

PAGE: Ms. VIRGINIA HAWK, 6th grade student at K. T. Murphy School, daughter of City Rep. Marie Hawk, 1st District.

MOMENTS OF SILENCE:

FOR THE LATE ANTHONY "TONY" MAMMONE (by City Rep. Rybnick:

"Mr. Mammone, affectionately known as "Mr. Golf" by his friends and associates, was a well-known golfer in the Fairfield and Metropolitan area. His concern for the Stamford Community in the area of recreational programs was phenomenal, having served on the E. Gaynor Brennan Golf Commission for ten years, at one time as its Chairman. He was active with the Board of Recreation, serving as a volunteer on various programs.

"Tony was WSTC's golf expert, broadcasting results of the world famous Master's Golf Tournament from Atlanta, Georgia, and the Westchester Golf Classic. In his spare time, which was very limited, he served as the publicity director for the Stamford City Amateur Golf Tournament, and without him, many charitable functions which took place at the E. Gaynor Brennan Golf Course for such worthy causes as the Cancer Fund, Heart Fund, Cerebral Palsy, etc., would not have enjoyed the success they did. The people who were fortunate enough to know him, will sincerely miss him."

STANDING COMMITTEE REPORTS

MR. BOCCUZZI MOVED to WAIVE the reading of the STEERING COMMITTEE REPORT.
 SECONDED. CARRIED.

STEERING COMMITTEE REPORT

A meeting of the STEERING COMMITTEE was held on Monday, October 27, 1980, in the Democratic Caucus Room, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut. The meeting was called for 7:30 P.M. and began at 7:38 P.M., at which time a Quorum was present. Chairwoman Sandra Goldstein called the meeting to order.

PRESENT AT THE MEETING

Sandra Goldstein, Chairperson	Lathon Wider, Sr.
John J. Boccuzzi	Jeremiah Livingston
Annie M. Summerville (7:50 pm)	Barbara McInerney
Handy Dixon	Jeanne-Lois Santy
John Zelinski (7:43 pm)	Robert Gabe DeLuca
Donald Donahue	Robert Fauteux
Alfred Perillo (7:52 pm)	Audrey Maihock
Michael Wiederlight	Everett Pollard
Richard Fasanelli (7:52 pm)	Kevin Roche; Advocate

(1) APPOINTMENTS

ORDERED ON THE AGENDA were six names. ORDERED HELD IN COMMITTEE were: King Whitney for Personnel Commission; Eileen Berets and Elizabeth Gershmann for SWRPA; Donna Coppola for Board of Tax Review; Linda Holton Lombardo for Human Rights Commission; Robert Fields for Welfare Commission; Vincent Martino for Human Rights Commission; Charles W. Stobbie for Park Commission; Helen Gewirtz for Commission on Aging; and Theodore Santy for Environmental Protection Board.

(2) FISCAL MATTERS

ORDERED ON THE AGENDA were the 15 items appearing on the Tentative Steering Agenda, plus a sixteenth item being a proposed resolution for Health Education Risk Reduction Grant.

(3) LEGISLATIVE AND RULES MATTERS

ORDERED ON THE AGENDA were six items appearing on the Tentative Steering Agenda. ORDERED HELD IN COMMITTEE were: (a) proposed ordinance for final adoption of tax abatement for Bell St. & Tresser Blvd. land; (b) proposed ordinance for publication of tax abatement for The Hanrahan Center; (c) proposed ordinance for publication re safety of construction equipment including cranes; (d) publication of proposed ordinance for tax exemption for Church of Holy Name of Jesus; (e) publication of proposed ordinance re newspaper vending machines on City streets; (f) problem of temporary business ventures at rented locations p Mayor Clapes letter 10/20/80. ORDERED REMOVED from the Agenda was proposed ordinance for publication defining acceptable usage of Veterans Memorial Park.

STEERING COMMITTEE REPORT (continued)(4) PERSONNEL MATTERS

ORDERED ON THE AGENDA were the three items on the Tentative Steering Agenda; also a fourth item being a Sense-of-the-Board Resolution requesting the State to give the Registrars of Voters a pension.

(5) PLANNING AND ZONING MATTERS

ORDERED ON THE AGENDA were the 13 items appearing on the Tentative Steering Agenda.

(6) PUBLIC WORKS MATTERS

ORDERED ON THE AGENDA were the two items appearing on Tentative Steering Agenda.

(7) HEALTH AND PROTECTION MATTERS

ORDERED ON THE AGENDA were the three items on the Tentative Steering Agenda.

(8) PARKS AND RECREATION MATTERS

ORDERED ON THE AGENDA were three items on the Tentative Agenda. ORDERED HELD was the proposed ordinance for publication re consolidation of the golf courses. ORDERED REMOVED from the Agenda was the petition to hold the Veterans Day Parade on Nov. 9th.

(9) EDUCATION, WELFARE AND GOVERNMENT MATTERS

ORDERED HELD IN COMMITTEE were the two items on Tentative Steering Agenda; also ordered HELD was the matter under "Resolutions" relating to alleged racial imbalance in Hart Elementary School submitted by Rep. Patrick Joyce.

(10) SEWER MATTERS

ORDERED ON THE AGENDA were three items on the Tentative Steering Agenda. The remaining item was HELD, being Rep. Corbo's 3-part memo of 10/20 re sewer problem.

(11) PUBLIC HOUSING AND COMMUNITY DEVELOPMENT MATTERS

ORDERED ON THE AGENDA were the three items appearing on Steering Agenda.

(12) TRANSPORTATION MATTERS

Both items on the Tentative Steering Agenda were ORDERED REMOVED, being publication of proposed ordinance re control of aircraft, heliports, etc. within the City; and proposed ordinance for publication "Formation of a Stamford Transit Authority".

STEERING COMMITTEE REPORT (continued)(13) ON-SITE GARBAGE CONVERSION STUDY COMMITTEE

ORDERED ON THE AGENDA was the progress report, when available.

(14) CHARTER REVISION COMMITTEE and ORDINANCE COMMITTEE

ORDERED ON THE AGENDA were both items on the Tentative Steering Agenda, being the Charter Revision Commission resolutions (initiation, and membership).

(15) RESOLUTIONS

ORDERED ON THE AGENDA was the Resolution changing the date of the regular December meeting for the Board of Representatives.

ORDERED MOVED TO EDUCATION, WELFARE AND GOVERNMENT was the proposed resolution relating to alleged racial imbalance in Hart Elementary School, and to be HELD in that Committee.

(16) COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS (and BOARD MEMBERS)

ORDERED REMOVED FROM THE AGENDA were the two items appearing under this category regarding Rep. Zelinski's and Rep. Corbo's requests relating to the Tishman Office Complex. This matter to be referred to the Board of Ethics by the President.

ADJOURNMENT

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, SECONDED and CARRIED, the meeting was adjourned at 9:20 P.M., with several members staying until 10:05 P.M. to make up committee notice agendas and other related matters.

HMM:MS

SANDRA GOLDSTEIN, PRESIDENT
STEERING COMMITTEE

APPOINTMENTS COMMITTEE - Handy Dixon, Chairman

MR. DIXON said the Committee met Thursday night at 7:30 in the Democratic Caucus Room. Present and participating were Committee members Perillo, Summerville, McInerney, Darer, Boccuzzi, Fasanelli, DeLuca, and Dixon.

MR. DIXON MOVED the following names to the CONSENT AGENDA, each having received an unanimous vote of approval (except Mrs. Perillo abstained on Ms. Garelik): Item #1 Ms. Janet Garelik; Item #3 Mr. Charles Durant; and Item #4 Rev. Lorenzo Robinson.

PERSONNEL APPEALS BOARD

Term Expires

- (1) JANET GARELIK (D) Re-appointment; whose
29 Falmouth Rd. 06903 term expired 12/1/79
Held 5/19, 7/7, 8/4, 9/3, 10/6.

Dec. 1, 1984

APPROVED ON CONSENT AGENDA, with Ms. Perillo Abstaining.

APPOINTMENTS COMMITTEE (continued)FAIR RENT COMMISSIONTerm Expires

- | | | |
|---|---|--------------|
| (2) <u>CAROL MARSHALL WALKER</u> (R)
160 Highview Avenue
Held 10/6/80 | Replacing Angelo Gargagliano who resigned | Dec. 1, 1980 |
|---|---|--------------|

MR. DIXON said for the record that Ms. Walker's name was held in committee last month to give her more time to gather information and to improve her knowledge about the Fair Rent Commission. This is her first appointment to any governmental position, nevertheless she has a strong desire to get involved in City affairs. Having studied the Charter and Code of Ordinance that relates to the Fair Rent Commission and having attended at least one commission hearing, Ms. Walker feels that she has gained information and knowledge sufficient to qualify for this position. The Committee voted 5 in favor and 3 against and Mr. Dixon MOVED for confirmation SECONDED.

THE PRESIDENT said the CHAIR will note that Mr. Wiederlight has arrived and there are now 35 members present, five absent.

THE PRESIDENT called for a vote on Ms. Walker who was APPROVED with 29 Yes votes, 2 No votes, and 4 Abstentions.

FAIR RENT COMMISSION - ALTERNATE

- | | | |
|---|---|--------------|
| (3) <u>CHARLES DURANT</u> (R)
42 Pepper Ridge Road
Held 9/22/80 | Replacing Rosalee Hampton
whose term expired 12/1/79 | Dec. 1, 1984 |
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APPROVED ON CONSENT AGENDA.FAIR RENT COMMISSION

- | | | |
|---|----------------|--------------|
| (4) <u>REV. LORENZO ROBINSON</u> (D)
22 Duke Drive | Re-appointment | Dec. 1, 1984 |
|---|----------------|--------------|

APPROVED ON CONSENT AGENDA.ZONING BOARD - ALTERNATE

- | | | |
|--|---|--------------|
| (5) <u>JOSEPH MARTIN</u> (D)
15 Woodmere Road 06905 | Replacing Alvin Wellington
who became a regular member | Dec. 1, 1984 |
|--|---|--------------|

MR. DIXON said for the record, Mr. Martin was interviewed and recommended to this Board by the Appointments Committee in July for a position on the Zoning Board. It was the decision of this Board at that time to deny confirmation of that appointment. The interview with Mr. Martin on Thursday night was extremely lengthy as there were other Board members present who, to some degree, participated in the interview. The Committee's objective, as is always the case, was to establish whether or not Mr. Martin is qualified, willing and able to fill the duties and responsibilities of an Alternate member of the Zoning Board as spelled out in the Charter and/or Code of Ordinances. The Committee accomplished all its intents and purpose, and in all fairness to Mr. Martin, the interview was conducted without regard to the ramifications and discord presently surrounding the Zoning Board.

APPOINTMENTS COMMITTEE (continued)

MR. DIXON went on to say that the vote of 6 in favor and 2 against is the Committee's expression of confidence in Mr. Martin's integrity, ability, and qualifications to serve as an Alternate member on the Zoning Board; and he MOVED for his CONFIRMATION. SECONDED.

MR. BLUM said he would like to express his feelings about the process used by the Mayor to select persons for appointments.

THE PRESIDENT said the question before the Board is the confirmation of Mr. Martin. She said Mr. Blum is free to discuss the merits of confirming or rejecting Mr. Martin, but the process is not for discussion at this point.

MR. CORBO MOVED THE QUESTION, but there were no further speakers.

THE PRESIDENT called for a vote on Mr. Martin's confirmation, which was APPROVED with 29 Yes votes, 2 No votes, and 4 Abstentions. Rep. Patrick Joyce asked to be recorded as an Abstention.

WELFARE COMMISSION

(6) FRANK CAPUTO (D)
21 Briarwood Lane

Replacing Eleanor Austin
who resigned

Dec. 1, 1980

MR. DIXON said Mr. Caputo is a life-long resident of Stamford; is self-employed electrical contractor; a former employee of the Stamford Police Dept.; otherwise he hasn't had any experience in City or governmental affairs, but he is keenly sensitive to the needs of people, especially senior citizens and others of less fortune. He appears to be honest and sincere, and he has a strong desire to make a contribution to this City. The Committee recognized many good qualities in Mr. Caputo, and many members feel that if given the chance, he can be of real value to Stamford. The vote was 5 in favor and 3 against and Mr. Dixon MOVED for CONFIRMATION. SECONDED.

THE PRESIDENT called for a vote. MOTION APPROVED with 33 Yes votes, one NO vote, and one Abstention.

MR. DIXON then MOVED for APPROVAL on the CONSENT AGENDA for Ms. Garelik, Mr. Dura and Rev. Robinson. APPROVED UNANIMOUSLY, having been SECONDED. EXCEPT Rep. Mili Perillo Abstained as she did not interview Ms. Garelik.

REQUEST FOR SUSPENSION OF RULES

MR. BLUM MOVED for a Suspension of Rules to hear at this time an item out of order on the Agenda. SECONDED. CARRIED UNANIMOUSLY. Mr. Blum felt this should be heard before 12:00 midnight.

PERSONNEL COMMITTEE - David I. Blum, Chairman

- (2) LABOR CONTRACT BETWEEN THE STAMFORD POLICE ASSOCIATION, INC., AND THE CITY OF STAMFORD - officially received Oct. 15, 1980 - for two-year contract from July 1, 1979 to June 30, 1981; 7% effective 7/1/79; 7½% effective 7/1/80; and 2½% effective January, 1981 when new shifts are instituted. This Board has 30 days from 10/15/80 in which to act upon this contract.

PERSONNEL ITEM UNDER SUSPENSION OF RULES

THE PRESIDENT called for a vote on the Motion to Suspend the Rules to consider this item out of agenda order. SECONDED. CARRIED UNANIMOUSLY (voice vote).

MR. BLUM said the present at the Personnel Committee meeting were Reps. Hogan, Wiederlight, Dziezyc, Stork and Blum to discuss the policemen's contract. They voted 5 in favor of the contract, and he MOVED for ratification.

MR. ESPOSITO said Fiscal voted 6 and 0, to APPROVE.

MR. BLUM said the Collective Bargaining process is a give-and-take in which both sides of the table either get or they don't get. The main item that the police chief and commission wanted was the permanent night shift and this is one of the biggest gains. The City gained other benefits, as are noted in the contract. The Association members will receive effective July 1, 1979 an increase of 7%; effective July 1, 1980, a 7½% increase; an increase of 2½% effective January 1, 1981 as a result of giving up rotations of the night shift to the permanent night shift. Mr. Blum enumerated most of the other changes in detail. Last, the patrolmen have a "Bill of Rights" for members of the Police Department. The Committee recommends adoption. SECONDED.

MR. DARER said he has expressed his feelings that the 20-year pension is not one that should be continued and he would not vote for any contract incorporating the feature. He does not understand why a 25-year pension could not have been included in this contract for new employees.

MR. CORBO MOVED THE QUESTION. SECONDED. CARRIED UNANIMOUSLY.

THE PRESIDENT called for a vote on the Police Contract. APPROVED with 30 Yes votes, 2 No votes, and 3 Abstentions.

ANOTHER REQUEST FOR SUSPENSION OF THE RULES

MR. ESPOSITO MOVED to consider the appropriation of the Police Contract. SECONDED.

THE PRESIDENT called for a vote to Suspend the Rules to consider an item not on the agenda, as well as not in the proper committee, but it will need 27 votes and that will cover. MR. Zelinski changed from NO to Abstention. The vote is 20 YES; 10 NO; 5 Abstentions; the Motion is DENIED.

FISCAL COMMITTEE - Co-Chairpersons Paul Esposito and Marie Hawe

MR. ESPOSITO said the Fiscal Committee met on Thursday, Nov. 6th. Present at the meeting were Reps. Hawe, Flounders, Rybnick, Hogan, Ms. Conti, Fauteux, and Esposito.

The following items are on the CONSENT AGENDA: #2, 3, 4, 8, 9, 11, 13. Proper secondary committee motions, where required, were made.

FISCAL COMMITTEE (continued)

- (1) \$ 3,077.77 - HEALTH DEPARTMENT - Code 560.1110 SALARIES - PUBLIC SCHOOL HEALTH PROGRAM - Additional Appropriation requested by Mayor Clapes 9/4/80 to pay accumulated sick time to estate of a deceased employee. Board of Finance approved 9/18/80. RETURNED TO COMMITTEE Oct. 6, 1980.

Above also referred to PERSONNEL COMMITTEE.

MR. ESPOSITO said this item was held last month and returned to committee. Dr. Gofstein was out of town so we met with Carl Nehring, and he explained this was paid to a public school health nurse who had died in July, and it was accumulated sick leave, and the check was made out in July. There were several transfers involving personnel and funds as explained by Mr. Esposito. Mr. Esposito said the Committee voted 2 in favor, 4 opposed, and he MOVED for approval, as it is customary to make a positive motion. SECONDED.

MR. BLUM said Personnel voted 4 to Zero to hold for further information.

MR. DZIEZYC said the reason Personnel voted to hold was because they wanted more information from Dr. Gofstein. His presence was requested on three different occasions and he never appeared, and we never got the information why he did this.

MR. BLUM MOVED to Hold this in Committee. SECONDED. His Committee voted 4-0 to HOLD.

MRS. CONTI said she understood the procedures that Dr. Gofstein had followed and so did the Committee, and that was why they voted it down.

MR. FLOUNDERS said not all Fiscal members voted against this. The City had a contractual obligation to pay this, and things like this cannot be anticipated at budget time.

THE PRESIDENT said the vote is on RETURN TO COMMITTEE. DENIED with 10 Yes votes, 20 No votes, and 5 Abstentions.

REP. MARY JANE SIGNORE wishes to be recorded as ABSTAINING on all HEALTH DEPT. matters.

The PRESIDENT called for a vote on the main Motion. The item for \$3,077.77 was DENIED by a vote of 17 Yes, 9 No, and 9 Abstentions.

- (2) \$ 500.00 - HEALTH DEPARTMENT - Code 550.3720 - DENTAL CLINIC - Additional Appropriation requested by Mayor Clapes 9/30/80 to reimburse for grant already received from Stamford Dental Society, Inc., and deposited into General Fund. Board of Finance approved 10/9/80.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (3) \$ 10,533.00 - HEALTH DEPARTMENT - Code 561.1110 SALARIES - Additional Appropriation requested by Mayor Clapes 9/30/80 to fund salary increases of Health Department's Department Heads, Coordinators Professional personnel. (This appropriation, plus \$28,515 which Board of Finance approved the utilization of on 10/6/80, will cover the total amount needed.) Board of Finance approved 10/9

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (4) \$ 100.00 - HEALTH DEPARTMENT - Code 571.4292 HEALTH FAIR - Additional Appropriation requested by Mayor Clapes 9/30/80 to reimburse S.H.A.P.E. for contribution from Combustion Engineering Co. which has been received and deposited to General Fund. Board of Finance approved 10/9/80.

APPROVED ON CONSENT AGENDA.

- (5) \$149,467.00 - HEALTH DEPARTMENT - W.I.C.- various 573 Codes - Additional Appropriation requested by Mayor Clapes 9/30/80 to be reimbursed as a State Grant for the 1980-81 fiscal year to be allocated as below. Board of Finance approved 10/9/80.

573.1110	Salaries	\$102,036.
573.1310	F.I.C.A.	6,255.
573.1330	Medical/Life/Annuity	18,806.
573.1340	Workmen's Compensation	450.
573.2610	Equipment Maintenance	450.
573.2650	New Equipment	1,920.
573.2740	Telephone	2,015.
573.2921	Printing	1,090.
573.2922	Postage	1,350.
573.2923	Photo Copying	910.
573.2930	Stationery & Supplies	2,925.
573.2932	Books	150.
573.2933	Subscriptions	95.
573.2935	Films - Audio Visual	1,715.
573.2940	Conferences & Training	2,150.
573.2942	Travel Expenses	2,600.
573.3721	Clinic Supplies	4,550.
		<u>\$149,467.</u>

Above also referred to HEALTH AND PROTECTION COMMITTEE.

FISCAL COMMITTEE (continued)

MR. ESPOSITO said this item is for Women and Infant Care is a Federal grant that is provided for pregnant women and infant children to purchase milk and other nutritional items if they meet certain Federally-defined income standards. Fiscal voted 4 in favor, one opposed and one abstention and he MOVED.

MRS. SANTY said Health and Protection voted 4 in favor, one opposed.

THE PRESIDENT said that will serve as a SECOND to Mr. Esposito's Motion. She asked Mr. Esposito whether he had any further report on this, or if there were any other discussion on item #5 Fiscal.

MR. DARER said he wished to call attention to Mr. Esposito's remark that this goes to provide milk and other things to under-privileged people, to pregnant women. (Someone questioned this, but Mr. Esposito said that was correct; but rather than under-privileged, you had to meet certain income standards. You could make \$20,000 a year and not be under-privileged but be under the income.) Mr. Darer said the one thing he did not see in the budget that was enumerated in this item was milk. All he sees is lots of salaries and other administrative costs. (Mr. Esposito interposed that they get vouchers for the milk.)

MRS. MAIHOCK noted that in the literature it was stated that the Federal Government had not yet acted on this program, and asked what that meant in relation to the funding, or the grant.

MR. ESPOSITO said that Congress has not yet approved the 80-81 budget yet. They are working on a running motion, and have only approved monies up until Dec. 31st at this point. This is for all agencies of the Federal government. Everything has been funded from October 1st to December 31st at the same rate that it was last year.

This is because of a dispute over the budgetary process. The "lame-duck" Congress will have its opportunity between now and January 1st to approve the entire budget for 1981 fiscal, at which time the remainder of this money will be coming to us. If it doesn't; if for some reason Congress takes out this money, then we don't have it to approve; therefore we are not obligated for it.

MR. BLUM asked where was the provision for the vouchers.

MRS. HAWK said the vouchers come from the Federal Government, and is not part of the grant.

MR. WIEDERLIGHT asked about how many people does this serve.

MR. FLOUNDERS said they provide for 2,200 to 2,500 clients each year at an average of \$27.00 per month in food vouchers.

MR. JOYCE said generally he speaks for conservation of monies, but in this one area of care for dependent children and this type of service, you have a large humanitarian aspect to be considered. Dependent mothers must be considered.

MR. DARER said he has nothing against dependent children or expectant mothers, or providing public health services. What he objects to is a bureaucratic overview and the administrative costs involved. He feels there must be a better way to run this program if all it involves is handing out vouchers on a monthly basis.

FISCAL COMMITTEE (continued)

MR. FASANELLI said on this item if you vote against the bureaucracy, the people you will be penalizing are not the bureaucrats, but those dependent children and those mothers who need the help.

MR. LIVINGSTON MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the W.I.C. appropriation. DENIED, with 20 Yes votes, 8 No votes, and 7 Abstentions.

MR. ESPOSITO said that was a grant and therefore did it not need a simple majority

THE PRESIDENT said yes, it does need a simple majority, but any appropriation must have a minimum of 21 votes. Please proceed to item #6.

- (6) \$ 11,595.00 - HEALTH DEPARTMENT - HYPERTENSION EDUCATION PROGRAM - various 575 codes - Additional Appropriation requested by Mayor Clapes 10/1/80 reimbursable grant from American Heart Association Connecticut Affiliate. Board of Finance approved 10/9/80.

575.1110	Salaries	\$ 9,750.00
575.1310	F.I.C.A.	623.00
575.1330	Medical & Life	837.00
575.2940	Telephone	135.00
575.2942	Travel Expense	250.00
		<u>\$11,595.00</u>

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. ESPOSITO said this is a demonstration project that the Health Dept. has received as a grant for high blood pressure control for the Federal fiscal year 1980-81. This program will be directed almost exclusively at middle school children; students will be taught how to take blood pressure, etc. The funding is for a Program Coordinator who will work 25 hours per week, plus travel, telephone, etc. Fiscal voted 4 in favor, 2 opposed and he MOVED for APPROVAL. The employee is a part-time employee.

MRS. SANTY: Health and Protection voted 5 opposed.

THE PRESIDENT said H&P comes out with a negative report on it. SECONDED.

MR. DARER said we have in this City public informational vehicles, including our radio station and our newspaper, to disseminate such information. Another bureaucratic operation is not needed to spend public funds to bring this across.

MR. FLOUNDERS said he originally opposed this item for the same reasons that Mr. Darer outlined. However, after checking into it, he felt it was beyond the public communication program to achieve as it involves the parents directly of these children. If one life can be saved, it is worth the \$11,000, which is a grant.

FISCAL COMMITTEE (continued)

MRS. GUORIAN asked if the City gave fringe benefits, medical and life items as listed, to part-time employees.

MR. ESPOSITO said in this case, yes, this is a grant and not civil service, they will receive those benefits.

MR. JOYCE said one item which has not been mentioned is that in the minority population who do not speak English, the best vehicle of communication to the people who enter the cardiac-prone years, which begin in the late 30's and go through to the late 60's, is through the vehicle of the public school system where the youngsters can many times, as a result of a communication from a program such as this, carry home the idea to the older people of problems that may be inherent in the family.

MR. LIVINGSTON said we cannot equate the saving of one life with \$11,000, especially if this one life may be the head of a household. Many people are afflicted with hypertension. He urged the Board to not only support this program, but at the appropriate time to reconsider the W.I.C. Program.

MRS. PERILLO MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on Item #6 for \$11,595, the Hypertension Grant. DENIED with 17 Yes votes, 12 No votes, 6 Abstentions.

MR. WIEDERLIGHT MOVED for RECONSIDERATION of Item #6, being on the Prevailing Side.
SECONDED.

MR. WIEDERLIGHT said that some people who voted against the appropriation did so because of the lack of knowledge as to how the program is going to be administered, and not against the program itself.

MRS. PERILLO asked Mr. Esposito if he questioned Dr. Gofstein if the school nurses themselves could not institute this program.

MR. ESPOSITO said Dr. Gofstein was not there, that Susan Brewster made the presentation. No, the question was not asked. But Mr. Esposito felt a coordinator would be necessary in any case.

MR. FLOUNDERS said the coordinator would be supported with experts from the American Heart Association.

MRS. SANTY asked of Mr. Esposito that once the sphygmomanometers are purchased, how are the children are going to use these when it takes a nurse in training, many, many weeks, a mature adult, to learn how to use them.

MRS. CONTI called for a POINT OF ORDER, stating she thought the discussion was limited to the Motion to Reconsider.

~~THE PRESIDENT~~ said a Motion to Reconsider opens up the merits of a question.

MR. ESPOSITO said he does not know how long it takes a nurse in training to learn this, but there are machines for 50¢ that anyone who can read, uses the machine. doesn't know how accurate they are; or how complicated the procedure is, but it does not seem that complicated to him. These devices are sold to untrained people who appear to use them without great difficulty.

FISCAL COMMITTEE (continued)

MR. JOYCE said he cannot understand how anyone can be opposed to a grant from the American Heart Association to help a very significant segment of our population treat a crippling disease. And anyone can be taught to use a sphygmomanometer. You can take your own blood pressure. He does it himself.

MR. DZIEZYC said hypertension is a very complex disease. If misinformation should be given to parents by their children, the parents might die.

MR. WIEDERLIGHT said he would try to bring this to a head. Let us say the children will not learn the physiological whys-and-wherefores of high blood pressure, and how to take a reading. They will be simply told of the existence of the disease, that their parents might be susceptible to it, may be a candidate for coronary disease as a result of high blood pressure, and they may persuade their parents to go to a physician; and maybe, as Rep. Livingston said, one life may be saved. Vote yes.

MR. BOCCUZZI MOVED THE QUESTION. SECONDED. CARRIED.

MR. ESPOSITO made a POINT OF INFORMATION, emphasizing that this is a Federal grant that comes through the American Heart Connecticut Affiliate.

THE PRESIDENT called for a vote on the Motion to Reconsider. CARRIED with 22 Yes, 12 No, 1 Abstention. Mr. Esposito asked to be recorded as a yes vote.

THE PRESIDENT called for a vote on the Main Motion for \$11,595 for item #6. Moved by Mr. Esposito. Seconded.

MR. ESPOSITO said we are mistaken if we think by turning down grants that we are saving tax money. It is allocated and may go to Pittsfield, Mass. or somewhere else. We still pay for it. If you want to save it, you have to do it in the Congress. Maybe that will happen in the future, but it hasn't happened in the past.

MRS. CONTI said she is opposed to the grant for several reasons. One is that there are some areas in our lives for which we must assume individual responsibility. The government just cannot do all things for all people. Next, to have this administered in the schools, we have enough problems already with children not knowing the basic subjects. We are taking more time from basic education to fill their heads with this. I can see our having some eleven and twelve-year-old hypochondriacs.

As far as not saving the government money, the fact is this that if we take the grant this year, we accustom the people to this service and then next year Congress does not appropriate the money, the City is then left to pick up the tab privately to provide the service to which the people have become accustomed under the grants we accepted.

MR. BOCCUZZI MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the \$11,595.00 which had previously been SECONDED. APPROVED (on Reconsideration) with 22 Yes votes, 12 No votes, 1 Abstention.

FISCAL COMMITTEE (continued)

- (7) PROPOSED RESOLUTION AUTHORIZING MAYOR TO EXECUTE AGREEMENT WITH STATE OF CONNECTICUT FOR FEDERAL FUNDS TO OPERATE W.I.C. PROGRAM, PER MAYOR CLAPES' REQUEST OF OCT. 9, 1980.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. ESPOSITO asked if he should proceed with this since the money was defeated. The W.I.C. Program.

THE PRESIDENT replied that she would ask the Parliamentarian for an opinion on that. Does the Board pass the resolution, item #7, when the funds have been denied.

The PARLIAMENTARIAN said it is part of the agenda, and it is up to the Body; and that he thinks they will have to vote on it.

THE PRESIDENT agreed with the Parliamentarian.

MR. ESPOSITO said Fiscal voted 4 in favor; one opposed; and one Abstention, and he so MOVED. SECONDED.

MRS. SANTY said Health and Protection Committee voted 4 in favor and one opposed.

MR. CORBO Moved to Return to Committee. SECONDED.

THE PRESIDENT called for a vote on Returning to Committee Item #7.

MRS. HAWE said she sees no sense in sending this back to committee if we defeated the other. Either we pass both or we defeat both. But to send half of it back to committee, send this back to committee without the money, doesn't make much sense.

MR. DONAHUE asked why could we not act on the resolution, even without the funds, with the possibility of the funds being approved later tonight, or at another meeting; and that the resolution on its own could stand.

THE PRESIDENT agreed with Mr. Donahue on the resolution. It is the second part, the appropriating of the money that is significant.

MR. CONTI feels that by sending this back to committee, it would effectively delete from the agenda tonight.

MR. WIEDERLIGHT feels a vote should be taken on a Motion to Return to Committee, and that a full Committee report should be brought forth, with proper discussion in the Committee and the Health Department should be notified to send their personnel to supply any details needed.

THE PRESIDENT called for a vote on Returning to Committee. CARRIED with 21 Yes vote 10 No votes, and 4 Abstentions.

FISCAL COMMITTEE (continued)

- (8) PROPOSED RESOLUTION AUTHORIZING FILING OF APPLICATION WITH STATE DEPARTMENT OF HUMAN RESOURCES FOR TITLE XX PORTION OF STAMFORD DAY CARE PROGRAM FOR FISCAL YEAR 1981 - additional sum to cover Cost-of-Living increases. Resolution No. 1319 was for an amount not to exceed \$112,698.00. The total funding now is \$127,978, or an additional sum of \$15,280.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (9) \$ 3,328.00 - ASSESSOR'S OFFICE - Code 250 (see below) - additional appropriation requested by Mayor Clapes 9/30/80. Approved by Board of Finance Oct. 9, 1980.

250.2942	Travel Expense	\$ 200.00
250.2650	New Equipment (Film Reader & CRT)	2,450.00
250.2652	Equipment Service Contracts	270.00
250.2930	Stationery and Postage	408.00
		<u>\$3,328.00</u>

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (10) \$ 25,000.00 - CULTURAL EVENTS - Code 720.3355 CULTURAL CENTER - Additional appropriation requested by Mayor Clapes 9/30/80. State enacted Special Act 80-57 making an appropriation for grant to Stamford for the Planning of a Cultural Center. Feasibility study to be undertaken to determine viability of converting the Stamford Theatre (currently the Hartman Theatre) into a regional cultural center for the performing arts. Board of Finance approved 10/9/80.

Above also referred to PLANNING AND ZONING COMMITTEE.

MR. ESPOSITO said this is a State grant to study the feasibility of a cultural art center in downtown Stamford where the current Hartman Theatre is. It will pay for an analysis of market potential, physical renovations necessary, cost projections, etc. This whole project will be undertaken within the next six months. Selection of a firm will be made by representatives of the arts council, the Mayor's Office, and SACIA. Basically what this is to do is to really tell us how much it would cost if it's even feasible to begin thinking of a cultural center, and how much it will cost and how much has to be done. This is 100% reimbursable by the State of Connecticut. Fiscal voted 5 in favor and one opposed and he so MOVED.

MR. DONAHUE said Planning and Zoning concurs. The President said that will be used as a Second.

MR. DZIEZYC said we should not commit ourselves to spend this money, as it is just a drop in the bucket compared to what the total cost will be to the taxpayers of Stamford. They were talking about \$2 M., \$3 M., \$4M., and even Eight Million Dollars was mentioned at the committee meeting. His constituents cannot afford any increases in taxes, and are fed up with the government spending money for something that should be done by the private sector. He urged his colleagues to vote against this item.

FISCAL COMMITTEE (continued)

MR. CORBO MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on Fiscal #10, \$25,000.00 for a Cultural Center. APPROVED with 23 yes votes; 10 no votes; and 2 Abstentions.

- (11) \$405,283.00 - LABOR CONTRACT: TEAMSTERS' LOCAL #145 AND CITY OF STAMFORD TO FUND THE FIRST YEAR-OF THE TWO-YEAR CONTRACT, fiscal year 1980-1981 (\$1,800 of which is uniform allowance for Parking Division F/Y 1979-1980 arrears payment), per Mayor's request and Budget Director Frank Harrison's letter 10/9/80 and supporting data. Board of Finance approved 10/9/80. (See agenda for detailed breakdown by department and code.)

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (12) \$ 8,352.00 - PURCHASING DEPARTMENT - Code 243.1110 SALARIES - Additional Appropriation requested by Mayor Clapes 10/1/80 and P. A. Tom Canino 9/16/80 to re-establish position of PURCHASING EXPEDITOR at the BOARD OF EDUCATION effective December, 1980. Board of Finance approved 10/9/80. (Annual Salary = \$14,317.00)

Above also referred to PERSONNEL COMMITTEE.

MR. ESPOSITO said Fiscal voted 5 in favor and one opposed and he MOVED for approval. SECONDED.

MR. BLUM said Personnel concurs.

THE PRESIDENT called for a vote. APPROVED with 26 Yes votes; one No vote; and 8 Abstentions.

- (13) \$ 1,304.00 - REGISTRARS OF VOTERS - Code 101.1110 SALARIES - Additional appropriation requested by Mayor Clapes representing a 7% salary increase effective Dec. 1, 1980 (per Schedule B - Management Compensation Plan). (Another 7% will be effective Dec. 1, 1981.) Board of Finance approved 10/9/80.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (14) \$ 5,720.00 - ZONING BOARD - Code 107.2910 OFFICIAL NOTICES and 107.2231 JANITOR SERVICE - Additional Appropriation requested by Mayor Clapes 9/30/80. Board of Finance approved 10/9/80.

107.2910	Official Notices	\$5,000.00
107.2231	Janitor Service	720.00
		<u>\$5,720.00</u>

Above also referred to PLANNING AND ZONING COMMITTEE

FISCAL COMMITTEE (continued)

MR. ESPOSITO said Fiscal voted 5 in favor and none opposed and he so MOVED.

MR. DONAHUE said Planning and Zoning concurs. The President said that would be used as a SECOND.

MRS. CONTI asked that the record show that she ABSTAINED on this vote.

THE PRESIDENT called for a voice vote. Motion CARRIED with Mrs. Conti and Mr. DeNicola Abstaining, a few members off the floor. 33 Yes votes.

(15) REPORT FROM SUB-COMMITTEE ON CONTINGENCY FUNDS.

MR. ESPOSITO said way back in September, the Board and the Steering Committee asked Fiscal, and Fiscal then appointed a sub-committee to investigate the setting of the Contingency Fund for 1980-1981. A meeting was held on 9/16/80. Mr. Esposito chaired that committee and members were Conti and Fauteux. At the meeting were Ms. Lilian Filardo, Mr. Oz Hoffman, and Len Cookney, and they spent about two hours with the committee going over all the issues that were pertinent, and came up with five recommendations, which have been sent out to all Board members. He said they could be approved.

THE PRESIDENT said this needed no vote. However, any questions will be answered.

(16) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A HEALTH EDUCATION RISK REDUCTION GRANT FOR \$39,300.00. Mayor's letter 10/22/80.

MR. ESPOSITO said this is a Federal grant given through the State. This is the first year of what could be a multi-year grant, depending on how well it does. Alcohol use, smoking, and obesity will be the themes of these programs. Fiscal voted 4 in favor, 2 opposed, and he so MOVED.

MRS. SANTY said Health and Protection voted 2 in favor, 3 opposed, so it is denied.

THE PRESIDENT received a SECONDING Motion. She called for a vote on Item #16. CARRIED with 21 Yes votes; 10 No votes; 4 Abstentions. (Mrs. Santy voting NO; and Mr. Zelinski changed to YES.)

THREE REQUESTS TO SUSPEND THE RULES

(17) PROPOSED RESOLUTION TO FILE APPLICATION FOR UMTA GRANT per Mayor's request of II/6/80 for \$8,947.00, being the amount necessary to meet the increase necessary in bid documents for Dial-A-Ride Vehicles.

MR. ESPOSITO MOVED to Suspend the Rules. SECONDED. CARRIED.

MR. ESPOSITO said a number of months ago, we approved a request for \$80,155 for the purchase of 3 new buses for the Commission on Aging Dial-A-Ride Program. The bids came in at \$89,102, which left them \$8,947 short approximately. The State of Connecticut agreed to give the City \$7,200. of its UMTA money, and with the matching \$1,747.00 from the City, they were able to make up the difference and purchase the buses. Fiscal voted 5-0 with one Abstention and he MOVED for approval. SECONDED.
(End of Tape 2)

FISCAL COMMITTEE (continued)

THE PRESIDENT called for a Motion to Waive the report of the Secondary Committee. Seconded. Carried.

THE PRESIDENT called for a vote on \$8,947.00 for a Dial-A-Ride Vehicle. Motion APPROVED with 31 Yes votes; and 4 Abstentions.

MR. ESPOSITO said that he has two other items that were given to him from Public Works and he would like to point out before he even begins this request for SUSPENSION OF THE RULES that the Board of Finance has not acted on these as yet; and they are expected to act on these items this Thursday, so that any motions we make to approve these would be contingent upon Board of Finance approval.

MR. ESPOSITO MOVED to SUSPEND THE RULES to consider \$125,000 for the Stamford Railroad Station. SECONDED. CARRIED, with two NO votes, being Mr. DeNicola and Mr. Zelinski. A few members were off the floor (voice vote).

MR. ZELINSKI asked if there weren't any opportunity for discussion of suspending the rules. THE PRESIDENT said No.

(18) \$125,000.00 - PUBLIC WORKS DEPARTMENT - DIVISION OF LAND AND BUILDINGS -
324 accounts - STAMFORD RAILROAD STATION - Additional Appropriation requested by Mayor Clapes 11/4/80, and Comm. Spaulding 11/4.

324.2220	Building Alterations	\$ 37,000.00
324.2230	General Materials & Supplies	1,000.00
324.2722	Utilities	17,000.00
324.5502	Contract Services	70,000.00
		<u>\$125,000.00</u>

MR. ESPOSITO said the State took over the Railroad Station and conveyed it to the City of Stamford sometime in October, the exact date not being clear, but we are now in possession of it. Commissioner Spaulding has begun to try to rehabilitate the station even though it is not going to be used for very long. There are certain essential things that have to be done almost immediately simply to use it for the remainder of the year. This funding will cover us until June 30, 1981; and approximately \$37,000 of that is for building alterations; \$1,000 for General Materials and Supplies. The \$17,000 for Utilities is a guess since we do not have any prior record. The Contract Services of \$70,000 is to contract the services of security guards and janitorial services. Fiscal voted 5 in favor and one opposed, and he so MOVED. SECONDED.

THE PRESIDENT asked for a secondary committee report, suggesting Transportation being the proper one. Mr. Joyce said there was none. A Motion was made to Waive the report of the Secondary Committee. Seconded. Carried.

MR. ZELINSKI said under discussion of this, regardless of the merits of both this particular item and the other one, which he probably would vote for, he believes that we must think about setting a practice here of making this vote contingent upon a future action of the Board of Finance, which may or may not occur; and he really does not believe this evening this Board should start changing its procedure and making it contingent upon another Board as it would put this Board in a very precarious situation should they decide not to approve the item exactly as we did, or in fact what action that other Board might or might not take. Again, he is not discussing the merits of this, just that one particular point which he feels is tantamount in this particular situation, because if it is done now, then from now on if something else comes up in the future, they will have to be doing the same thing.

FISCAL COMMITTEE (continued)

MR. WIDERS said while he agrees with his colleague, we have had many, too many complaints about the condition around the railroad station, safety, poor cleanliness, etc. That railroad station has now been turned over to us. I get it more than you do because that's the edge of my district and everyone who comes by that station tries to find one who represents that district. We need something to be done now. He said we should vote this money out.

MRS. MAIHOCK said it would be very foolhardy not to approve this because Mr. Spaulding in his memo of Nov. 4th indicates that it is going to be a waste of money unless it can do this within the next month, because if we don't give him this, he is going to have to go through additional expense of providing basic services to the West Bound Station to keep the plumbing from freezing; and it is really ridiculous to spend extra money when we don't have to.

THE PRESIDENT called for a vote on the \$125,000.00, contingent upon Board of Finance action. APPROVED with 31 Yes votes and 4 Abstentions. (Mr. DeNicola is a Yes vote. (Vote change to 32 yes, 3 abstentions)

(19) \$29,300.00 - PUBLIC WORKS DEPARTMENT - FALL LEAF PICK-UP; Code 310.2170 - Additional Appropriation requested by Mayor Clapes and Comm. Spaulding 11/4/80.

MR. ESPOSITO said the final item is a Motion to Suspend the Rules to consider a Public Works item. Seconded. Carried Unanimously (voice).

MR. ESPOSITO said this is to insure that the job is done throughout the City, that it is a City-wide pick-up; and takes into account a 15% cost escalation. This is to bring it up to the department request of \$109,300. so that all City streets will be done. Fiscal voted 6 in favor, none opposed and he MOVED, also contingent upon Board of Finance approval. SECONDED.

MR. PERILLO said his Public Works Committee had no quorum, therefore no report.

THE PRESIDENT asked for a Motion to Waive the report of the Secondary Committee. MOVED. SECONDED. CARRIED (voice).

MR. ZELINSKI has two questions and a comment. He wondered why the original cuts were made and now the Mayor is back for the cuts.

MR. ESPOSITO said this was to bring it in line with the previous year's expenditures. However, that was not a complete pick-up. Many areas were not taken care of. When the money ran out, then they stopped picking up the leaves. The Commissioner has made a vow that this is going to cover the entire City and that is why the additional amount was requested.

MR. ZELINSKI said he is in favor of this Fall leaf pick-up, and he trusts that the City will do a Spring pick-up of debris next year which is mandated by ordinance.

MRS. SIGNORE said she is delighted that this is finally coming about. The City deserves it. The taxpayers deserve it. We all deserve it. It has been long over-due.

FISCAL COMMITTEE (continued)

MR. BOCCUZZI said he would like Mr. Esposito give him a definition of "the entire city being picked up".

MR. ESPOSITO said he would safely say it is all City streets.

MR. BOCCUZZI asked was he saying it was unaccepted streets also.

MR. ESPOSITO said that is not clearly spelled out. He asked the question, and was not convinced of the answer, so he would simply say the safest way to answer that is all City streets.

MR. BOCCUZZI asked if the snow-plowing ordinance, when we get to it, could be amended to ask for certain services to be also included.

THE PRESIDENT said it would be in order if the Board votes to suspend the rules to consider the snow-plowing ordinance to amend it in some fashion, if the Board chooses to amend it, so that the motion, depending on what it will be, might be proper. She has to hear the motion first.

MR. BOCCUZZI said the President was as confusing as Spaulding.

MRS. SANTY MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a voice vote on the Motion to approve \$29,300 for leaf pick-up, which also will be contingent upon Board of Finance approval. CARRIED UNANIMOUSLY

MR. ESPOSITO MOVED for approval of the following items on the CONSENT AGENDA: Items #2, 3, 4, 8, 9, 11, 13. SECONDED. CARRIED. Mr. Corbo Abstained.

NOTE: ON ANY AND ALL ITEMS PERTAINING TO THE HEALTH DEPT., ON CONSENT OR OTHERWISE, REP. MARY JANE SIGNORE HAS ABSTAINED FROM PARTICIPATION OF ANY KIND.

LEGISLATIVE AND RULES COMMITTEE - Co-Chairmen Anthony Conti and John Zelinski

MR. ZELINSKI: The Legislative and Rules Committee of our Board met on Wednesday evening, November 5, 1980, from 7:00 p.m. in our Main Meeting Room until almost 12:30 a.m. Present at that meeting were Committee members Blum, Fasanelli, Donahue, Loomis Corbo, Anthony Conti, and John Zelinski. Absent were Reps. Pollard and Wiederlight. Also present were Rep. Paul Dziezyc; Louis Casale; Atty. Douglas Straus, and five owners of condominiums; as well as Corporation Counsel Cookney.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE RE CODE OF ETHICS (CONCERNING GIFTS TO OFFICERS AND EMPLOYEES OF THE CITY) - Submitted by Mayor Clapes, his letter 5/19/80 advising this is directed towards those actions discussed by Atty. Ralph Elliott in report to Mayor. Held in Committee 6/2, 7/7 and 8/4 for draft by Law Dept. Held in Committee 9/3 and 10/6/80.

MR. ZELINSKI said the Committee voted 3 in favor, one against and two abstentions. He said he had believed that evening that 4 votes would have been needed to recommend publication to the full Board because with a majority of 6 members, 4 members would have had to vote yes. However, only 3 did. And that, in Mr. Zelinski's opinion was not a majority of the L&R Committee. However, it was pointed out to him through the Parliamentarian, Mr. Hogan, and the President, Ms. Goldstein, that the Robert's Rules of Order state that an abstention, which Mr. Zelinski had thought was a vote,

LEGISLATIVE AND RULES COMMITTEE (continued)

(MR. ZELINSKI continuing)

was actually not a vote, and consequently the Committee's recommendation was favorable 3 in favor. However, had he known at that time that an abstention was not a vote, that he would have voted NO, and he therefore would like to change his Abstent: to a NO vote.

THE PRESIDENT said she was sorry but Mr. Zelinski could only have done that prior to eight o'clock this evening; so she would accept a Motion to move to publish.

MR. ZELINSKI said 3 Committee members voted that way and he would so Move. Seconded.

MR. ZELINSKI said he would like to give a Minority Report pertaining to this and to why he feels this should not be published this evening. The first time Mr. Cookney came to the L&R meeting, which was on August 25th, he did not have a list of positions that would have been inserted under Section 7. He brought the list at their next meeting which was Sept. 29th, being the Committee had requested this. The list was still not complete, and Mr. Zelinski requested the Researcher, Ms. Chasek, to get the list regarding the Board of Education employees. However, neither Mr. Zelinski nor anyone on the L&R Committee has had the opportunity to check to see if all the names to be listed are on this list now.

Another question is if the Board of Education employees would be covered under this proposed ordinance. Mr. Cookney had also told a newspaper reporter that he would be considering another amendment, which he did not mention to our Committee when he appeared before it. Mr. Cookney admitted in the local newspaper that he became aware of the shortfall in his current proposal after Board of Ethics Chairman Loter questioned recently whether his Board had authority over the actions of former officials, such as those employed in the Law Department.

Sewer Commissioner Louis Casale spoke of several variances in the proposed Code. There are definite loop-holes and questions related to past former Corporation Counsels. We have seen the questions raised regarding the Tishman property on Long Ridge Road. The proposed Code of Ethics ordinance does not address the questions that were raised by the local newspaper which asked if there was a conflict-of-interest when former Corporation Counsel Michael Sherman issued opinions in 1978 after the Tishman application which had been filed by an individual that he had represented for years as a private attorney. And also whether former Corporation Counsel Robert Wise was in conflict when he issued a 1977 opinion about the Xerox Corporate Headquarters application which had been filed by an individual, Robert B. Kahan, whom he had represented privately.

Both Mr. Sherman and Mr. Wise have been accused of wrongdoing by the newspaper, and have not had the opportunity publicly to prove whether they are innocent or guilty of wrongdoing. Mr. Wise had written us as recently as this weekend asking our Board for a public hearing and I most certainly agree. If these questions could be incorporated into the proposed ordinance, these problems would not come up again in the future. Right now, that is not the case.

Mr. Zelinski had requested on Oct. 2nd and again on Oct. 21st to have the L&R Committee conduct an inquiry to get to the bottom of what happened and if there was any wrongdoing.

LEGISLATIVE AND RULES COMMITTEE (continued)

(MR. ZELINSKI continuing)

MR. ZELINSKI said another point not written in the proposed ordinance is the question of political campaign contributions given to elected officials in their campaigns for favors in the future. A good example of this was back in September of 1978 when the apparent low bidder of the new West Side Fire Station was Ogera Construction Company, the wife of the owner had given \$1,000 to Mayor Clapes' election campaign as a contribution the year before.

To publish this without it being in final form would be ludicrous and costly to our taxpayers. He is asking his fellow Representatives to allow these other items to be incorporated in the ordinance, and any changes made before it is published. He inquired as to the cost of publishing these 16 or so pages in the local newspaper and was told by Mrs. Podesta of the Advocate that the cost of the present form would be \$500. This is very costly for publication if the proposed ordinance is not in final form for voting. He assures the Board that he will be voting for the publication at the December meeting when all of these other loop-holes are closed. Lastly, Mr. Zelinski said that this evening on each member's desk is a letter from Attorney Jas. Bingham who represents the Municipal Administrators' Association, and what he said is that the Association objects to the immediate passage of the Code of Ethics for the reason it is in contract negotiation with the City and this ordinance unilaterally affects the terms and conditions of employment of a great number of the members. Said terms and conditions of employment are the proper subject of negotiation and this matter should be tabled until the terms of the contract are established.

Unilateral additions of terms while negotiations are in progress must be considered an unfair labor practice by the State Labor Board.

Mr. Zelinski thanked the Board members for their consideration and he hoped that tonight they would keep this item in the L&R Committee for the reasons that he has mentioned.

MR. BLUM said Mr. Zelinski has eloquently taken a lot of what he wanted to say, but he abstained for the simple reason that he did not see anything in the ordinance pertaining to Corporation Counsels and their term in office. Mr. Blum said that when an attorney becomes a Corporation Counsel, it is his belief that the attorney does not give up his law practice; therefore, while he is an official of this City, he might be in a position that would better his clients one way or another. Of this Mr. Blum said he is not sure, but he did not see or read anything of that nature in the Code, and that is the reason Mr. Blum objected that evening to the way the Code is now written.

MR. BLUM said based on some of the allegations, true or not, and he received that letter last Friday that the other members received from an attorney in town. Could it be true, or maybe not true? We have to find out. Somebody has to find out who is right. Mr. Blum would like to know and he is certain the public would like to know. Mr. Blum made a Motion to Return this item Back to Committee to further study and to add conflict-of-interest clauses pertaining to our Corporation Counsel's Office or the Law Department. SECONDED.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ESPOSITO said when considering the matter of Returning this to Committee, we should go back and look at Attorney Bingham's letter whether or not this is a justifiable reason to return this to committee as he suggests. In his letter, he states again that he represents the M.A.A. and that the Union is in contract negotiation right now. It would seem to Mr. Esposito that if the Union is in contract negotiation currently, they would want to know before they sign their contract if there is a possible conflict-of-interest, not wait until after the contract is negotiated, signed, sealed and delivered to us, and then we pass a Code of Ethics. Once their contract is signed and sealed and delivered, our Code of Ethics no longer applies

We should do this before they negotiate their contract so that anything that we decide that's contained within that Code of Ethics must be contained within their contract, so I see it just as the reverse.

MR. FASANELLI said this has been in the L&R Committee for four months and should not be returned to committee. He is a member of the L&R Committee and they went over the Code line by line. They made some changes they thought should be made. As Rep. Donahue stated earlier in caucus, there really isn't any more that this committee can do with this. What is needed now is to publish it so a public hearing can be held, and there will be input from the other Representatives which is really needed, and there will also be input from the public officers and elected officials who are going to be affected by this document, and the only progress Mr. Fasanelli can see on this Code of Ethics is if we publish it.

MRS. CONTI said she would like to see this returned to committee for the simple reason that we do not yet have an air-tight Code of Ethics here. In addition to the areas recommended by Chairman Zelinski, she would like to suggest a few other areas and she would ask Mr. Zelinski to take notes on this.

With regard to the area of filing disclosure, she feels that whoever has to file such a report, it must be sent to us prior to the date of filing; we are only responsible if we receive the necessary papers to file with instructions of how, when and where to file. If we do not receive...

THE PRESIDENT interrupted to say to Mrs. Conti that if there are the votes to send this back to committee, these items can be taken up in committee.

MRS. CONTI said that when she went to a committee meeting, she was not allowed to address these things, so she would like to address them publicly so votes can be taken and these things can be considered if it goes back to committee.

MRS. CONTI said the next thing should be broken down into two categories. You cannot put elected officials...

MR. WIEDERLIGHT called for a POINT OF ORDER, and he said he felt this was out of order in speaking to the motion.

THE PRESIDENT said it was not out of order, and Mrs. Conti is in order speaking this way. She told Mrs. Conti to continue.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. CONTI said it should be broken down into two separate categories. Elected officials should be in one category and paid employees should be in another. What is a conflict for a paid employee is not necessarily a conflict for an elected official and vice versa. They have tried to throw too much together in one place here and consequently we have a mishmash which is really not airtight.

The next thing is that as far as Corporation Counsels go, to solve the kind of problems that we appear to have, we are going to have a separate area in this ordinance covering just Corporation Counsels. We would probably have to have Corporation Counsels disclose a list of their private clients in their private practice in order to control the kind of problem we had with Tishman.

MR. DONAHUE said he agrees with Mr. Fasanelli that it is time to publish this ordinance. The L&R Committee has gone through this ordinance, paragraph by paragraph, sentence by sentence. As of our last meeting, there was nothing more to add to the ordinance as it is. What is needed on this ordinance at this time is public in-pu and the in-pu of the employees of this City who it will also affect. We are not getting that now because it is not widespread information at this point in time.

MR. DONAHUE said in the event this Board returns this to committee, he would Move at this time to amend this decision that the L&R Committee will meet on or before November 24th to discuss this at a meeting, and only this at a meeting. I would move to amend that this be done in the next two weeks, in other words.

THE PRESIDENT asked Mr. Donahue to clarify his Motion.

MR. DONAHUE said his Motion was to Return to Committee with the condition that the committee meet on this at a separate meeting prior to November 24th. **SECONDED.**

THE PRESIDENT called for a vote on the amendment that the Committee meet on this prior to November 24th. **CARRIED** with 33 Yes votes; one NO vote; one Abstention.

THE PRESIDENT said we now have a Motion before us which is to send this item back to Committee with the proviso that the Committee meet at a separate meeting prior to November 24th. That is the whole Motion before the Board.

MR. LIVINGSTON said out of respect to the Chairman of that Committee, he was considering voting to re-submit this to Committee, but one of the things that disturbed him is some of the comments that have been made concerning Corporation Counsels. He feels that it is a bad ordinance if we have to spell out certain department heads and hold meetings just to clarify what is to take place in that kind of direction. He feels that would be a bad law. A good law should be one that is going to affect all people on an equal basis and if this is going to be sent back with the understanding that the Committee is to come up with new language that is going to affect and single out Corporation Counsels, Mr. Livingston would be against such a move.

MR. FAUTEUX MOVED THE QUESTION. **SECONDED. CARRIED.**

THE PRESIDENT called for a vote on the Main Question which is to re-commit item #1 under L&R with the proviso that the committee meet at a separate meeting prior to November 24th. The Motion is **DEFEATED** with 17 Yes; 17 No. (Mrs. Santy voting NO)

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT: We will now go on to the Main Motion which is for publication of the Code of Ethics ordinance. Is there any further discussion on the Motion?

MR. WIEDERLIGHT said he would like to think back just a few short months ago when the Board was discussing the condominium conversion ordinance; and there was also this confusion should we publish it and then amend it; or should we wait and do the whole thing in one shot. He said the members who took one position on the condominium ordinance are now taking the opposite position on this ordinance and you can't have both ways. Even though Mr. Donahue's amendment failed, perhaps the Chairman of L&R would hold a special Committee meeting anyhow and they could amend the ordinance to the proper form that the Body desired and pass it at the next meeting.

MR. JOYCE is concerned that Mrs. Conti attended the L&R meeting and had suggestions for in-put and was not able to get these into the record. While he sees what Rep. Donahue is talking about getting the in-put from private citizens, is this to imply that Mrs. Conti, as a member of this Board, has to come in at the same status as a private citizen in order to get her views incorporated into a piece of legislation which is being drafted in the L&R Committee? If that is the case, Mr. Joyce feels that this piece of legislation has not had the full in-put of the members of the Board who desire to make amendments and other changes thereto. He can understand the need for expediting this. It would appear that Corporation Counsel and the Mayor are pushing a piece of legislation which has not been fully developed by all members who have ideas and in-put which should be given the benefit of before the thing is brought into a public hearing.

MR. WIDER said he is not really too concerned about all the disclosures and all the Corporation Counsels, and all this; but what he is concerned about is that we are going to be dealing with the lives of a lot of working people in the City of Stamford. They are going to have to live according to this Code, and Mr. Wider would like to see it put well together. He does not want to see haphazard legislation that is going to make it more miserable than will be comfortable for people to live with. And we should all take stock of ourselves and see how would we feel about people digging into our lives if it isn't really necessary, and he thinks we should think a little while before this is really put together.

MR. CORBO feels that the legislation as styled by the Corporation Counsel is the most that can be done with it at this point and he supports publication in order to see if there is anything that should be amended, revised, or added; and that can be done at a later date after the public hearing is held. It is all right to spend \$500 right now on publication, but who is going to stop us from waiving publication after the corrections, amendments or revisions are done at a later date after we have the in-put by all the public, the City officials, ourselves. Mr. Corbo believes that if we have the public hearing, if we publish now, at least every Representative has the chance to participate at that public hearing. By returning to Committee, we are not doing justice to the authors, the Mayor, and Mr. Cookney, who are pushing it.

MR. DeNICOLA MOVED to RECONSIDER to RETURN TO COMMITTEE item #1, Code of Ethics, as he was on the Prevailing Side. SECONDED.

THE PRESIDENT called for a vote for Re-Consideration. APPROVED with 19 Yes; 13 No; and 3 Abstentions.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT said the Motion to Re-Consider has been passed. We now have before us the Motion to Re-Commit as amended by Mr. Donahue. Discussion?

MRS. CONTI asked if she could amend the motion that when it goes back to committee that they can incorporate in that discussion some of the suggestions that she has made. So MOVED.

THE PRESIDENT called for a Second to that Motion. There were several Seconds. Motion is CARRIED (Voice vote). We now have two amendments to the Motion to Re-Commit. The question before the Board is to send item #1 under L&R Back to Committee with the proviso that they hold a special meeting to consider it prior to Nov. 24th and that they discuss Mrs. Conti's three questions.

THE PRESIDENT said the vote was 19 Yes; 14 No; 2 Abstentions. The Motion to send Back to Committee has now CARRIED.

MR. ZELINSKI said he would like to thank his fellow Board members for that vote.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE FOR TAX ABATEMENT FOR RESIDENCE OF ASSISTANT PASTOR OF ZION LUTHERAN CHURCH located at 17 Fenway. Also requesting refund of taxes paid - their letter 3/31/80. Approved for publication 10/6. (APPROVED ON CONSENT AGENDA - See below.)

MR. ZELINSKI said the Committee voted 7 in favor, none against, and he so MOVES.

MR. CONTI: May I ask that everything passed by the Legislative and Rules Committee that passed unanimously be placed on the CONSENT AGENDA?

THE PRESIDENT: Yes, you certainly may, Mr. Conti. Mr. Zelinski, anything that has been passed by a vote of 7-0 goes on the CONSENT AGENDA. Will you please make such Motions?

MR. ZELINSKI: Yes, that would be Item #2, #4, #5, and #6 on the CONSENT AGENDA. MOVED. SECONDED.

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING GARBAGE COLLECTION FOR CONDOMINIUMS AND MULTI-FAMILY DWELLINGS, TAX CREDIT, ETC. Approved for publication 10/6.

MR. ZELINSKI said the Committee voted 7-0 to Hold this item in Committee and to hold a special meeting with all those involved in the very near future which would be in a week or two. We do have one additional item which will be item #7.

Item #3 - HELD IN COMMITTEE.

- (4) FOR FINAL ADOPTION - PROPOSED ORDINANCE TO CONVEY PROPERTY TO CITY FROM ESTATE OF REGINALD L. BRITTON. Located at intersection of Hope, Greenway and Hyde Sts. in Stamford (sidewalk), per Mayor's letter 8/1/80. Approved for publication 10/6.

APPROVED ON CONSENT AGENDA.

- (5) FOR FINAL ADOPTION - PROPOSED ORDINANCE FOR TAX ABATEMENT FOR CHURCH OF THE ANNUNCIATION - submitted by Atty. Paul Shapero, 10/6/80. Approved for publication 10/6/80 meeting.

APPROVED ON CONSENT AGENDA.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (6) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING PURCHASE OF PROPERTY ON EAST-ERLY SIDE OF SPRUCE ST. ADJACENT TO CARWIN PARK, to be purchased for \$75,000 from Capital Non-Recurring Fund, per Mayor Clapes' letter 10/22/80; includes appraisal and sales/purchase contract.

APPROVED ON CONSENT AGENDA.

MR. ZELINSKI said we do have one additional item which is the subject of a letter sent to the Board members on Nov. 6th regarding suspending our rules to vote on final adoption of an ordinance concerning snow removal of unaccepted and private roads. Our Committee did vote to Suspend the Rules and I would now MOVE that we SUSPEND THE RULES to take up this item. SECONDED.

REQUEST TO SUSPEND THE RULES TO TAKE UP AN ITEM NOT ON THE AGENDA.

- (7) FINAL ADOPTION, WAIVING PRIOR PUBLICATION, OF PROPOSED ORDINANCE FOR SNOW REMOVAL ON UNACCEPTED ROADS.

MR. ESPOSITO: Please let the record note that I ABSTAINED and LEFT THE FLOOR on any discussion of this item.

THE PRESIDENT said it will note that.

THE PRESIDENT called for a voice vote on Suspending the Rules. CARRIED.

MR. ZELINSKI said the Committee voted, first of all, to Waive Publication for this ordinance. There is a correction, #1, which is on page 2, paragraph #3, sentence #6, starting "it is publicly announced on or before", the correction would be NOVEMBER 15th changed from December 1st.

And also the list of streets would be the 162 roads and streets that were sent in a letter from Commissioner Spaulding dated Oct. 3rd.

THE PRESIDENT asked is this is also a part of Mr. Zelinski's committee report and he said that was correct. The President asked him to repeat that as she felt there might be some discussion on that. Mr. Zelinski asked which part The President wished him to repeat. The President said the list of streets.

MR. ZELINSKI said the list of streets was the one that accompanied Commissioner Spaulding's Oct. 3rd letter where he said that those lists of streets, both unaccepted and private roads, would no longer be snow-plowed.

MR. ZELINSKI said he also had an amendment which the Committee did not vote on, if it would be in order at this time. The Committee just voted for final adoption, waiving publication; but first steps first. The amendment would be to incorporate in the ordinance as Rep. Boccuzzi had mentioned earlier, that also these 162 streets would also have a leaf pick-up, as well as having the roads snow-plowed. On Page 2, paragraph 2, ending the third sentence where the last two words are "unaccepted streets" - add "and also have a leaf pick-up of all streets on this list in Stamford."

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT asked Mr. Zelinski to repeat the amendment.

MR. ZELINSKI: Yes, on Page 2, paragraph 2 which starts off "Section 18.54. The Stamford Public Works Department is authorized and directed to snow-plow, sand, or salt, when necessary, the following unaccepted streets" - my amendment would be, based on what Rep. Boccuzzi mentioned earlier: "and also leaf pick-up of all these streets." And I so MOVE first for the amendment. SECONDED.

MR. POLLARD said he wished to speak very, very strongly against that amendment. This proposed ordinance is a direct result of a hearing, a committee meeting that was held a few weeks ago. It was a joint meeting between Health and Protection, Planning and Zoning, and Public Works; and after meeting for two or two-and-a-half hours, it was requested that an ordinance be drafted for the purpose of assuring that City-accepted streets and all or most unaccepted streets would be snow-plowed this winter. We were just trying to protect the public from problems and dangers arising from snow hazards. He would recommend against cluttering this ordinance up. The Public Works Department has already been given sufficient funds to assure that there will be a leaf pick-up. What is to be gained after giving them the money and after getting assurance from the Public Works Commissioner that he intends to pick up leaves, to now make it an ordinance. We already have an ordinance that requires that leaves be picked up. We have talked about that ordinance off and on over the past several years because it has been ignored. Now it is not being ignored. Now we want two ordinances? It's dumb!

(THE PRESIDENT, MRS. GOLDSTEIN has left the podium temporarily, and Majority Leader JOHN BOCCUZZI, has assumed the CHAIR.)

MR. RYBNICK wishes to amend this ordinance by deleting the word "certain" wherever it appears in this ordinance.

MR. BOCCUZZI asked Mr. Rybnick to please go down the pages and mention where the word appears.

MR. POLLARD asked for a POINT OF ORDER. He said he understands what Mr. Rybnick wishes to accomplish but it doesn't speak directly to the amendment.

MR. FAUTEUX said he would like to reiterate Mr. Pollard's remark and that to insert fall leaf pick-up into this ordinance at this late point in time is a discourtesy to Commissioner of Public Works, who really went out of his way to discuss this item with us on the original premise of snow-plowing. It is not proper to do this now.

MR. BLUM said he can see unaccepted streets because they are unaccepted for their width or not having sewer drains there, or whatever, but what are we doing in private streets with snow plows.

MR. BOCCUZZI said Mr. Blum should be speaking to the amendment which is leaf pick-up.

MR. FASANELLI asked Mr. Zelinski through the CHAIR if he knows that this list of streets both unaccepted and private roads received leaf pick-up prior to this amendment

MR. BOCCUZZI said he could answer that question although he disliked taking the position of the CHAIR speaking, but Mr. Zelinski said he would yield to him for the response. That is one of the reasons he put it down. Last time we had a leaf pick-up there was a problem and he called the Mayor's Office. He discussed it with the then Public Works Commissioner. He discussed it with the Mayor's Aide, and they did manage to get leaf

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BOCCUZZI (continuing) ... pick-up on those streets that were considered private and unaccepted streets. The only reason why he put that in was because it is a service to the residents of Stamford; and he can't see why this will be in the tax base when you pay for it. It's going to be in the tax base; it is not going to be like the fire department, or the volunteer fire departments where just a certain section of town is going to pay the tax. The entire amount is going to be in the tax base. Now if the streets that want leaf pick-up and the Commissioner of Public Works looks at the streets and says there will be no problem in picking up the leaves like he said for the snow-plowing. Even with this snow-plowing ordinance, there is a catch to it because he has a letter that says at his discretion. I would like to let him use the same discretion in picking up the leaves. That's all. If there is no problem; nobody is going to get hurt, then think these people deserve a leaf pick-up.

MR. FASANELLI: So what you are saying, John, is that all private roads in the past have been receiving leaf pick-up.

MR. BOCCUZZI: I am saying that I know of private roads that received leaf pick-up last time and they would be excluded this year unless I go up to the Mayor's office and have another go-around with the Mayor and the Public Works Commissioner and what-not.

MR. FASANELLI: So it's not a normal practice for the City of Stamford to pick up leaves on private roads.

MR. BOCCUZZI: Fasanelli, if you don't want that pick-up, vote No.

MR. FASANELLI: That's not answering my question, but thank you anyway.

MR. BOCCUZZI: I gave you my reasons for putting it down. I don't know how else I can answer your question. If you don't agree with me, vote No.

MR. DARER MOVED THE QUESTION. SECONDED. CARRIED.

MR. BOCCUZZI called for a vote on the amendment which includes on page 2, paragraph 2, to provide a leaf pick-up on the 162 roads. MOTION DEFEATED with 11 Yes; 16 No, 7 Abstentions. (Mrs. Santy voting NO; Mr. Boccuzzi voting YES in Mrs. Goldstein's voting position, #40; Mrs. Goldstein voting in Mr. Boccuzzi's position YES, #22; Mr. Hogan left at 11:45.)

THE PRESIDENT returned to the podium, and that is the ordinance before the Board.

MR. FAUTEUX said he would like to introduce an amendment after the second paragraph on the second page, and it reads "Unaccepted streets, known as private roads, which exclude the public from regular use of such roads by property-owner association by-law and/or by posted sign, shall not be authorized to receive the aforementioned services." MOVED. SECONDED.

MR. FAUTEUX said the right of property-owners to declare their roads private is unassailable. Under such a right, these property-owners have restricted to themselves the privileges, real or otherwise, that such privacy carries. Such privileges include banning the public from free use of their roads for whatever purposes such a ban is meant to carry out, then the public and citizens and collective taxpayers of the City should not be obligated to maintain such private roads in any way.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. CORBO MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT said the question before the Board now is to amend the second paragraph, Section 18.54 of the ordinance, to include the wording just spoken by Mr. Fauteux.

MRS. CONTI: Point of Information. This ordinance already excludes private roads because it says "the following unaccepted streets".

THE PRESIDENT said Mr. Fauteux is clarifying that by specifically excluding the private roads which are also unaccepted streets. It is a clarifying motion.

MRS. CONTI: But by virtue of the fact that it says "unaccepted streets", doesn't it automatically ban private roads? This specifies unaccepted streets only.

THE PRESIDENT said a private road is also an unaccepted street. This is clarifying terminology.

MR. ZELINSKI: Point of Information. Then, the motion that was just passed, reads that it shall exclude the snow-plowing on those private roads that have property-owner association by-law and/or posted sign, and if they don't have either of those situations then the road would be plowed. Is that a correct assumption.

MR. FAUTEUX: Yes.

THE PRESIDENT called for a vote on the amendment as proposed by Mr. Fauteux. APPROVED with 28 Yes, 1 No, and 5 Abstentions. The amendment has been carried.

THE PRESIDENT: I would like the record to note that Mr. Hogan has left and we now have 34 members present. Now, I would just like to have something clarified. This amendment has now passed which distinguishes between private roads and unaccepted roads. The Committee had voted to insert the terminology of streets, 162 streets as presented in Commissioner Spaulding's letter. Now this may be contradictory because of those 162 streets we have some of the streets that would be part of Mr. Fauteux's amendment that the Board has just passed. That must be clarified before we can vote on this.

MR. ZELINSKI: If I may, I think I can clarify this because I asked through you to ascertain that if the roads did not have the posted sign and specified in language about the property-owner association by-laws, then that private road would be snow-plowed, and Mr. Fauteux said yes, so I don't think there is a contradiction here. In other words, now what we are saying is that any roads that are private, that have a posted sign, etc., then the City would not plow them. If they are not mentioned, they would be, so I think it is clarified.

THE PRESIDENT: No, it is not, because you mentioned specifically 162 streets as presented on Mr. Spaulding's list. We are excluding some of those streets as per the amendment that the Board just passed, so that that terminology will have to be changed to take into account the amendment we just passed. You mentioned the list, so you can very quickly modify that list to take into account the amendment we just passed.

MR. ZELINSKI: Well, I don't know which ones have posted signs.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ESPOSITO: I am asking the question so I can know whether I can vote on this whole issue, so I am making this Point of Information. It is really important to me whether or not private streets are clearly defined here. How is Commissioner Spaulding or this Board going to know which streets have an association which has voted not to - I mean we know which streets have signs saying no trespassing, private roads, but those associations that have voted not to allow public trespass, that might be something that might be a little vague. I live on a private street that is not posted, and I would like to know whether that is included or not, and whether or not I am involved in this issue or not.

MR. FAUTEUX: I think it is contingent upon each Representative to go out and identify these streets. I speak from knowledge, living on one of these private streets, and also having a number of them surround me. And they are posted. They are very clearly evident as to what status they hold.

MR. BOCCUZZI: Do I understand you to say that each Representative has to go out and identify the streets in his district?

MR. FAUTEUX: That's one avenue of identification, yes sir.

MR. BOCCUZZI: I suggest that Mr. Spaulding go out and identify the streets. He brought the problem, not the Representatives.

MRS. PERILLO: I was going to suggest that the people on these private streets, if they don't want the City trucks, they should notify Mr. Spaulding themselves.

MR. JOYCE: It appears that the members of this Board are ignoring advice of counsel, although in some instances I do not necessarily agree with Mr. Cookney, I urge my fellow members before we take a vote on this particular item, to read very carefully the opinion that's been left on our desk this evening, because it contains, particular on page three, the third full paragraph, some very serious matters of exposure to liability by the City of Stamford involving decisions which have been handed down here in the State of Connecticut, and I think we've got to - apparently somebody in the Law Department did a very comprehensive review of the law on this subject - and I think that it would be incumbent upon us to carefully consider the entire tenor of this decision before we go to any - especially the last conclusory paragraph on page 4 involving the words "ultra vires". Any time those particular words are employed by a lawyer, you are talking about some very serious items. In fact what Corporation Counsel is saying is that any attempts by Mr. Spaulding with or without the blessing of this Board to snow-plow, maintain or repair unaccepted streets, could be opening the door to a long series or chain of incidents which could expose, and it is not merely the cost of snow-plowing private thoroughfares, but expose the City to incalculable amounts of damage and lawsuits, specifically relating, by operation of law, to an improper - the key sentence is on page 3: "Even snow-plowing improperly done may provide a defective condition from which a claim may be pursued." We may be opening the door to a host of lawsuits from improperly-done acts of City officials which are ultra vires. In effect, we could get hit with enormous amounts of liability. I think this is a very ill-thought, perhaps well-meaning but ill-thought proposal by Mr. Spaulding to expose the City of Stamford; and to ask the blessing of this Board on something which is ultra vires, I just can't believe that anybody could seriously consider enacting a statute with this strong an opinion from our Corporation Counsel sitting in front of us.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. RYBNICK: This is another amendment that I am speaking of. I MOVE to amend this ordinance with the deletion of the word "certain" wherever it appears in this ordinance.

THE PRESIDENT asked Mr. Rybnick to indicate where this word appears so it will be clear to everyone.

MR. RYBNICK: Delete "certain" from the fourth paragraph; then from the fifth paragraph, and from the bottom paragraph. I believe that is all, but I would like to see it deleted wherever it appears. SO MOVED. SECONDED.

MR. BLUM: Inasmuch as it is one minute after 12, and we are now into a legal holiday, I would like to ADJOURN this meeting as we cannot conduct, legally, business on a legal holiday. MOVED. SECONDED.

THE PRESIDENT: We conferred with Corporation Counsel this morning on that issue and he said we can continue our meeting past twelve o'clock as long as we started the meeting prior to twelve o'clock.

THE PRESIDENT called for a vote on the Motion to Adjourn. Motion DEFEATED. (voice vote)

THE PRESIDENT said paragraphs four, five, and six have "certain" in it, and the Motion is to delete "certain".

MR. FAUTEUX: Just what does Mr. Rybnick intend to accomplish by deleting "certain" from these paragraphs?

MR. RYBNICK: The word "certain" in there permits the Commissioner to not plow any of these streets that he sees fit not to. He can just eliminate them.

MR. BLUM: I'd like to go back to Mr. Cookney's letter to this Board and this relates to the motion to amend in the sense that we are talking about certain streets which could be private or unaccepted streets. I would like to read the last paragraph: "In conclusion, the City should not undertake snow-plowing or maintenance and repair of unaccepted streets. If it does, it could be acting without authority, ultra vires; and at a minimum, it is undermining its own Charter, Ordinances, and State Statutes." Signed Leonard E. Cookney, Corporation Counsel. Now, as you say, you have talked to the Corporation Counsel. I have a letter from him. Thank you.

THE PRESIDENT called for a vote on the motion to amend, to delete "certain" from three paragraphs on page 1. The Motion to amend has been PASSED by a vote of 14 yes, 13 No and 7 Abstentions. Mr. Wiederlight asked to check and see if his vote was counted. He said he voted negative. The machine registered Abstention.

Due to some apparent confusion in voting among the membership, and some discrepancies showing up on the voting apparatus, THE PRESIDENT said she would clear the machine and take another vote. She said the vote is on the amendment concerning the deletion of the word "certain" from this ordinance. MOTION DEFEATED with 12 Yes, 19 No, and 3 Abstentions.

THE PRESIDENT said they would proceed to the Main Motion and asked Mr. Zelinski to repeat the motion that is before the Board.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ZELINSKI: Did we incorporate in all these other amendments, the amendment that the L&R Committee made which was changing December 1st to November 15th; that was changed, so we are now moving with just that change plus THE PRESIDENT interposed here stating that we are moving now to Waive Publication of this ordinance. Mr. Zelinski said yes, and after that we will move to vote on Final Adoption. Mr. Zelinsk then MOVED for WAIVER OF PUBLICATION. SECONDED.

THE PRESIDENT called for a vote on Waiver of Publication. It is as amended by Mr. Fauteux, and we will adjust the streets to take that into account. Motion to Waive Publication has been DEFEATED by a vote of 26 Yes, 7 No, and 2 Abstentions. This required a 27 solid vote.

MR. ZELINSKI Then I would Move for Publication. Seconded.

MRS. CONTI: I would like to Move to RECONSIDER. I voted on the Prevailing Side. SECONDED.

THE PRESIDENT called for a vote on the Motion to RECONSIDER. APPROVED (voice vote) with a very few No votes.

MR. ZELINSKI MOVED to WAIVE PUBLICATION. SECONDED.

MRS. GUROLAN MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT said the question is to Waive Publication of the ordinance concerning snow removal on unaccepted streets with the amendment as proposed by Mr. Fauteux and as then passed by this Board, with the proviso that we will also correlate the list of streets with the private streets as we amended. Motion APPROVED with 28 Yes, 5 No, 2 Abstentions. The President said the record is to indicate that Mr. Stork has arrived and there are now 35 members present.

MR. ZELINSKI: Our Committee voted 5 in favor, 1 against, for Final Adoption and so MOVE. SECONDED.

THE PRESIDENT said the Motion being voted on is for the ordinance as amended, for final adoption. APPROVED with 29 Yes, 5 No, and 1 Abstention. The ordinance has been adopted.

MR. ZELINSKI: I have one Point of Personal Privilege. Mayor Clapes and MR. Cookney made unwarranted and unfounded attacks upon me regarding the Code of Ethics. These were completely untrue, misleading and false. That ends my report. Thank you.

MR. PERILLO: Point of Order. Did we accept these Consent items?

THE PRESIDENT: Yes, we voted on that prior to the Suspension of the Rules. Thank you

PERSONNEL COMMITTEE - David I. Blum, Chairman

- (1) STATUS OF NON-CLASSIFIED OR NON-CIVIL SERVICE EMPLOYEES - submitted by Rep. Philip Stork 10/21/80.

MR. BLUM said the Committee voted to send a letter to the Personnel Director in regard to the Committee's acceptance of the Personnel Commission's request to name two people to an ad hoc non-civil service committee. This took place Feb. 28th. They had a report at their meeting in which 60 days after this meeting, a list of all non-civil service employees and the departments they work in, and a financial study on the cost of bringing same into the Classified sector of the City. As yet that list has never been received, nor the financial study. The Committee voted to send a letter to the Personnel Commission on the results and accomplishments of the Committee in regard to those two reports.

- (2) LABOR CONTRACT BETWEEN THE STAMFORD POLICE ASSOCIATION, INC. AND THE CITY OF STAMFORD.

MR. BLUM: This item was taken care of earlier in the evening. (See page 6 of these Minutes.)

- (3) THE MATTER OF CIVIL SERVICE VACANCIES BEING FILLED WITH NON-CLASSIFIED OR CONTRACT PERSONS AND WITHOUT PRIOR APPROVAL OF BOARD OF REPRESENTATIVES ON FUNDING AND ANY CHANGES TO COMPENSATION PLAN. Submitted by Rep. John Boccuzzi 10/22/80.

MR. BLUM: A letter was submitted to the Steering Committee and the Committee took that up and we voted to send a letter to the Corporation Counsel asking an opinion whether the Commissioner or the Director of Personnel has the right to change a Classified position to a contractual position without the prior approval of the Board of Representatives as to salary, length of time of employment, or any changes to the Compensation Plan. I will send that letter to Corporation Counsel through the President. (End of Tape #4)

- (4) SENSE-OF-THE-BOARD RESOLUTION REGARDING PENSION FOR REGISTRARS OF VOTERS, Mary V. McCauley and Nancy S. Tatano. (asking State Legislature - the State to approve a pension for the Registrars.)

MR. BLUM said this item is a Sense-of-the-Board Resolution regarding pensions for our Registrars of Voters, and he would like to read it.

THE PRESIDENT said it was not necessary to read it as the members have copies.

MR. BLUM then MOVED for adoption of the Sense-of-the-Board Resolution. SECONDED.

MR. FAUTEUX: I would like to call the Board's attention to the Stamford Taxpayers' Association letter which was placed on the desks of each member earlier this evening. If you remember, this same resolution, or this same action came up last year and was voted down by the Board. And now here again it is in front of us once more. I think the salient points of the Taxpayers' letter still stand, and that is the concern of setting a precedent for early pensions for elected officials. As you see in the letter our Charter has a provision for a 25-year consideration, but nothing less than that. And I think going ahead with this resolution in effect sets in motion for a contravention of the Charter provision. I very strongly urge you to consider voting against this Resolution. It is going to set a very bad precedent and there are almost three pages of reasons why in the Taxpayers' letter. Thank you very much.

PERSONNEL COMMITTEE (continued)

MR. RYBNICK: I just wanted to clarify that for Mr. Fauteux, that it will not set a precedent, because it has been done many years ago in the past.

MR. WIEDERLIGHT: MOVE THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the Sense-of-the-Board Resolution. CARRIED with 24 Yes, 4 No, and 7 Abstentions.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

- (1) REFERRAL OF ZONING BOARD'S ACTION APPROVING APPLICATION #80-017 OF THE APPLICANT (ZONING BOARD) IN THE MATTER OF RE-ZONING FROM C-N NEIGHBORHOOD BUSINESS DISTRICT to zone RA-1 ONE-FAMILY RESIDENCE DISTRICT (one acre minimum). Pursuant to Charter Section 552.2, this Board shall approve or reject at or before its second regularly scheduled meeting following such referral. (Referral was hand-delivered Sept. 4, 1980.) Property in question is located on east side of OLD LONG RIDGE ROAD. The Petitioner FREDERICK ADAMS GROESBECK, JR. is the owner of the property that the Zoning Board wishes to re-zone and has instituted this REFERRAL. Court Reporter's transcript of the Zoning Board's hearing not received yet. Public hearing scheduled for October 22, 1980.

MR. DONAHUE: The Committee met on Thursday, November 6th, at 8:00 o'clock. Reps. Stork, Wider, Guroian, Donahue in attendance. I would add that Mr. Fasanelli missed that meeting only because of a conflict with another committee.

I would request that the following items be placed on the CONSENT AGENDA:
Items #3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

MR. BLUM: With the acceptance of these streets, you will have to cut down the 162 streets listed in the snow-plowing ordinance.

MR. DONAHUE said this comes to us tonight with the unanimous approval of the Planning Board and of the Zoning Board; and really the Committee was overwhelmed with individuals who either wrote or came in and spoke in favor of this decision. And with a vote of 4 favor and none opposed, the Planning and Zoning Committee recommends that this be approved tonight. With that in mind I MOVE that the application of the Zoning Board to change the Zoning Map of the City of Stamford for the land described in the subject Application #80-017 from C-N Neighborhood Business District to RA-1 One-Family Residence District be adopted. SECONDED by Rep. Lathon Wider.

THE PRESIDENT called for discussion on the Motion.

MR. DIXON MOVED THE QUESTION. SECONDED. CARRIED, with a few No votes (voice vote).

THE PRESIDENT said we will now proceed to the question which is to approve the application of the Zoning Board to change the Zoning Map of the City of Stamford for the land described in the subject application #80-017 from C-N Neighborhood Business District to RA-1 One-Family Residence District. If you are in favor of this Motion, vote up for if opposed, vote down for no. I wish the record to note that MRS. MAIHOCK has left the floor for discussion and is Abstaining from any votes on these items. The vote is 21 yes, 2 no, and 10 Abstention. Mr. Loomis and Mr. Boccuzzi have left the meeting. now have 33 members present. The Motion to approve the application has been accepted

PLANNING AND ZONING COMMITTEE (continued)

- (2) REFERRAL OF ZONING BOARD'S ACTION APPROVING ZONING BOARD'S APPLICATION #80-016 IN THE MATTER OF RE-ZONING FROM EXISTING LAND USE CATEGORY DESIGNATED AS C-N NEIGHBORHOOD BUSINESS DISTRICT TO ZONE RA-1 ONE-FAMILY RESIDENCE (one acre minimum). Property located on east side of OLD LONG RIDGE ROAD. The Petitioner and owner of the property is BARBARA W. MULROONEY and has instituted this REFERRAL on the action of the applicant, the Zoning Board. Pursuant to Charter Sec. 552.2, this Board shall approve or reject at or before its second regularly-scheduled meeting following such referral. (Referral was hand-delivered Sept. 4, 1980.) Court Reporter's transcript of the Zoning Board's hearing not received yet. Public hearing was held on this referral on October 15, 1980.

MR. DONAHUE: This is more commonly referred as the Mulrooney Referral and it comes to us with the same recommendation of the Planning Board and of the Zoning Board, and of the many residents who spoke in favor of this; and at this time I would also state that the Planning and Zoning Committee voted 4 to Zero in favor of this application; and I would MOVE that the application of the Zoning Board to change the Zoning Map of the City of Stamford for the land described in the subject application #80-016 from C-N Neighborhood Business District to RA-1 One-Family Residence be adopted.

SECONDED BY REP. LATHON WIDER, SR.

THE PRESIDENT: If there is no discussion on the Motion, I am going to ask the members of the Board who are not on the floor to please come to the floor. The question is to approve the application of the Zoning Board. It has been MOVED and SECONDED. All those in favor, please vote up for yes; opposed vote down for no. The vote is 24 yes, one No, 8 Abstentions. The Motion has CARRIED.

MR. DONAHUE: I would therefore go to the CONSENT AGENDA and MOVE its acceptance. SECONDED. Items 3 through 13. CARRIED.

- (3) ACCEPTANCE OF HARDESTY ROAD AS A CITY STREET - Extending easterly, northerly, and westerly from Den Road, approximately 2,310' to Hartcroft Road as shown on Map No. 10582-A, 10582-B, and 10582-C on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (4) ACCEPTANCE OF HARTCROFT ROAD AS A CITY STREET - Extending northerly from Hardesty Road approximately 870' to Hartcroft Road as shown on Map No. 10583 on file in Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (5) ACCEPTANCE OF CATOONA LANE AS A CITY STREET - Extending from the Greenwich Town Line easterly to a dead end approximately 1,055' as shown on Map No. 10581-A and 10581-B on file in Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

PLANNING AND ZONING COMMITTEE (continued)

- (6) ACCEPTANCE OF MIDDLE RIDGE ROAD AS A CITY STREET - Extending easterly from Scofieldtown Road to a permanent turn-around approximately 1,070' as shown on Map No. 10584-A and 10584-B on file in Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (7) ACCEPTANCE OF LIBERTY PLACE AS A CITY STREET - Extending easterly from Fairfield Avenue to Carlisle Place approximately 650' as shown on Map No. 10580 on file in Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (8) ACCEPTANCE OF MILL SPRING LANE AS A CITY STREET - Extending northerly from Mill Road approximately 1,272' to a permanent turn-around as shown on Map No. 10275 on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (9) ACCEPTANCE OF MILL VALLEY LANE AS A CITY STREET - Extending westerly from Mill Spring Lane approximately 760' to a temporary turn-around as shown on Map No. 10275 on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (10) ACCEPTANCE OF BLACKBERRY DRIVE AS A CITY STREET - Extending from the already accepted portion approximately 485' southerly to a temporary turn-around as shown on Map No. 10441 on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (11) ACCEPTANCE OF REVONAH CIRCLE AS A CITY STREET - Extending easterly from Revonah Avenue approximately 880' to a temporary turn-around as shown on Map No. 10500 on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

- (12) ACCEPTANCE OF WISHING WELL LANE AS A CITY STREET - Extending easterly from Long Ridge Road approximately 260' to a permanent turn-around as shown on Map No. 10209 on file in the Town Clerk's Office. Certified by City Engineer Wm. D. Sabia 10/6/80.

APPROVED ON CONSENT AGENDA.

PLANNING AND ZONING COMMITTEE (continued)

- (13) RESOLUTION - PETITION SIGNED BY RESIDENTS OF 12 ADDRESSES ON MYANO LANE DATED 9/2/80; AND 8/21/80 LETTER OF CITY ENGINEER SABIA ADVISING 1,070 LINEAL FEET IS THE LENGTH OF THE UNACCEPTED PORTION; BEGINS AT MAIN ST. AND RUNS NORTHERLY ACROSS CATOONA LANE APPROXIMATELY 120 FEET. PROPOSED RESOLUTION PER CHAPTER 64 TO START PROCEDURE TO IMPROVE.

APPROVED ON THE CONSENT AGENDA.

PUBLIC WORKS COMMITTEE - Co-Chairmen Alfred Perillo and Everett Pollard

MR. PERILLO said the first item pertains to snow-plowing and we have already acted upon this as Item #7 under Legislative and Rules Committee, Page 27 of these Minutes.

- (1) THE MATTER OF UNACCEPTED AND PRIVATE ROADS - THE SNOW PLOWING AND PATCHING THEREO
Letters from DPW Comm. Bruce Spaulding and Finance Comm. O. A. Hoffman. Submitted by City Reps. John Boccuzzi and Sandra Goldstein. Pres. Goldstein's letter to Comm. Hoffman about tax rebate for unplowed.

MR. PERILLO said on Item #2, Comm. Spaulding has had a pretty busy week and we did not get a chance to meet on it, as per letter received from him. We will meet on it next month. That concludes our report.

- (2) LETTER FROM DPW COMM. BRUCE SPAULDING OF OCT. 1, 1980 - RE: NEGLECT OF SOUTH END AND WATERSIDE.

HEALTH AND PROTECTION COMMITTEE - Chairwoman Jeanne-Lois Santy

- (1) PROBLEM OF LOW WATER PRESSURE WHICH IS INADEQUATE FOR FIRE PREVENTION OR FIRE-FIGHTING, which Dolphin Cove Assn. sent to Fire Chief Vittti, submitted by City Rep. John Boccuzzi. July 31st letter from Stamford Water Co. advises their share will cost approximately \$30,000 and that pavement replacement will run approximately \$20,000. Committee will make further reports. Held 10/6/80.

MRS. SANTY: The Committee met on October 22nd and November 5th with members Mildred Perillo, Paul Dziezyc, David Blum present. Rep. Joyce was excused for illness. This will still be HELD IN COMMITTEE because of the complexities, but I want it noted that present at this meeting was the President of the Water Co., James McInerney; Vice-President Glenn Thornhill; Corporation Counsel Len Cookney, and M. Dean Montgomery representing the developer. This item has been in our Committee many months and we still are sympathetic with the taxpayers over there and we are trying to do something about it. The last meetings held, and there were several sub-committee meetings held, present were Mr. McInerney, Mr. Thornhill, and Mr. Cookney; and then Mr. Cookney met with Chief Vittti and Deputy Chief Farfaglia. Mr. Cookney has made the decision that the City is not legally obligated to assume any responsibility for the installation of a new 8" pipe; and to assume the responsibility would be a dangerous precedent. It should definitely be avoided. But he did agree to stay and meet with the Committees and maybe we could resolve this further, so I hate to keep holding this in committee but we are just going to have to because it is just too complex.

HEALTH AND PROTECTION COMMITTEE (continued)

- (2) AUGUST 8, 1980 LETTER FROM PARK MANOR'S OWNER, WM. J. FITZPATRICK TO REP. JEANNE-LOIS SANTY OF H&P RE THEIR ABILITY AND WILLINGNESS TO SERVE THE ELDERLY, ETC., AT A MUCH LOWER COST THAN PUBLIC HOUSING. Held in Committee 8/18 and 10/6.

MRS. SANTY said Item 2 is being HELD IN COMMITTEE. There is a meeting already scheduled for the 19th of this month. We met previously on October 22nd with Mr. and Mrs. Fitzpatrick, State Rep. Tony Truglia, Grace Lucas, Asst. Admin. of Smith House. What we are trying to do here is to clarify and resolve a problem which exists between a private sector congregate housing and a City congregate housing facility, and that is all we are trying to do here. And we hope that we are going to be able to resolve this. This is also still IN COMMITTEE.

- (3) REQUEST FOR DATA FROM REP. DeLUCA 10/22/80 ON POLICE DEPT. OPERATING BUDGET AND FUNDING: (a) How many people have been employed in Internal Affairs Div. for the last 4 fiscal years (77-78, 78-79, 79-80, 80-81); and (b) how much over-time has been paid during those four fiscal years. Detailed data desired.

MRS. SANTY said Item 3 is going to come off their Agenda. We incorporated with this, as you will see on the agenda, the \$50,000 transfer to Minimum Manpower account, which was held in committee last month. Present at this meeting was Stephen Harman, representing the Personnel Department, Chief Cizanckas, Deputy Chief Eugene Passaro, Deputy Chief John Considine, Police Commission Chairman Mort Lowenthal, and Police Commission member M. Dean Montgomery. This meeting did clarify a lack of communication between the Personnel Department and the Police Commission. So we believe that all to be resolved. But most importantly, as of today, there are 19 new patrolmen in training and within the next two or three weeks, we will have eight more. So this is OFF THE AGENDA. We are happy that they complied with our request. We budgeted this money in July and I think that will make everyone happy.

What I would like to say also is that I received a note from Rabbi Pearce and I think this is important. This was in the Temple Sinai Bulletin, and he sent it to me, and there was an article about the swimming pool ordinance, and I just want to read the last paragraph. He said to his members of the congregation: "I urge you to personally thank those Representatives who supported the new law. It is a great pleasure to see how responsive our government can be, and I also use this opportunity to compliment our lawmakers." Many times people don't say "Thank You", but I think it is very nice that the Rabbi said "Thank You" through his newsletter. That completes my report.

PARKS AND RECREATION - Chairman Robert "Gabe" DeLuca

- (1) FOR PUBLICATION - PROPOSED ORDINANCE "CONCERNING CARWIN PARK CURFEW" - requested by Reps. DeLuca and Livingston. Text submitted by Corp. Counsel Cookney 10/14/80.

MR. RYBNICK: Mr. DeLuca, who was taken ill, sent me this report down tonight asking for publication of this ordinance. Mr. DeLuca asked me to ask for a Waiver of Publication on this and I so MOVE. SECONDED. Mr. Rybnick also said the hours have been changed from 9:00 p.m. to 11:00 p.m.

MR. LIVINGSTON said he has been assured by Mayor Clapes that our Police Chief will enforce his curfew once it is passed.

PARKS AND RECREATION COMMITTEE (continued)

THE PRESIDENT said the hours have been changed from 9:00 to 11:00 and that is part of the Committee's report. There are 30 members of the Board present. The following members have left: Mrs. Howe, Mr. Boccuzzi, Mr. Loomis, Mr. Flounders, Mr. Hogan, and Mr. Pollard. We will proceed to a vote to waive publication. The Motion is APPROVED with 29 Yes, one No vote. The Motion to Waive has been passed.

MR. RYBNICK MOVED for Final Adoption of the ordinance. SECONDED.

THE PRESIDENT called for a voice vote on the Final Adoption of the Ordinance. The MOTION has been CARRIED with 29 Yes, and 1 Abstention, being Betty Conti.

MR. RYBNICK said the other two items on the Agenda are CONSENT AGENDA items, and he so MOVES. SECONDED. CARRIED UNANIMOUSLY (voice vote.)

- (2) APPROVAL REQUESTED FOR FEES FOR TERRY CONNERS SKATING RINK EFFECTIVE DEC. 1, 1980, reflecting a few increases. Submitted by Parks Supt. Robert B. Cook 10/2/80.

APPROVED ON THE CONSENT AGENDA.

- (3) PETITION TO HANG A BANNER ACROSS HOPE STREET FROM EMMANUEL EPISCOPAL CHURCH - for period Nov. 15th to Dec. 6th to announce HOLLY FESTIVAL (or Christmas Fair). Church is at 977 Hope Street. (This is for Hope St., not Summer St. location)

APPROVED ON THE CONSENT AGENDA.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Chairman Robert Fauteux

NO REPORT.

SEWER COMMITTEE - Michael Wiederlight, Chairman

- (1) SUBMITTED BY CITY REP. M. WIEDERLIGHT 10/9/80 - REQUEST TO LOOK INTO PROBLEM OF WATER DRAINAGE AT 540 PEPPER RIDGE ROAD DUE TO SEWER PROJECT #16-2.

MR. WIEDERLIGHT: We have a report from the Sewer Committee tonight, which met Thursday, November 6, 1980 at 7:30. In attendance at the meeting were Committee Chairman Michael Wiederlight; Fiorenzo Corbo. In addition City Engineer Jerry Roloff; Mr. and Mrs. Groggins, and Board President Sandra Goldstein. First item on the Agenda was the problem of water drainage at 540 Pepper Ridge Road. Mr. and Mrs. Groggins came to our Committee Meeting and explained the problem, and also indicated a critical need in view of the safety problem with about three feet of water getting into their backyard in a good rainstorm. It was decided at this committee meeting that we would contact the Sewer Commission to see if there was some money available in the sewer contract to make the necessary corrections to the backyard of these people. I spoke to Mr. Rinaldi today and he is going to look into the matter and get back to me on Wednesday or Thursday after the Sewer Commission meets.

SEWER COMMITTEE (continued)

- (2) SUBMITTED BY CITY REP. DAVID I. BLUM 10/14/80 - REQUEST TO LOOK INTO THE MATTER OF DESIGN OF CATCH BASINS AT 18 FENWAY STREET.

MR. WIEDERLIGHT said that on Item #2, nobody showed up to discuss this matter. It was indicated to the Sewer Committee that there was pending litigation on this matter, and if that be the case, there would be no further discussion within the Sewer Committee since we do not want to prejudice the rights of the City in the impending litigation. If it is so, it will not appear on our agenda next month.

- (3) REGARDING PROBLEM OF EASEMENTS FOR SEWER PROJECT 17-2a SUBMITTED BY REPS. SANDRA GOLDSTEIN AND MICHAEL WIEDERLIGHT.

MR. WIEDERLIGHT said we all received a letter from Corporation Counsel indicating it would be approximately another 30 to 45 days before such easements are secured. It was decided that the Sewer Committee would work with the Corporation Counsel's Office to see what can be done to expedite the securing of these easements in view of the necessary situation in this area to get the sewer work started, etc. And so ends the report.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Co-Chairmen Lathon Wider, Sr.
and Stanley Darer.

- (1) SEMI-ANNUAL PROGRESS REPORT ON THE SCDP (STAMFORD COMMUNITY DEVELOPMENT PROGRAM).

MR. WIDER said the Committee met on Wednesday, November 5th. Present were Handy Dixon, Stan Darer, and yours truly, Lathon Wider. Appearing for the Community Development Preservation Program was Herb Seer; Nancy Mitchell for the Community Development Program and Mr. Bob Johnson, Ms. Joyce Burgess; and Mrs. Dwight Marshall from New Neighborhoods Inc. On Item #1 we reviewed the progress report on the 5 and 6-year funding. We have asked nine of the funding agencies to appear before us.

- (2) PROGRAM APPLICATION SCHEDULE FOR SCDP YEAR VII.

MR. WIDER said on Item #2, we are now in process of putting together the hearings and workshops for the 7th Year funding which will begin on November 20th right here in this Board room. Our second will be on December 11th. Our third will be on Dec. 18th. Our final for preparation of the application to be presented to the Board of Representatives will be on February 17, 1981.

- (3) PROPOSED RESOLUTION "APPROVING THE HOUSING SITES DEVELOPMENT AGENCY'S (HSDA) PLAN FOR THE DEVELOPMENT OF 24-28 ANN STREET." (6-unit condominium)

MR. WIDER on this 3rd item, New Neighborhoods is in the process right now of building six condominium units at 24-28 Ann Street, and we have an application for a \$49,802 grant that I will at this time turn over to my Co-Chairman Stanley Darer to read.

MR. DARER: "WHEREAS, on May 5, 1980, the Board of Representatives passed Resolution 1305 authorizing the HSDA to file an application with the Commissioner of the State's Department of Housing and to execute an Assistance Agreement with the State in the amount of \$49,802 for the development of moderate income housing on Ann Street; and WHEREAS, the State's Department of Housing has approved such an application, it is now necessary for the governing body of the City of Stamford to officially adopt the HSDA plan for the development of the Ann Street site as approved by the State Department of Housing.

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE (continued)

MR. DARER (continuing): "NOW, THEREFORE, BE IT RESOLVED THAT the Board of Representatives of the City of Stamford hereby approves and adopts the HSDA Plan approved by the State to be incorporated into the State Assistance Agreement for the development of six three-bedroom townhouse condominiums being built by New Neighborhoods, Inc., at 24-28 Ann Street to be sold to families of moderate income as defined by the State and by the U. S. Department of Housing and Urban Development" and I so MOVE. SECONDED by Mr. Wider.

THE PRESIDENT asked if there was any discussion on the motion. There was none. She called for a vote and the Motion CARRIED by a voice vote of 27 yes; 2 abstention; (Mr. Corbo and Mrs. Conti); with a few members off the floor. The record will show that Mr. Dziezyc has left and there are now 29 members present.

URBAN RENEWAL COMMITTEE - Chairman Richard Fasanelli

NO REPORT.

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

NO REPORT.

SPECIAL COMMITTEESHOUSE COMMITTEE - Doris Bowlby, Chairwoman

NO REPORT.

TRANSPORTATION COMMITTEE - Patrick Joyce, Chairman

NO REPORT.

ON-SITE GARBAGE CONVERSION STUDY COMMITTEE - Fiorenzo Corbo, Chairman

(1) PROGRESS REPORT, WHEN AVAILABLE.

MR. CORBO: Just tonight we had a meeting with Commissioner Spaulding, Dr. Truesett, and the Committee. And I have to thank, publicly, Commissioner of Public Works for gathering the information, the engineering data, for determining and suggesting how to go about it to this type of conversion, the system that we have to adopt. As far as I understand, Dr. Truesett was very satisfied with the preliminary engineering data that Commissioner Spaulding furnished to him. We are now going to get some additional information as to the lay-out and structural design of the incinerator to look into the feasibility of locating some of the apparatus that the next system will be. We are still looking into the feasibility of this system. Thank you.

CHARTER REVISION COMMITTEE and ORDINANCE COMMITTEE - Grace Guroian and John Hogan -
Co-Chairpersons

MRS. GUROIAN: The Charter Revision Committee of the Board hereby submits the following report:

Recommendation #1. Resolution as submitted initiating action by the Board of Representatives appointing a 12th Charter Revision Commission for the City of Stamford. The Committee voted 4 Yes, and 1 Abstinence, Zero No votes.

Recommendation #2. Instructing said Commission to study those sections of the Charter relating to Legislative Body, Executive boards, commissions, and authorities, Initiative and Referendum. The Committee voted 5 yes, zero No, zero Abstentions.

Recommendation #3. Resolution as submitted concerning the appointment of a 12th Charter Revision Commission composed of nine (9) members, the Committee voted 5 yes, zero No, zero Abstentions.

After interviewing and studying resumes submitted by 34 individuals, the Committee recommends the Commission be composed of the following individuals. The Committee balloted three times before the 9 individuals were selected. The vote received by each individual follows his name.

Robert Exnicios	5 votes	Daniel McCabe	4 votes
Patrick Ryan	5 votes	Paul Pacter	4 votes
Gerald Fox	4 votes	Stanley Baron	3 votes
Kurt Blumberg	4 votes	Julian Melmed	3 votes
David Jetter	4 votes		

The Committee wishes to thank Mr. Robert Fauteux for his services to the Committee in acting as TELLER in counting and tallying the votes. The Committee also wishes to thank all those who submitted resumes and applied for appointment to the Commission. We congratulate these people and commend them for their interest in City government. That is the end of the report.

THE PRESIDENT: Will you make a Motion for Item #1, Mrs. Guroian?

MRS. GUROIAN: I MOVE for the approval of item #1 for a proposed resolution initiating the appointment of a 12th Charter Revision Commission by this Board.
SECONDDED.

MRS. PERILLO: We did not catch all the names of those who are going to serve on that Commission.

THE PRESIDENT: Mrs. Guroian read the list of names, but we are not voting on that right now. First we are voting on the resolution to initiate the Charter Revision Commission, to appoint a 12th Charter Revision Commission. If that passes, then we will go on to the other motions. We will now open the floor for discussion.

CHARTER REVISION COMMITTEE and ORDINANCE COMMITTEE (continued)

- (1) PROPOSED RESOLUTION "INITIATION OF ACTION BY THE BOARD OF REPRESENTATIVES FOR THE APPOINTMENT OF A 12th CHARTER REVISION COMMISSION" - submitted by Reps. Guroian, Hogan, Zelinski and Rybnick. Held 10/6/80.

MR. CORBO: How many votes do we need to pass this resolution?

THE PRESIDENT: You need 27 votes, two-thirds of the entire Board. We have 28 people present.

MR. DARER: We learned something tonight which many of those of us who believe in good government, believe in Charter Revision, have found a bit disturbing, and that was the law that says that any Charter Revision Commission set up during the tenure of a Board, ceases to exist when that Board runs out of elected time. In order to make the ballot in November, 1981, this Charter Revision Commission would have to complete its work by June. We had our discussion in caucus and Mr. Loomis, who served on Charter Revision on the last Board, gave us some advice, and I think the members of our caucus came to the conclusion that to do the comprehensive revision of the Charter would require excessive time beyond June. And inasmuch as we have only 28 members tonight, I don't believe we are going to get 27 votes tonight, so I would like to MOVE THE QUESTION at this point.

THE PRESIDENT: Mr. Darer, you know you can't Move the Question once you have spoken on the question.

MR. ESPOSITO: I'll MOVE THE QUESTION. SECONDED.

THE PRESIDENT called for a voice vote on Moving the Question. Three in opposition, being Ms. Rinaldi, Ms. Goldstein, and Mr. Livingston, for the record. Motion CARRIED.

We will now proceed to a vote on the question of initiating a Charter Revision Commission. We will vote by use of the machine. MOTION DEFEATED with 13 Yes, 7 No, and 8 Abstentions.

- (2) PROPOSED RESOLUTION "CONCERNING APPOINTMENT OF A 12th CHARTER REVISION COMMISSION IN THE CITY OF STAMFORD UNDER PROVISIONS OF CHAPTER 99 OF THE GENERAL STATUTES OF THE STATE OF CONNECTICUT (to specify the charge to the Commission, the number of members, names, and date when they shall report back to the Board of Representatives.) Submitted by Reps. Guroian, Hogan, Zelinski, and Rybnick. Held 10/6

THE PRESIDENT: Item #2 becomes moot.

MR. WIEDERLIGHT: Maybe I am a little naive in asking this question, but why didn't we vote on whether we wanted Charter Revision before we went through all the gyrations of picking all the people?

THE PRESIDENT: Would anyone like to respond to that, or else the CHAIR will.

MR. DARER: Well, there is something wrong with the enabling legislation of the State which says that we must complete Charter Revision during the term of this Board. If we are going to do a comprehensive Charter Revision, six months is hardly enough time to do so. We really have to, at this point, either begin Charter Revision right after the next Board is elected, which would give them one-and-a-half years to complete it or get State enabling legislation passed that would give us an allowance - I mean when

CHARTER REVISION COMMITTEE and ORDINANCE COMMITTEE (continued)

MR. DARER (continuing): you really think about it, when this Board ends, any Charter Revision Committee that it has appointed, ends with it, and you can't have for example, just to talk about parties....

MR. WIEDERLIGHT: That's not my question.

THE PRESIDENT: The Motion has been defeated. It is over, Mr. Darer and Mr. Wiederlight. You can answer it after the meeting is over. There is no point in a second motion now because once the first one has been defeated, it is through. It is late. Let us go on to the next item. Thank you, Mrs. Guroian, for your report. I would also like to thank the members of that committee, who worked so hard to interview 33 candidates, for all they did to try to achieve a Charter Revision Commission. My personal thanks to them.

ACCEPTANCE OF THE MINUTES

MR. WIDER, SR MOVED to accept the Minutes of the August 4, 1980 Regular Meeting. SECONDED.

MR. ZELINSKI: I have one correction on Page 53, the voting on item #6, the machine started to the right extremely, and all those votes should be moved over one to the left. It wasn't anybody's fault; it was just the machine, I guess, moving it over.

MR. STORK said his only correction is attendance at the Steering Committee Meeting, that he was present and the minutes do not reflect that.

THE PRESIDENT called for a vote on acceptance of the August 4, 1980 minutes as amended. CARRIED UNANIMOUSLY.

A MOTION was made to accept the Minutes of October 6, 1980 Regular Meeting. SECONDED

MS. SUMMERVILLE, CLERK: I would like to publicly thank our secretary, Anne Kachaluba, for helping us get these minutes done. As you know the tape broke, and that was a crucial meeting with Planning and Zoning of the South End, of the Matthew Rose thing, so I would like for this Board to know that Ms. Kachaluba did see that we get these minutes on time to be approved tonight and I publicly would like to thank her.

MR. ZELINSKI: Just one addition to the Oct. 6th minutes. On Page 19, item #1, in my report on the Code of Ethics, there was a question raised by Mr. Cookney in a letter to me pertaining to some comments I made and I would like to have the verbatim comments on just my report regarding the Code of Ethics, if they could be added, please, because I would like to answer him. He accused me of saying something and the minutes were a little bit brief, so if my remarks regarding the Code of Ethics could be added verbatim, Item #1, that's all.

THE PRESIDENT: Mr. Zelinski, there are portions of the tape that are not intelligible. If that is a portion....

MR. ZELINSKI: No, it isn't. According to the minutes, it isn't.

ACCEPTANCE OF THE MINUTES (continued)

THE PRESIDENT: That will be noted and we will make that correction.

It was MOVED, SECONDED and CARRIED to accept the Minutes of Oct. 6, 1980 as amended.

COMMUNICATIONS FROM THE MAYOR

NONE.

PETITIONS

NONE.

RESOLUTIONS

(1) DATE OF DECEMBER, 1980 BOARD MEETING

THE PRESIDENT: We will now go on to the Resolution to change the date of our December meeting to December 8, 1980. This was changed to accommodate the holiday of Thanksgiving so we could have our committee meetings in a timely fashion. MOVED. SECONDED. CARRIED, with a few NO votes.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS

NONE.

OLD BUSINESS

NONE.

NEW BUSINESS

NONE.

ADJOURNMENT:

There being no further business before the Board, upon MOTION made, SECONDED, and CARRIED, THE MEETING WAS ADJOURNED AT 1:00 A.M.

By:

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

HMM:MS

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
16th Board of Representatives

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