

MINUTES OF MONDAY, FEBRUARY 2, 1981 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, FEBRUARY 2, 1981, 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 9:30 p.m. by PRESIDENT SANDRA GOLDSTEIN after both political parties had met in caucus.

INVOCATION: Rev. Sweppie Mal-Bon, United Methodist Church of Darien
Lay District Speaker for New York East Conference
19 Vista Street, Stamford, CT 06902

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 37 present and 3 absent at the time of Roll Call. The 3 absent members were Reps. Flounders, Esposito, and DeLuca.

The CHAIR declared a Quorum.

CHECK OF THE VOTING MACHINE: The President found the machine in good working order.

PAGE: Kevin Carpenter, 8th Grade, King School.

THE PRESIDENT announced a Special Tribute in honor of the 52 liberated Americans; the Westhill Chamber Singers, under the direction of Jesse Chapman, Musical Director of Westhill High School, were present to sing a tribute to the former hostages.

THE PRESIDENT thanked Mr. Chapman and the Chamber Singers and said they do represent that is beautiful about America.

MR. BOCCUZZI took the opportunity to thank the Westhill Chamber Singers and said, "As a Legislator, I'd like to say that these young Americans that came here tonight and gave of their time on such a glorious occasion, I only hope that we older people can pass on to them a world that they will be proud of. If we do anything wrong in our time, I know that people such as these young ladies and gentlemen will correct it. I have no fear; America is in good hands."

MRS. MCINERNEY added that this has been one of the nicest ways we have every started our Meetings and this Group has certainly honored Stamford and they continue to do so.

MS. SUMMERVILLE said that after the beautiful selections from the Chamber Singers, now it was time to take down the yellow ribbon that has been hanging on the Board for such a long time.

MR. DONAHUE MOVED to Suspend the Rules to consider a Resolution concerning the now free 52 Americans. SECONDED. CARRIED UNANIMOUSLY.

MR. DONAHUE read the "Resolution Concerning The 444 Days of Captivity Suffered By 52 Americans in Iran."

THE PRESIDENT said the motion has been SECONDED and CARRIED.

MOMENT OF SILENCE: Donald Knight by Rep. John R. Zelinski, Jr.

MR. CONTI took the opportunity to thank the Board for flowers sent to him, the cards and phone calls which helped him through his recent illness. They meant much to him.

THE PRESIDENT took the opportunity to wish Rep. Gabe DeLuca well, who is recuperating from surgery and the Administrative Assistant who is also recuperating; wishing them a speedy recovery. Also, THE PRESIDENT announced the happy news that Mrs. Terenzio, the secretary in the Office, is the proud grandmother of her first grandchild on Saturday, and extended best wishes to her, her daughter-in-law and her son.

THE PRESIDENT appointed a Committee to study the feasibility and implementation of a Mobile Intensive Care Program for the City of Stamford as per the Health and Protection's Committee recommendation. To sit on that Committee will be Reps. Pollard and Wiederlight.

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, January 19, 1981, in the Democratic Caucus Room, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut. The meeting was called to order at 7:35 p.m., at which time a Quorum was present. Chairwoman Sandra Goldstein called the meeting to order.

STEERING COMMITTEE REPORT (cont.)PRESENT AT THE MEETING

Sandra Goldstein, Chairperson
Annie Summerville
Robert "Gabe" DeLuca
Mary Lou Rinaldi
Donald Donahue
Lathon Wider
Barbara McInerney
John R. Zelinski, Jr.
David Blum
Moiria Lyons

John Hogan, Jr.
Michael Wiederlight
Audrey Maihock
John Boccuzzi
Jeanne Lois Santy
Everett Pollard
Paul Esposito
Jeremiah Livingston
Fior Corbo

(1) FISCAL COMMITTEE

ORDERED ON THE AGENDA were 16 items appearing on the Tentative Steering Agenda.
ORDERED OFF was one item Code 201.1110 Salaries, Mayor's Office which did not need Board of Representatives' approval.

(2) LEGISLATIVE AND RULES COMMITTEE

ORDERED ON THE AGENDA were six items appearing on the Tentative Steering Agenda.
ORDERED ON THE AGENDA were two items appearing on the Suspension of Rules Agenda.
ORDERED OFF THE AGENDA but HELD IN COMMITTEE was one item being Tax Abatement for New Parsonage at 97 Brook Run Lane, purchased by Faith Tabernacle Missionary Baptist Church.

(3) PERSONNEL COMMITTEE

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

(4) PLANNING AND ZONING COMMITTEE

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda.
ORDERED ON THE AGENDA was one item appearing on the Suspension of Rules Agenda.

(5) PUBLIC WORKS COMMITTEE

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

STEERING COMMITTEE REPORT (cont.)(6) HEALTH AND PROTECTION COMMITTEE

ORDERED ON THE AGENDA were the two items appearing on the Tentative Steering Agenda. ORDERED OFF THE AGENDA but HELD IN COMMITTEE were two items being: 1) Water Emergency and Regulations; 2) Problem of low water pressure which is inadequate for fire prevention or fire fighting.

(7) PARKS AND RECREATION COMMITTEE

ORDERED ON THE AGENDA was one item which appeared on the Tentative Steering Agenda.

(8) EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

ORDERED ON THE AGENDA was one item appearing on the Tentative Steering Agenda. ORDERED OFF but HELD IN COMMITTEE was one item regarding Violence in Schools as per Report in the Newspaper.

(9) SEWER COMMITTEE

ORDERED ON THE AGENDA were three items appearing on the Tentative Steering Agenda. Also not appearing on the Tentative Agenda but ORDERED ON THE AGENDA was one item re Agreement with City of Stamford and Mercede for Sewer Extension.

(10) PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

ORDERED ON THE AGENDA was one item appearing on the Tentative Steering Agenda, also one item on the Suspension of the Rules Agenda re Inquiry into what led to the conditions located at 61 Grove Street.

(11) CHARTER REVISION COMMITTEE

ORDERED ON THE AGENDA was one item appearing on the Tentative Steering Agenda.

(12) RESOLUTIONS

ORDERED ON THE AGENDA were three items appearing on the Suspension of Rules Agenda.

ADJOURNMENT

There being no further business to come before the STEERING COMMITTEE, on MOTION duly made, SECONDED and CARRIED, the meeting was adjourned at 9:00 p.m.

SANDRA GOLDSTEIN, PRESIDENT
STEERING COMMITTEE

CMT

MR. ZELINSKI made a motion to Suspend the Rules to consider Item #3 under Resolutions. MOVED. SECONDED. CARRIED by a vote of 26 YES, 9 NO and 2 ABSTENTIONS.

MR. ZELINSKI read the Resolution "Regarding Public Utilities Control Authority's Recent Decision To Discontinue The Volume Rate For Electric Heat Users." and so MOVED. SECONDED. CARRIED with 2 ABSTENTIONS (B. Conti and M. Perillo).

APPOINTMENTS COMMITTEE - Handy Dixon, Chairman - NO REPORT

FISCAL COMMITTEE - Co-Chairperson Paul Esposito and Marie Hawe

MRS. HAWE said that the Fiscal Committee met on January 28, 1981. Present were Reps. B. Conti, R. Fauteux, J. Hogan, J. Livingston, G. Rybnick and M. Hawe. On the Agenda, we have \$57,903.82 in additional appropriations requests; \$674,771.40 additions to the Capital Projects Budget; \$61,253.60 for Capital transfer requests and \$143,000.00 in requests for approval for Grant monies.

MRS. HAWE MOVED the following items be placed on the Consent Agenda: Items 1, 2, 8, 9, 10, 13, 14, 15 and 16. Where needed, Secondary Committees concurred and also motions to WAIVE Committee reports, where needed, were MOVED. SECONDED. CARRIED.

- (1) \$ 7,000.00 - E. GAYNOR BRENNAN SR. GOLF COURSE - Code 670.1140 SEASONAL - additional appropriation requested by Mayor 12/2/80 for Laborers and Rangers. Board of Finance approved 12/11/80.

APPROVED ON CONSENT AGENDA

- (2) \$ 2,000.00 - E. GAYNOR BRENNAN SR. GOLF COURSE - Code 670.2610 MAINTENANCE OF EQUIPMENT - additional appropriation requested by Mayor 12/2/80. Board of Finance approved 12/11/80.

APPROVED ON CONSENT AGENDA

- (3) \$110,055.00 - POLICE DEPARTMENT - AMENDMENT TO CAPITAL PROJECT BUDGET 1980/81 by adding a Project Code 410.327 addition to Police Building to be financed by bonds. Requested by Mayor Clapes 12/29/80, Board of Finance approved 1/8/81.

MRS. HAWE said that at last year's budget meeting, the Board appropriated \$266,000.00 for equipment and furnishings, \$150,000.00 was for equipment for the Communications Room and \$116,000.00 was for furnishings. Of the \$116,000.00, \$41,000.00 has been spent or encumbered to date. \$75,000.00 remains unencumbered in the account at this time, Furnishings for the new addition will come to \$185,055.00. This request was originally in the 1981/82 Capital Projects Budget but the Planning Board felt that 10% could be saved on furniture prices if the items were bought now. Fiscal voted 5 in favor and none opposed and so MOVED.

FISCAL COMMITTEE (cont.)

MRS. SANTY said earlier when the items were being placed on the Consent Agenda that on both items 3 and 4, Health and Protection attended the Fiscal meeting and waited until 10:30 p.m. and due to some misunderstanding, the Police Department did not appear. Her Committee did not vote on these items. She would like to see them held as her Committee has no report.

THE PRESIDENT asked if MRS. SANTY would want to WAIVE the Secondary Committee report.

MRS. SANTY stated that it should be in Secondary Committee.

THE PRESIDENT said there was a motion to WAIVE the Secondary Committee report. SECONDED. The vote was 9 YES, 24 NO and 3 ABSTENTIONS. The motion has been DENIED.

- (4) \$120,000.00-POLICE DEPARTMENT - Additional appropriation - Code 434.
Fully funded Federal and State grant for 18 month program
known as MANAGING CRIMINAL INVESTIGATIONS.

434.1110 Salaries.....	\$ 43,500.00
434.1330 Medical & Life Ins.....	8,700.00
434.1201 Overtime.....	33,840.00
434.2650 New Equipment.....	2,000.00
434.5150 Professional Consultants...	19,100.00
434.2942 Travel Expenses.....	1,910.00
434.2945 Educational Materials.....	7,950.00
434.2930 Stationery & Supplies.....	3,000.00
	<u>\$120,000.00</u>

HELD IN COMMITTEE

- (5) \$ 15,750.00 - PERSONNEL DEPARTMENT - CODE 270,2939 CITY TRAINING
additional appropriation requested by Mayor Clapes
12/29/80, Board of Finance approved 1/8/81,

MRS. HAWE said this was to conduct driver training for 60 employees of the Public Works Department and 10 from the Parks Department. Two years ago \$16,000.00 was spent on driver training. On-going and refresher training, also training for new driver would be paid from this appropriation. Fiscal voted 5 in favor and 1 opposed and MRS. HAWE so MOVED,

MR. WIEDERLIGHT asked who would do the driver training,

MRS. HAWE replied that they were hiring an outside person for the actual driver training but Personnel would be holding some seminars.

MR. WIEDERLIGHT said that often times insurance companies will have seminars or will send their own loss-control representatives as a service to the client to do these things inasmuch as they are receiving a premium. He asked if the Personnel Department made reference to this fact and it is available to the insurance carrier at no fee,

FISCAL COMMITTEE (cont.)

MRS. HAWE said that there was no reference made to this.

MR. WIEDERLIGHT made a motion to HOLD this item to find out if the insurance carrier renders this service at no fee.

MR. WIEDERLIGHT'S MOTION to SEND BACK TO COMMITTEE was MOVED and SECONDED.

MR. LIVINGSTON said the insurance carrier is giving a reduction in fees because of the past training classes.

MRS. HAWE said that in 1976, the City was threatened with cancellation of the fleet accident insurance. This year a credit was received from the insurance company for \$40,219.00. MRS. HAWE certainly thinks an expenditure of \$15,750.00 is worthwhile if we get these kind of reductions in our rates.

MR. JOYCE asked if there was an investigation made as to where repairs were made, or has the carrier investigated as to a possible cause for the drivers.

MRS. HAWE answered that that is why they have the training program.

MR. JOYCE said that this expenditure may not be necessary and urged his Colleagues to take that into consideration;

MR. BOCCUZZI asked when the present policy expires.

MRS. HAWE said that it is July 1, 1981.

MR. BOCCUZZI asked that if it was held for a month, would it prove a hardship for the City.

MRS. HAWE said she didn't think it would be the end of the world.

MR. FAUTEUX said that Mr. Bernstein has been in this Program since its inception and we should give him the due of having administered this Program. He thought that Mr. Bernstein is aware of the accident-assistance program from carriers.

MR. DeNICOLA MOVED the question. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the motion to SEND THIS BACK TO COMMITTEE. CARRIED with the vote of 23 YES and 14 NO.

FISCAL COMMITTEE (cont.)

- (6) \$ 20,000.00 - PERSONNEL DEPARTMENT - CODE 270.2938 RECRUITMENT AND HIRING EXPENSES - additional appropriation to be used to pay travel and moving expenses in the recruitment of top level executives to be spent only in accordance with rules established by Personnel Commission. Board of Finance approved 1/8/81.

HELD IN COMMITTEE

- (7) \$400,000.00 - DEPARTMENT OF TRAFFIC & PARKING - CODE 280.819 RAILROAD STATION - AMENDMENT TO CAPITAL PROJECT TO BE FINANCED BY BONDS. This project is to be 100% cost-shared under the Northeast Corridor Improvement Program. Requested by Mayor Clapes 12/18/80. Board of Finance approved 1/8/81.

MRS. HAWE said this money is for the City to contract with Northeast Utilities to relocate and elevate the power transmission lines on the site of the railroad station, and before the present Station can be demolished, an environmental impact statement must be prepared. Until this report is completed, no Federal funds can be expended. The project is faced with a 5 months delay; with an inflation increase estimated at \$1 million. There is a 12 to 15 month ordering time on these towers. Fiscal voted 5 in favor and 1 opposed and so MOVED. SECONDED.

THE PRESIDENT called for a motion to WAIVE A SECONDARY COMMITTEE REPORT. SECONDED. CARRIED with 1 NO vote (B. Conti).

MRS. HAWE MOVED. SECONDED.

MR. BLUM asked whether this was for the transmission lines or the railroad lines.

MRS. HAWE replies that it was for the transmission lines; the towers that hold these lines.

MR. BOCCUZZI asked about the environmental impact study.

MRS. HAWE said the study was to determine whether there is anything historically valuable about the old building.

MR. BOCCUZZI asked if we invest the \$400,000.00 to purchase these towers now and it takes 14 to 16 months to receive them and we get a report that we can't do something, what would happen to the \$400,000.00.

MRS. HAWE said that Mr. Winkel and his Staff indicated that this report is really procedural. In order to order these towers, the money must be committed by the City, and will not probably be paid to the Company until the material is delivered.

FISCAL COMMITTEE (cont.)

MR. BOCCUZZI questioned why this report was not done sooner. This project was talked about for a long time, and now the cost will be so much more.

MRS. HAWE replied that this kind of study is not done as a matter of form. She said a former employee of the Historical Society, a few months ago requested from Washington whether the Railroad Station was a historical structure. That necessitated the need for this study.

MR. DZIEZYC said that we should think carefully about expending this.

MR. WIDER said the U. S. Dept. of Transportation is working on the Northeast Corridor and has allocated some \$15 million for the Railroad Station. \$400,000.00 is really to get the projected going so it doesn't get out-of-sight.

MR. CORBO asked why the negative vote on the Fiscal Committee.

MRS. CONTI said because of the Environmental Impact Study; that we have no way of knowing the outcome and many of her constituents opposed tearing down the Station.

MR. DONAHUE said that starting this project now will save the City money. This is 100% cost shared under the Northeast Corridor improvements program. He also asked Mrs. Hawe about cost savings that can be realized in starting the project now.

MRS. HAWE said that with the inflationary fact to be considered, it is estimated at \$1 million between now and June.

MRS. SIGMORE said a former employee of the Historical Society had no status with that Group at the time the letter was written and did not speak for the Society.

MRS. MAIHOCK said she understands from the report in Caucus that this money will not be additional money but that it will be subtracted from the City's total share. She asked if that was correct.

MRS. HAWE stated that was correct.

MRS. MAIHOCK said that the Railroad Station has made a negative environmental impact on the City by the unsightly shape in which it has been kept and we should strive to get it more presentable with whatever dispatch we can.

MR. JOYCE asked what the 100% cost shared meant.

MRS. HAWE explained that the cost shared means that the Federal Government will pay 100% of all rail related improvements and 50% of all other improvements. The 50% that they don't pay will be shared 60-40 by the State and the City.

MR. LIVINGSTON said that Mr. Winkel said that this Study would not hold-up the Project. We are committed to the Project and have to spend the \$400,000.00.

MR. DeNICOLA asked if the money was for the towers and also questioned that the towers would not be put in for 15 or 16 months.

FISCAL COMMITTEE (cont.)

MRS. HAWE answered, "yes, and 12 to 15 month ordering time."

MR. DeNICOLA asked about the escalation after the towers are received.

MRS. HAWE said that after we order them no because the commitment will have been made.

MR. DARER MOVED the question. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the appropriation of \$400,000.00 for the Department of Traffic and Parking for the Railroad Station. The vote was 29 YES, 5 NO, with 3 ABSTENTIONS. CARRIED.

MRS. McINERNEY asked for a POINT OF PERSONAL PRIVILEGE and stated that the Secondary Committee Chairman should have thought enough about this item to call a meeting and at least attend Fiscal instead of belaboring the point on the Floor.

- (8) \$ 44,246.40 - DEPARTMENT OF TRAFFIC AND PARKING - CODE 280.660
AMENDMENT TO CAPITAL BUDGET STREET WIDENING IMPROVEMENTS
(Atlantic Street) Appropriation of \$44,246.40 to be financed by bonds and \$61,253.60 transferred from the following projects which are to be closed out. Board of Finance approved 1/8/81.

280.0625 Vehicle Radios	\$ 4,000.00
280.0627 Traffic Data Base	2,662.00
280.0630 Signal Interconnect	35,000.00
280.0631 Long Ridge Signals	8,440.40
280.0809 Highway Safety Sign Program	11,151.20
	<u>\$ 61,253.50</u>

APPROVED ON CONSENT AGENDA

- (9) \$ 11,243.82 - REGISTRARS OF VOTERS - CODE 101.3150 ELECTION EXPENSES.
Additional appropriation requested by Mayor Clapes.
Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

- (10) \$ 600.00 - PLANNING BOARD - CODE 104.2923 - PHOTO-COPYING -
Additional appropriation requested by Mayor 12/17/80.
Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE (cont.)

- (11) \$ 20,000.00 - STAMFORD YOUTH PLANNING & COORDINATING AGENCY - (Youth Service Bureau) Code 792.7555 - Grant from the Connecticut Dept. of Children and Youth Services, and has been matched with \$20,000. from City budget. Additional appropriation requested by Mayor (undated). Board of Finance approved 1/8/81.

MRS. HAWE said that Fiscal voted 5 in favor and 1 opposed and so MOVED. SECONDED.

THE PRESIDENT called for a vote. The vote was 33 YES, 3 NO (Roos, Maihock, B. Conti) and 1 ABSTENTION (McInerney). CARRIED.

- (12) \$ 3,000.00 - HEALTH DEPARTMENT - CODE 550. - Coordinating Health Services to Indo-Chinese Refugees - Appropriation for a Grant from the State of Connecticut. Requested by Mayor Clapes 12/29/80. Board of Finance approved 1/8/81.

MRS. HAWE said that Fiscal voted 4 in favor, 1 opposed and 1 abstention and so MOVED. SECONDED.

MRS. CONTI said she saw no reason why 128 immigrants, a small percentage which may be affected, could not be handled by the Health Department.

MRS. HAWE said this money was to help implement these services.

MRS. MAIHOCK said that tuberculosis has not been as popular and as devastating as it was in earlier times but read recently that it is coming back and in some of the crowded areas, it is very likely that this could become a problem again. She hoped that we not only do this for immigrants but for our own citizens.

MRS. HAWE said that 43% of these immigrants have been found to have positive tuberculosis tests which meant that at one time or another, they have come in contact with this disease.

THE PRESIDENT called for a vote. The vote was 3 NO (M. Perillo, B. Conti, B. McInerney) 2 ABSTENTIONS (Signore and Summerville). CARRIED.

- (13) \$ 26,800.00 - PARK DEPARTMENT - AMENDMENT TO CAPITAL PROJECT Code 610.0458 - VEHICLE REPLACEMENT - (2 ton truck, \$9,800. and \$17,000. Mist Sprayer). Mayor's letter 12/9/80. Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

- (14) \$ 93,670.00 - PARK DEPARTMENT - CODE 610.530 WEST BEACH RESTORATION AMENDMENT TO CAPITAL PROJECT BUDGET - to be financed by bonds. Acting Mayor Rybnick's letter 12/1/80. Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE (cont.)

- (15) \$ 475.00 - ZONING BOARD - CODE 107.2740 TELEPHONE - Additional appropriation requested by Mayor Clapes 12/29/80. Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

- (16) \$ 835.00 - ZONING BOARD - CODE 107.1201 OVERTIME - Additional appropriation requested by Mayor Clapes 12/29/80. Board of Finance approved 1/8/81.

APPROVED ON CONSENT AGENDA

THE PRESIDENT accepted a motion made by MRS. HAWE to MOVE the Consent Agenda. SECONDED. CARRIED.

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

MR. ZELINSKI said that Legislative and Rules Committee met on January 26, 1981. Those in attendance were Reps. Blum, Wiederlight, Donahue, Corbo, A. Conti and Zelinski. Also present were Reps. Summerville and Hogan and Atty. John Wayne Fox and Doris DeHuff, Executive Director of Drug Liberation Program and Bruno Giordano, Supt. of Recreation.

MR. ZELINSKI placed the following item on the Consent Agenda: #4.

- (1) FOR FINAL ADOPTION - 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 since 6/2 for drafting, discussion, etc. by Law Dept. and L&R Committee. Approved for publication 12/8/80.

MR. ZELINSKI said that before a vote could be taken, there was no quorum; ordinarily, it would be held in committee.

MR. ZELINSKI made a Motion to take this item OUT OF COMMITTEE. SECONDED.

MR. ZELINSKI stated that the reason he made a motion to take this item out of committee, even though the Committee had no report, is that this has been held for several months. He said he has been personally critized by the Mayor, the Corporation Counsel and local newspaper that he personally did not want to see this published. He said that if this comes out of committee, he will recommend that the Board votes for final adoption.

MR. ZELINSKI said that there were 10 minor changes that were recorded and corrected by the Corporation Counsel that was on the desk last month and 1 additional change. He said that if it does come out on the Floor, he will MOVE each single small item and at the discretion of his colleagues, vote them up or down. He said this has been in Committee long enough and would like to see this finally adopted or defeated.

LEGISLATIVE AND RULES COMMITTEE (cont.)

THE PRESIDENT said that she would like to reserve discussion to the merits of taking it out of committee and not to the merits of the issue.

MR. CONTI said he was against changes being thrown at the Committee at the last moment and expecting the Committee to bring these changes out on the Floor. He said he believed that everything should be complete and done without any changes before it comes on the Floor and this did not happen.

MRS. McINERNEY said that this item has been in L&R since July 1980. She said that the time expended on this item should have been more fruitful than what it appears to have been.

MRS. McINERNEY made a Motion to take this item out of L&R and put it into Education, Welfare and Government where it properly belongs.

THE PRESIDENT said that this Motion is not proper. A Motion is on the Floor to take this out of committee.

MR. WIDER said that he understood that there were some items that were not taken up in Committee.

MR. ZELINSKI said that there was discussion before the quorum was lost. There were 10 minor changes and approximately 4 were discussed and voted on.

MR. WIDER said that he assumed that this document is incomplete.

MR. ZELINSKI said that it was complete except if those changes would be agreed upon by the Board, otherwise, just vote for Final Adoption based on the ordinance that was published in December.

MR. WIDER said that he was confused. He just asked a question about being discussed in the Committee and said that MR. ZELINSKI said that the Committee lost a quorum and was not able to talk about these items; so if that is true, MR. WIDER said that then the document is incomplete, and should be completed in Committee before it is brought to the Floor,

MR. WIDER said that he would be opposed to taking it out of committee at this time.

MRS. CONTI said that she had noted that the Chairman said that there were 10 or 11 changes as a result of the Public Hearing. She said that she has not seen a draft of this ordinance with the changes and is opposed to voting on anything with changes that she has not yet seen, and preferred it to go back to committee,

THE PRESIDENT said that it is in Committee. This is being held in Committee and MR. ZELINSKI'S Motion is to take it out of Committee; discussion is on whether the Board wants to take this out of Committee,

MR. ZELINSKI asked for a POINT OF PERSONAL PRIVILEGE.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. ZELINSKI wanted to mention a point to REP. CONTI. He said that at the January 12th meeting, a copy of the changes made by Corporation Counsel Cookney with a cover letter was on each and every desk with all those changes.

MR. CONTI read from the Rules of Order of the 16th Board of Representatives on page 5, "Under Resolution", it says, "All resolutions emanating from Standing Committees of the Board shall be drafted and presented in writing to the full membership of the Board by the Chairman of the committee prior to the regular monthly meeting."

MR. ZELINSKI said that this was an ordinance, not a resolution.

THE PRESIDENT said that it was a Motion to take it out.

MRS. PERILLO MOVED the question. SECONDED. 1 in opposition. CARRIED.

THE PRESIDENT said the question is to take item #1 under L&R, Final Adoption re; the Code of Ethics, OUT OF COMMITTEE. The vote was 21 in the affirmative, 13 in the negative with 3 abstentions. CARRIED.

MR. ZELINSKI said that the Board will be voting for Final Adoption the ordinance that was published December 16 in the local newspaper with the following changes. These were the only 10 changes that were recommended as a result of the Public Hearing that was held.

THE PRESIDENT said that there was some confusion and the Body should be told which version of the ordinance MR. ZELINSKI was speaking of so that everyone would be looking at the same ordinance.

MR. ZELINSKI said he was referring to the one that was published in the paper on December 16, however, Mr. Cookney had put on each desk at the January 12th meeting, that particular ordinance with 10 changes which Mr. Cookney's mentions with dashes meaning deletion, underscore meaning additions and that is what MR. ZELINSKI proceeded with.

MR. ZELINSKI said that on page 2, third paragraph, starting with "personal interest"; the change that was recommended was to add the sentence, "personal interest need not be financial."

THE PRESIDENT stated that all of these would have to be taken as amendments to the ordinance, and each would require a separate motion.

MR. ZELINSKI stated that that was his Motion and added that the Committee voted on this to deny this one particular change, and MOVED that that particular sentence be added. SECONDED.

MR. BOCCUZZI asked if the L&R Committee voted against this particular line.

MR. ZELINSKI replied that it did,

MR. BOCCUZZI asked what if being talked about when they say "personal interest". He wanted to know what the definition of "personal interest" was other than financial.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. ZELINSKI read from the ordinance and said that all this sentence is adding is that it does not necessarily have to be financial and could be anything other than financial.

MR. BOCCUZZI asked for an example.

MR. WIEDERLIGHT said that the reason the Committee voted not to keep that in was because it was too vague of a sentence.

MR. DARER said that there are other types of ways that you can give someone something other than money; a yacht could be available, give a job, a summer home could be available.

THE PRESIDENT proceeded to a vote to amend the Code of Ethics as published by adding the sentence, "Personal Interest need not be financial."

The vote was 19 in the affirmative, 16 in the negative with 2 abstentions. CARRIED.

MR. ZELINSKI said that the next change was on page 4, Section 7, second to last paragraph, last sentence, the following is added, "the Board of Ethics, with the assistance of" and the rest remains, "Town and City Clerk shall by February 1 of each year, send a statement of financial interest form to the appropriate officers and employees." And so MOVED. SECONDED.

MR. ZELINSKI said that his Committee voted to deny that change.

MRS. MAIHOCK wanted the change to be repeated.

MRS. CONTI asked for a POINT OF ORDER and said that this was not what was published.

THE PRESIDENT said that we were voting on amendments to the ordinance.

MRS. CONTI said that more than this sentence is being changed, and that MR. ZELINSKI was saying that one sentence was being changed. She said the entire paragraph is added. MRS. CONTI said that she was looking at the January 12 but that was not what was published. She said that if you are going to the amendment that the sentence cannot be added.

MR. DONAHUE said that the last page is the amendment that is currently in the Code of Ethics and that was the section that was published. He said that the L&R Committee took no action on that one line and should not be considered now. It is being taken out of order.

THE PRESIDENT said that there is much confusion and MR. ZELINSKI will have to be more specific.

MR. ZELINSKI said that REP. DONAHUE was correct. He said that the amended section voids that section, and his Committee voted no.

THE PRESIDENT stated that if his Committee voted no, there was no need to bring this up.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. BOCCUZZI said that he would make a motion to put this back in Committee and get all the amendments straightened out so the Board knows exactly where it is, and made a Motion to send this back to Committee. SECONDED.

MRS. GUORIAN questioned whether this was proper.

THE PRESIDENT asked MR. HOGAN if that was a conflicting motion in relation to the motion that was just voted on.

MR. HOGAN said that he would say that it was a conflicting motion.

THE PRESIDENT stated that if the Board feels that the ordinance is not in proper form to be finally adopted to vote NO on the amendments and then it will be brought back up into Committee at the next Board meeting.

THE PRESIDENT said that she would accept a Motion to reconsider MR. ZELINSKI'S Motion to take this Out of Committee; this would be proper.

MR. ZELINSKI stated that he will withdraw that one particular change as it is moot.

MR. ZELINSKI said that the next item would be page 5, section 9, "Outside or Future Employment." Large capital "A", subsection, the two words, "officer or" would now be added; and so MOVED. SECONDED.

MR. CONTI wanted it to be known that the Legislative and Rules Committee was for the change.

THE PRESIDENT called for a vote. The motion was CARRIED with 22 yes votes, 8 no and 7 abstentions.

MR. ZELINSKI said that the next change would be on page 7, section 11, "Accepting Gifts and Favors," to delete "in excess of \$25.00 per year."

THE PRESIDENT stated that this motion was SECONDED.

MR. CONTI said that "underscore" means additions and we are talking about a deletion.

MR. ZELINSKI said that he presumed that this was a typographical error. He said that "dashes" mean deletions and "underscores" mean additions.

MRS. MAIHOCK said that this was a very irresponsible way to handle such an important document. She said when this is taken out it leaves a very subjective item; something of value and said that who is to determine that. Parenthetically, they said, "in excess of \$25.00" so that indicates something minor. She said that she, personally, feels that nobody should accept gifts period, but the way this is worded that it really determines that.

MRS. MAIHOCK stated that she wished that the Board had all this in black and white because it would be more easily understood. She thought that so many hours have been spent on this document and we were dealing with it haphazardly.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. WIEDERLIGHT said that he thought it was wrong to take out "in excess of \$25.00 per year" simply because if a department head should take his secretary out for a Christmas luncheon or something along those lines, the individual would be in violation of the Code of Ethics. MR. WIEDERLIGHT said many professional occupations that subscribe to various Codes of Ethics and morals and they all permit a certain dollar limit to be exchanged. He said that he thought it was stretching a point to extreme to take out "in excess of \$25.00 per year" and this should be left in.

MR. DARER MOVED the question. SECONDED. CARRIED.

THE PRESIDENT proceeded to a vote on the amendment on the motion to delete "in excess of \$25.00 per year," from Section 11. The vote is 4 in the affirmative, 21 in the negative with 12 abstentions; DEFEATED.

MR. ZELINSKI said the next change would be on page 8, section 12 Board of Ethics.

MRS. CONTI asked for a POINT OF ORDER. She said she understood Chairman ZELINSKI to say that all the recommendations at the Public Hearing were incorporated into this ordinance. She said she suggested a deletion and did not see any indication of it being done.

MR. ZELINSKI stated that Corporation Counsel Cookney told him that it was and this was his document.

THE PRESIDENT stated that after MR. ZELINSKI is through with his motion, MRS. CONTI would be free to make any that she deemed appropriate.

MR. ZELINSKI again stated page 8, section 12 Board of Ethics, subsection B "Organization and Procedure" the last sentence in that paragraph starting with the word "adoption", the addition is the two words "the subsequent" which would be following after filing; adoption of filing the subsequent of the full text with the City and Town and so MOVED. SECONDED.

MR. DARER stated that the wording is incorrect and that it should read "subsequent filing."

MR. ZELINSKI stated the motion as corrected by MR. DARER. SECONDED.

THE PRESIDENT proceeded to a vote. 20 in the affirmative, none in the negative with 17 abstentions. CARRIED.

MR. ZELINSKI stated that the next change would be on page 9, "C" "Duties and Powers", #1 Advisory opinion, the 9th sentence starting with the word shall, the addition is two words, "publish and", it then will read "shall publish and file with the Town Clerk's office within."

MRS. CONTI said that the copy she was reading from said it should be deleted.

MR. ZELINSKI said that if it is underlined, it should be an addition; that is the way his copy read. If it is dashed, he assumed it is a typographical error.

LEGISLATIVE AND RULES COMMITTEE (cont.)

THE PRESIDENT said to MR. ZELINSKI, that he could tell by the published version whether that is a deletion or addition.

MR. ZELINSKI said that it should be deleted; so "publish and" should be deleted from that sentence, and he so MOVED. SECONDED.

THE PRESIDENT stated the motion to delete "publish and" from section C, #1. The vote was 14 yes with 23 abstentions. An amendment requires a majority of those present and voting; everyone that abstained is not counted as voting. CARRIED.

MR. BOCCUZZI called for a 5 minute recess. SECONDED.

THE PRESIDENT called for a vote on the motion to recess. CARRIED by a vote of 22 Yes, 13 no and 2 abstentions.

MR. ZELINSKI stated that the next change would be on page 10, 2nd paragraph, 4th sentence, adding "respondent shall have the right to be represented by Counsel during all phases of the proceedings," and so MOVED. SECONDED.

THE PRESIDENT proceeded to a vote. CARRIED with a vote of 33 yes, 0 no, and 4 abstentions.

MR. ZELINSKI said that the next change would be on page 11, heading "Public Hearings," the second paragraph starting with the word "upon"; the second sentence after the word Board, this phrase shall be deleted, "and at the expense of the party requesting it." and so MOVED. SECONDED.

MRS. HAWE asked for a POINT OF ORDER. She asked if all the changes in the paragraph could be taken together before voting.

MR. ZELINSKI replied that that was agreeable. He said there is also a deletion starting on line 5, after the word made, the following would also be deleted, "at the expense of the party requesting it."

MR. ZELINSKI stated the other deletion 7th sentence, the phrase "or any Member of the Board." MOVED. SECONDED.

MR. BLUM said that with the expense of paper, it is not going to be the expense of the party requesting it; it will be at the expense of the City to give the complete file.

MR. ZELINSKI disagreed with MR. BLUM.

LEGISLATIVE AND RULES COMMITTEE (cont.)

THE PRESIDENT called for a vote on deleting the following phrases; Page 11, 2nd paragraph under B and the phrases are, "and at the expense of the party requesting it." The next phrase, "at the expense of the party requesting it." The next phrase, "or any Member of the Board."

The motion has been CARRIED by a vote of 24 yes, 7 no, and 6 abstentions.

MR. ZELINSKI said that there would be an addition on the 6th line, the following phrase should be added, "they shall be charged for the same."

MRS. CONTI said that another phrase is needed there.

MR. CONTI said that underscore means an addition "and the respondent" is an addition.

MR. DARER said that the sentence should read from the comma, after the deletion, "and if a copy of transcript is requested by either the complainant or respondent, they shall be charged for same." MOVED. SECONDED.

THE PRESIDENT repeated the motion as stated above. The vote was 27 yes, 4 no and 6 abstentions. CARRIED.

MR. ZELINSKI said another change is on page 11, same paragraph after the word appropriate, the following sentence shall be added. "Upon a finding of a violation of the Code of Ethics, the Board may but is not required to make a recommendation whether impeachment, removal or discharge, as the case may be, is warranted." MOVED. SECONDED.

MR. DeNICOLA said that he would like to know who would make the charge.

MR. ZELINSKI replied that the Board of Ethics.

MR. CONTI said that if the Code is studied, anybody in the City could make a charge. The Board of Ethics makes the decision.

MR. ZELINSKI said that this particular section is dealing with the Board of Ethics, not anyone who brings a charge. The Board meaning the Board of Ethics would make the determination.

MRS. PERILLO said that if a citizen brings the charge to the Board of Ethics, so the Board of Ethics has to make the penalty to the person but according to this, they don't have to make any recommendations. She asked why it is going before the Board of Ethics for. Why is it in the Code.

MR. ZELINSKI said that it was a suggestion by someone that came to the Public Hearing; Mr. Martin Levine. Mr. Levine felt he wanted to add this because he wanted the Board to use their discretion.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. BOCCUZZI stated that if we are going to have a Code of Ethics, you are either guilty or not guilty. The Board could play politics too.

MR. DONAHUE said that there is the possibility of the Code of Ethics that is not intentional or important enough to suggest these penalties, impeachment, removal or discharge. The Board of Ethics under that kind of situation and after a study was made, would have the ability to say that there was no intent no harm done and therefore, not recommending these penalties to the Board of Representatives or whatever agency.

MRS. HAWE said that this addition was a good one.

MR. DIXON stated that he believed that the Board of Ethics would need to render a judgement on the merits of the case before them.

MRS. McINERNEY said that she agreed with MR. DIXON. She said that in the past, we have seen some areas where poor judgement was used and people were not impeached, removed or discharged. They were suspended without pay or some other kind of disciplinary action. She said that some room should be left for that.

MR. CONTI said that he believed when this all started, we were trying to give the Board of Ethics a little bit of authority, a lit bit of power and reasoning with dealing with the problems of the City. This all started with a page and a quarter and now we are up to 16 pages and now, at the last, we are trying to take away anything that we may have given the Board of Ethics to start with. He believed it should be within their power to make some judgements and believed we are trying to help the Board of Ethics with this Code of Ethics. He said that we should not take away from them anything that they could possibly do.

MR. DARER said that the sentence as it reads now says, "upon a finding of a violation of the Code of Ethics." The implicit sentence says that there has been a violation of the Code.

MR. DARER made a motion that the sentence read as follows, "Upon a finding of a violation of the Code of Ethics, the Board is required to make a recommendation whether impeachment, removal or discharge, as the case may be, is warranted.

MRS. GUROIAN said that part of the reason that there has to be some leeway for the Board of Ethics is not only to judge the merits of each case but also to render a decision within the parameters allowed them. There are other documents would supercede anything they might do; has to be taken into consideration such as the Civil Service laws, such as the laws governing our own Board and members. Each document and case to be considered is different and some leeway be allowed them to make a judgement.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. CONTI stated that at one time the Board of Ethics had no power, now we are trying to give them too much power and we are trying to force them into doing something they may not want to do.

MR. FAUTEUX asked that the amendment be read again.

MR. ZELINSKI read the addition as follows: "Upon a finding of a violation of the Code of Ethics, the Board may, but is not required, to make a recommendation whether impeachment, removal or discharge, as the case may be, is warranted."

MR DIXON stated that the Board of Ethics should pass judgement on the merits to determine whether the Code of Ethics has been violated or not then it leaves to go to other sources.

MRS. PERILLO MOVED the question. SECONDED. CARRIED.

THE PRESIDENT called for a vote to amend the ordinance as stated above by MR. ZELINSKI. The vote was 15 in the affirmative, 18 in the negative, and 4 abstentions. The motion has been DEFEATED.

MR. ZELINSKI stated that the last and final change is not in your booklet. It was a letter sent to all by Corporation Counsel Cookney, dated January 13th, adding Section 16, "Applicability" and will read as follows: "This Code shall not apply to any person who is no longer an officer or employee of the City of Stamford at the time of the enactment of this Code." MOVED. SECONDED.

MR. CONTI said that this Code has been talked about since July and at every meeting we have had another addition. This is why he has been against it. And, tonight, another Section is being put into this ordinance.

MRS. PERILLO asked if this Code passes tonight, it will go into the Town Clerk's office and another office, has the cost factor been determined as to what it will cost the taxpayers.

MR. ZELINSKI said that the question was asked both to Mrs. PontBriant and Mr. Cookney the evening of the Public Hearing and both said that there would be no cost to the City on this. MR. ZELINSKI referred to Section 7, the Disclosure section, the amendment stated that only in the event that a charge would be made would some person have to file a financial statement. If there are no charges, there are no statements to be filed.

MR. LIVINGSTON spoke against the last amendment. He said that we have a Statute of Limitation law that is enforced by Court procedures. Anyone that did something wrong should be held accountable regardless if this legislation is enacted or not.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. BLUM said that if this Code was voted through, this Section could never reach this Floor.

MR. DIXON stated that he thought that Section 16 was moot and has no meaning whether put in or left out. The ordinance is not retroactive. The effective date would be upon final adoption or a future date. He said that the Code cannot include anything that happened to anyone preceeding this date.

MR. ZELINSKI said that was correct. Once the Mayor signs it into law, from that date forward, any violation would be as of the date of enactment.

MR. BOCCUZZI asked if a person is employed by the City for 6 months and leaves; and in seven months someone brings up an action against something he did while employed by the City or an officer, is he still accountable for what he did while in the service of the City or not.

MR. ZELINSKI stated that if this Section is approved, he would not be accountable.

MR. BOCCUZZI asked and if it was not approved,

MR. ZELINSKI said that it would be an officer or employee at the time of the charge brought against them.

MR. DARER said that once this becomes law, anyone who is employed by the City at the time of the enactment of this legislation comes under this legislation whether he leaves the City 6 months or two days after enactment. MR. DARER said that it cannot be retroactive,

MR. ZELINSKI stated that the definitions in Section 3 read, "present tense"; employed by the City, officers elected. He said that was his interpretation,

MR. DeNICOLA MOVED the question. SECONDED.

THE PRESIDENT called for a vote on Section 16 "Applicability." The vote was 28 no, 6 yes and 3 abstentions. The motion was DENIED.

MR. ZELINSKI said that that ends the corrections.

MRS. CONTI asked if there was an addition on the next page about a handbook, a page 12.

MR. ZELINSKI said that that is correct and that would be one more addition.

THE PRESIDENT asked MR. ZELINSKI if this #4 called "Ethics Handbook" was not published; the entire section.

MR. ZELINSKI stated that that was correct; that would be an addition also.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. ZELINSKI said he MOVED for the following addition, #4, "Ethics Handbook" "The Board will work to create and maintain a Handbook or a phamplet to be distributed to all new officers and employees clearly explaining with practical examples their rights and responsibilities under the Code." SECONDED.

THE PRESIDENT proceeded to a vote on whether to include #4 "Ethics Handbook" and the sentence that follows. The vote was 27 in the affirmative, 7 in the negative with 3 abstentions. CARRIED.

MR. FASANELLI made a motion to make a deletion under Section 4, page 2, "Conflict of Interest," "or gives the appearance of conflicting with." MR. FASANELLI read, "No official or employee shall engage in any business or transaction or have a financial or personal interest directly or indirectly which is in conflict with" and then he wants the deletion, "or gives the appearance of conflicting with." SECONDED.

MRS. GUORIAN said that she was opposed to that deletion because if you are passing a Code of Ethics, the rule of thumb has always been that not only are you liable for a conflict but you are liable for even an appearance of a conflict.

THE PRESIDENT called for a vote to delete "or gives the appearance of conflicting with." The vote was 15 in the affirmative, 16 in the negative, and 6 abstentions. DENIED.

MRS. CONTI made a suggestion for a deletion on page 8, top of the page, "A gift shall not include a political contribution otherwise reported as required by law." She said that she would like deleted, "shall not included a political contribution otherwise reported as required by law." She repeated what she wanted deleted: "a political contribution otherwise reported as required by law."

MRS. CONTI repeated that: "A gift shall not include cash, loan or something of value received from an individual's spouse," MRS. CONTI said that that would be the way it should read. SECONDED.

THE PRESIDENT repeated the motion, "a political contribution otherwise reported as required by law or," and proceeded to a vote. The vote was 2 in the affirmative, 26 in the negative and 9 abstentions. DENIED.

MRS. MAIHOCK asked the Chairman of L&R what happened to the clause she gave him about the use of City vehicles, equipment and materials.

MR. ZELINSKI said that his additions were only the ones that were incorporated by Corporation Counsel Cookney. He said that MRS. MAIHOCK would be free to make the correction now.

MRS. MAIHOCK said that she no longer had the copy.

MR. ZELINSKI said that he did.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MRS. MAIHOCK stated that she suggested that there be a Section 12, titled, "Use of Publicly Owned Property," and MRS. MAIHOCK said it should say something to this affect and hoped that the L&R Committee would have discussed it. "No officer or employee shall use or permit the use of city-owned vehicles, equipment, materials, or other property for personal use or profit, except when such aforementioned publicly owned property would be available to the public generally or when such vehicles shall be used in the conduct of official business, or when such vehicle is included in an employee's contract as part of his compensation."

THE PRESIDENT asked MRS. MAIHOCK where she wanted this.

MRS. MAIHOCK replies that she had suggested Section 12, but wished that the L&R Committee had discussed this so that it could be in the proper place.

THE PRESIDENT stated that it cannot be Section 12.

MR. ZELINSKI said that he believed the proper Section would be Section 4, "Conflict of Interest," would be added Sub-section small "d".

THE PRESIDENT asked MRS. MAIHOCK to read her suggestion again.

MRS. MAIHOCK said it would be titled: "Use of Publicly Owned Property," MRS. MAIHOCK repeated what is quoted in paragraph 1 above. SECONDED.

MR. CONTI said that this was brought up when he was on the Parking Authority. He was told then that it was too costly for an employee to bring his own car and then pick-up the City car for City business.

MRS. MCINERNEY said that she thought it was an excellent suggestion. She said that many of the Members have been out and found City cars where they should not be at improper hours and improper times. She said she saw a City car on Stratton Mountain in Vermont. Something of this nature is needed so that people do not use City cars, gas, tires, brakes for their own personal use.

MR. ZELINSKI mentioned to MRS. MAIHOCK that they did not have a quorum and he did second her motion. MR. ZELINSKI stated that REP. MAIHOCK got this out of the Code of Ethics out of the town of New Canaan and he thought it was an excellent suggestion, and hoped that it would be adopted.

MR. BLUM said that he believed that some faith should be left to the employees of the City.

MR. DIXON said that the only question he had about this amendment was whether the proper place was in the Code of Ethics. He said it would be a good ordinance or it could be an amendment to the Charter. He did not think the Code of Ethics is a proper place to put this.

LEGISLATIVE AND RULES COMMITTEE (cont.)

MR. RYBNICK said that some men are on 24 hours call and should not have to use their car to get the City car. He said that he would vote against it.

MRS. SANTY MOVED the question. SECONDED. CARRIED.

MRS. HAWK asked for a POINT OF ORDER. She said that she did not think it belonged in that Section and if it did, she thought the sentence should be started with "if." MRS. HAWK stated that she did not think it belonged under "Conflict of Interest."

THE PRESIDENT stated that perhaps it would be best where it was; dropping the title.

THE PRESIDENT called for a vote on the motion as it was read by MRS. MAIHOCK, starting with "No officer and ending with compensation." (as previously read by Mrs. Maihock)

THE PRESIDENT proceeded to a vote. The vote was 22 yes, 8 no, and 7 abstentions. CARRIED.

MRS. MAIHOCK stated that she had also brought up twice in MR. ZELINSKI'S Committee a loop-hole that should have been corrected. In the newspaper, it was under Section 8, "Disclosure of Confidential Information," where it says, "Except as may be required by law, no officer, or employee without proper authorization, shall willfully and knowingly disclose for economic and/or pecuniary gain, to any other person, confidential information acquired by him in the course of and and by reason of his official duties or employment or use such information for the purpose of economic and/or pecuniary gain for himself," and MRS. MAIHOCK said that she would like to amend at this point, or any other "person" as defined under Section 3. SECONDED.

MRS. MAIHOCK said that the way it now stands, it says, "his immediate family or a business with which he is associated." She said if going back to the definitions, "immediate family" means spouse, children, grandchildren, brothers, sisters, parents or grandparents and it does not include in-laws and this could be a very significant loophole; whereas, if you use the person as it is defined under Section 3, person means and includes, "associations, firms, partnerships and bodies politic and corporate as well as to individuals." MRS. MAIHOCK felt that it would be more restrictive.

THE PRESIDENT asked if MRS. MAIHOCK was adding a phrase after, "himself."

MRS. MAIHOCK replies that she was.

THE PRESIDENT asked if MRS. MAIHOCK was deleting, "his immediate family."

MRS. MAIHOCK replies that she was deleting, "his immediate family or a business with which he is associated," and amending it to say, "or any other person as defined under Section 3."

THE PRESIDENT stated that MRS. MAIHOCK'S motion is to substitute, "or any other person, as defined under Section 3" for, "his immediate family or business with which he is associated."

LEGISLATIVE AND RULES COMMITTEE (cont.)

THE PRESIDENT stated that the motion has been SECONDED.

MRS. McINERNEY addressed MRS. MAIHOCK and said that according to what MRS. MAIHOCK had defined under Section 3, the definition for "person" under Section 3 means and includes, "associate, firms, partnerships, and bodies politic and corporate as well as...and asked MRS. MAIHOCK if she wanted to include "immediate families" as well.

MRS. MAIHOCK said that it could be amended to include both but thought that "person" should be included because it is quite comprehensive.

MRS. McINERNEY asked if MRS. MAIHOCK would take as an amendment, "his immediate family or any other person" as defined.

MRS. MAIHOCK said that it could be done as MRS. McINERNEY suggested. "His immediate family or any other "person" as defined under Section 3 could be left in.

THE PRESIDENT stated that MRS. MAIHOCK would be deleting, "or a business with which he is associated."

MRS. MAIHOCK replies that was right.

THE PRESIDENT said that motion was SECONDED.

MR. FAUTEUX suggested that the in quotes was not necessary as that is a definition.

THE PRESIDENT said the quotes would be deleted.

MR. ZELINSKI asked that the motion be restated.

THE PRESIDENT said that MRS. MAIHOCK was substituting "or any other person" as defined under Section 3 for "or a business with which he is associated."

MRS. MAIHOCK said, "yes," She also said that it could include that but wanted to make sure that "person" is included. It is very comprehensive,

THE PRESIDENT proceeded to a vote and the PRESIDENT repeated the motion is to amend by substitution of the following phrase, "or any other person as defined under Section 3, for"or a business with which he is associated." This is the last phrase in Section 8.

THE PRESIDENT said the vote was 16 in favor, 13 opposed with 8 abstentions. CARRIED.

MR. DARER MOVED for Final Adoption of the Ordinance. SECONDED.

MRS. MAIHOCK said that she had another question. She said that she indicated something that should be considered. It is under Section 13, "Violation." It says, "A violation of this Municipal Code of Ethics: (a) by an elected officer shall be considered "dereliction of official duty," and here MRS. MAIHOCK would insert, "a cause of censure or a cause of impeachment and

LEGISLATIVE AND RULES COMMITTEE (cont.)

MRS. MAIHOCK (continuing)...removal from office under Section 120 of the Stamford Charter and."

THE PRESIDENT stated that MRS. MAIHOCK'S MOTION would not be in conflict.

MRS. MAIHOCK MOVED to adopt the motion stated by her. She stated her motion: Under (a) by an elected officer shall be considered dereliction of official duty, and "a cause of censure" or a cause of impeachment and removal from office under Section 120 of the Stamford Charter.

THE PRESIDENT called for a vote after discussion by several Members.

THE PRESIDENT stated the vote was 8 in favor, 26 opposed and 2 abstentions. DENIED.

MR. DZIEZYC MOVED the question. SECONDED. CARRIED.

THE PRESIDENT called for a vote on the Final Adoption of the Code of Ethics as amended

MR. BOCCUZZI made a motion to reconsider moving the question so that the Ordinance as a whole may be discussed.

THE PRESIDENT stated that this was a proper motion and called for a vote on reconsideration. The vote was 16 in favor, 19 opposed with 1 abstention. DENIED.

THE PRESIDENT proceeded to the main question which was for Final Adoption of the Code of Ethics as amended this evening. The vote was 20 IN THE AFFIRMATIVE, 16 IN THE NEGATIVE. THE MOTION WAS LOST. It required 21 votes for final adoption.

MRS. McINERNEY asked for a POINT OF PERSONAL PRIVILEGE. She stated that this piece of legislation has taken up two and a half hours and the work should have been accomplished in the Committee and the Committee Chairman should apologize to for making the members sit here for this long a time.

MR. ZELINSKI asked for a POINT OF PERSONAL PRIVILEGE. He addressed Rep. McINERNEY. He said that they did not have a quorum and could not take up the vote and go through this in Committee as he wanted to.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING GARBAGE COLLECTION FOR CONDOMINIUMS AND MULTI-FAMILY DWELLINGS, TAX CREDIT, ETC. Approved for publication 10/6/80. Held in Committee 11/10 and 12/8/80.

MR. ZELINSKI said that for lack of a quorum, this would be Held in Committee.

LEGISLATIVE AND RULES COMMITTEE (cont.)

- (3) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATEMENT FOR PROPERTY OWNED BY ST. JOHN'S URBAN DEVELOPMENT CORP. KNOWN AS THE "HANRAHAN CENTER" - submitted by Atty. Daniel M. McCabe 3/11/80. Held 11/24/80 and previously.

MR. ZELINSKI stated that the Committee voted to HOLD this item because of legal questions.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX ABATEMENT FOR ST. JOSEPH'S HOSPITAL CORPORATION FOR PROPERTY LOCATED AT 50 STRAWBERRY HILL COURT ACQUIRED FROM JAMES J. RONGOE AND CARMELLA RONGOE ON MAY 27, 1980. House is being used for general hospital purposes and occupied by interns and residents. Submitted by Mayor Clapes 11/14/80 and Sister Daniel Marie, Administrator, and Charles A. DeLuca, Esq., of Ryan, Ryan and Hickey 11/13/80. Held 11/24/80.

APPROVED ON CONSENT AGENDA

- (5) FOR PUBLICATION PROPOSED ORDINANCE REPEALING ORDINANCE NO. 313 WHICH BANNED SELF-SERVICE GASOLINE STATIONS IN STAMFORD. Requested by John Mitovich, SACIA, and Rep. J. Zelinski.

MR. ZELINSKI said this item is being HELD IN COMMITTEE.

- (6) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING AUTHORIZATION OF A PERMANENT EASEMENT FROM THE CITY OF STAMFORD TO WILLIAM PITT FOR THE PURPOSE OF A DECORATIVE CORNICE ON THE WESTERLY WALL OF THE BUILDING OWNED BY WILLIAM PITT ON THE EASTERLY SIDE OF WASHINGTON BLVD. Submitted by Atty. Wayne Fox.

MR. ZELINSKI stated that his Committee voted 5 in favor and 1 abstentions and so MOVED. SECONDED.

THE PRESIDENT called for a vote. The vote was 26 yes, 0 no with 10 abstentions. CARRIED.

- (7) FOR PUBLICATION PROPOSED ORDINANCE TO AMEND SECTION 10.80.3 AS AMENDED BY ORDINANCE #367 SUPPLEMENTAL OF FAIR RENT COMMISSION. Submitted by Rep. Zelinski.

MR. ZELINSKI said that his Committee voted 6 in favor and was going to Move but it was brought to MR. ZELINSKI'S attention that there are some lines that have to be added. He made a motion to HOLD THIS IN COMMITTEE. SECONDED.

MS. SUMMERVILLE asked when was this brought to the Chairman's attention and what was the problem.

MR. ZELINSKI said that at 10:45 today and the problem was that there are four lines that have to be added to the complete Section.

THE PRESIDENT called for a vote to HOLD. CARRIED (voice)

LEGISLATIVE AND RULES COMMITTEE (cont.)

- (8) FOR PUBLICATION PROPOSED ORDINANCE CONCERNING TAX EXEMPTION FOR LIBERATION PROGRAM, INC. 6 Washington Court. Submitted by Doris DeHuff, Exec. Director.

MR. ZELINSKI said that his Committee voted 6 in favor, however, there is one minor change. A date in the last sentence which reads, "on the Grand List of October 1, '79 which are attributable to the period subsequent to, which now reads October 27, 1978; that should be July 1, 1980."
MOVED. SECONDED.

THE PRESIDENT called for a vote on that amendment. CARRIED (voice)

MR. ZELINSKI MOVED for publication with the change. SECONDED.

THE PRESIDENT called for a vote (voice). CARRIED.

MR. ZELINSKI MOVED to place Item #4 on the Consent Agenda. SECONDED. CARRIED (voice).

PERSONNEL COMMITTEE - Chairman David I. Blum

- (1) REPORT FROM THE DIRECTOR OF PERSONNEL REGARDING LETTER SENT TO HIM ON NON-CIVIL SERVICE STATUS OF EMPLOYEES. Submitted by Rep. Blum 12/18/80.
- (2) REPORT FROM LAW DEPARTMENT RE OPINION WHETHER CIVIL SERVICE POSITIONS CAN BE CHANGED TO NON-CIVIL SERVICE OR CONTRACTUAL STATUS WITHOUT PERMISSION OF THE BOARD OF REPRESENTATIVES IN REGARD TO SALARIES, ETC. Submitted by Rep. David I. Blum 12/18/80.

MR. BLUM said that inasmuch as he was waiting on both items for an opinion from the Corporation Counsel he MOVED that the PRESIDENT OF THE BOARD make an appointment with the Mayor and the Counsel asking why we are not getting these opinions in order to move these items from our Agenda.

MR. BOCCUZZI (THE CHAIR) asked MR. BLUM if he was asking the Chair to send a letter to both the Mayor and the Corporation Counsel to sit and discuss the problem. MR. BOCCUZZI asked MR. BLUM if he was asking for a Board vote or just a letter from the Chair.

MR. BLUM said a letter from the Chair,

MR. WIEDERLIGHT said he would like to SECOND Mr. Blum's idea. As a Chairman of the Sewer Committee, he too was having difficulty getting cooperation from the Corporation Counsel's office. MR. WIEDERLIGHT said that it was costing the City money.

PERSONNEL COMMITTEE (cont.)

MR. BOCCUZZI said that it is so noted and the Chair will send a letter both to the Mayor and Corporation Counsel setting up a meeting so this problem may be discussed and brought to a head.

MRS. McINERNEY asked for a POINT OF PERSONAL PRIVILEGE and asked how many people were present on the Floor.

MR. BOCCUZZI asked all Board members to take their seats. There were 22 members present not counting the people out of the room or in the Caucus rooms.

PLANNING AND ZONING COMMITTEE - Chairman Donald Donahue

- (1) RECOMMENDATIONS SETTING LIMITS AND RESTRICTIONS ON HELIPORTS, SPECIFICALLY AND GENERALLY. Submitted 12/18/80 by Reps. Marie Hawe and Moira Lyons.

MR. DONAHUE said his Committee met on January 27, 1981. Attending were Reps. Wider, Guroian and Donahue.

MR. DONAHUE said the Committee was in contact with the Bureau of Aeronautics concerning the possibility of placing restrictions of the proposed Helistop at Canal and Ludlow Streets and received a reply from that Agency. He said he asked Corporation Counsel for some information and also SACIA to find out what the need was for this Helicopter service. A meeting will be taking place in the near future hopefully to have something concrete for the March meeting.

- (2) REFERRAL FROM ACTION OF ZONING BOARD DENYING APPLICATION 80-033 TO CHANGE THE ZONE FROM R-5 MULTIPLE FAMILY RESIDENCE DISTRICT TO THE M-G GENERAL INDUSTRIAL DISTRICT FOR PROPERTY LOCATED ON EAST SIDE OF HALLOWEEN BLVD. OWNED BY JOHN MONTAGNESE.

MR. DONAHUE said that the Planning Board has recommended the change and the Traffic Department saw no real problem with the change. He said we must be concerned with what this change would mean to the residential properties remaining on the east side of Halloween Blvd. While this property is bounded by City property and the applicant wishes to build a warehouse, it is not an appropriate time to allow this change. It is stated in the minutes of the Zoning Board that they are close to looking at this area and determining what kind of an impact this area should be allowed to have; residential or other appropriate uses.

MR. DONAHUE said the Zoning Board voted 3 to 0 to deny this application without prejudice and the Planning and Zoning Committee voted 3 in favor and none opposed to deny this application.

PLANNING AND ZONING COMMITTEE (cont.)

MR. DONAHUE said that it was the procedure of the Board to state motions in a positive manner and stated that if the Committee's recommendation is upheld by the Board, it would take 21 negative votes.

MR. DONAHUE MOVED that the application of John Montagnese to amend the Zoning Map of the City of Stamford for the land described in the subject application 80-033 from R-5 Multiple Family residential to M-G General Industrial be approved. SECONDED.

THE PRESIDENT explained that if you vote yes in favor of this motion, you are voting to overturn the Zoning Board's action; if you vote no, you are voting to sustain the Zoning Board's action.

THE PRESIDENT proceed to a vote. There were 35 members present. Mr. Rybnick and Mr. Loomis left. The motion has been DENIED by a vote of 1 yes, 27 no, and 2 abstentions.

THE PRESIDENT said the following people are no longer present: Ms. Lyons, Mr. Loomis, Ms. Bowlby, Mr. Pollard, Mr. Conti, Mr. Dziezyc and Mr. Rybnick.

MRS. GUROLAN asked for a POINT OF INFORMATION and stated that according to the Rules of Order that no member shall leave the meeting without permission of the Board, and asked if this clause was honored.

THE PRESIDENT stated that Board members generally have not asked for permission to leave.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE REQUEST FOR STREET NAME CHANGE ON MAIN STREET - a) Change name of approximately 340 L.F. of Elm St. to Main Street and b) change name of approximately 260 L.F. of Hawthorne Street to Main Street.

MR. DONAHUE said that this would simply make Main Street one again as it was and would eliminate a portion of Hawthorne Street where no one has an address at this time. He MOVED for publication of this ordinance. SECONDED.

THE PRESIDENT called for a vote. The vote was 27 in favor, 1 opposed and 3 abstention. CARRIED.

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

- (1) LETTER OF 12/15/80 FROM THE BOARD OF EDUCATION ENCLOSING COPIES OF RESOLUTIONS PREVIOUSLY SENT TO THIS BOARD ADVISING THEY ARE CLOSING MARTHA HOYT SCHOOL AND WILLARD SCHOOL AND WILL NO LONGER SERVICE THESE BUILDINGS. Mr. Grafton requests these be TRANSFERRED to the jurisdiction of the Public Works Dept. of the City effective 1/31/80.

PUBLIC WORKS COMMITTEE (cont.)

MR. PERILLO said the Commission of Public Works has written a letter with 5 recommendations to the Board of Education of his findings of inspection of both Schools; Public Works will not accept these buildings until the Board of Education fulfills its obligations. To date, no word has been received the the Board of Education.

MR. PERILLO stated that this will be HELD IN COMMITTEE.

(2) PUBLIC WORKS REQUESTED TO INQUIRE INTO OPERATIONAL PROCEDURES AT STAMFORD'S SEWAGE TREATMENT PLANT. Submitted by Moira Lyons.

MR. PERILLO said that Mrs. Lyons has been meeting with the Mayor and the Commissioner of Public Works and they discussed many issues on this. To date, Mrs. Lyons is not completely through with the questioning on this and until word is received from Mrs. Lyons, this will be HELD IN COMMITTEE.

HEALTH AND PROTECTION COMMITTEE - Chairwoman Jeanne-Lois Santy

MRS. SANTY asked how many members were present.

THE PRESIDENT said that there were 29 members present.

MRS. SANTY MOVED for SUSPENSION OF THE RULES to take up something that is not on the Agenda. SECONDED.

MRS. SANTY said it was about the Ordinance, on the desk, that deals with water restrictions during a severe water shortage.

THE PRESIDENT called for a vote on the Suspension of the Rules. The vote was 21 yes, 6 no and 2 abstentions. CARRIED.

MRS. SANTY said that she was approached by the Mayor and Corporation Counsel to attend a discussion meeting because of the critical shortage; because of the emergency aspect of this. This all took place on Wednesday and Thursday. MRS. SANTY said that Health and Protection did have a meeting on Wednesday. She did mention that an emergency ordinance was being worked on.

MRS. SANTY said there are some changes and these would be on page 4, section 4,A-1 it is 45 gallons 'per person' per day. MRS. SANTY MOVED this change. SECONDED.

THE PRESIDENT called for a vote to add, "per person." The vote was 27 yes, 1 no, and 1 abstention. CARRIED.

MRS. SANTY said on page 5, 3 at the top of the page, starting with the 3rd line, Household Use during the same month/quarter of the year preceeding the activation of these regulation. She said that some customers are billed monthly and some quarterly. Month/quarter must be added. SECONDED.

THE PRESIDENT stated the amendment. The vote (voice) was 28 yes and 1 no (M. Perillo). CARRIED.

HEALTH AND PROTECTION COMMITTEE (cont.)

MRS. SANTY said that the next change is on page 6, First Violation A.

MRS. SANTY stated that it should read, "The user violator will be billed a penalty surcharge by the Stamford Water Company which shall be turned over to the City of Stamford. Also, under 1. and 2., cubic feet should be changed to gallons. It would read, 1. Five dollars for every 100 cubic feet, 100 cubic feet is 748 gallons and 300 cubic feet is 2244 gallons. On both 1. and 2. it should be changed and MRS. SANTY MOVED. SECONDED.

MR. WIDER asked where the money would go that is turned over to the City.

MRS. SANTY said that it would go to the General Fund.

MRS. SANTY said the first motion would be the User Violators will be billed a penalty surcharge by the Stamford Water Company which shall be turned over to the City of Stamford. SECONDED.

MR. BOCCUZZI asked if the Water Company agreed to this.

MRS. SANTY replied that they did.

MR. WIEDERLIGHT made a motion to recommit this ordinance back to Committee with the proviso that a Committee meeting be held immediately and a special meeting of the Board be held within the next two weeks to consider the final draft of this Ordinance after study in Committee. SECONDED.

MRS. PERILLO asked that it be made clear that the entire Health and Protection Committee meet on this and not just the Chairman. She said they were not informed of this as members of the Health and Protection Committee.

MRS. SANTY stated that this was an emergency situation and questioned MRS. PERILLO'S attendance in the Committee. MRS. SANTY said that it was difficult to obtain a quorum. She calls and sends double notices out.

MRS. CONTI stated that she was in favor of sending this back to committee.

MR. BOCCUZZI stated that February is a short month and in order to pass this, we would have to have 27 affirmative votes to pass without publication. Some members may not be available due to school vacations.

MR. BOCCUZZI asked MR. WIEDERLIGHT to amend to have the meeting later.

MR. WIEDERLIGHT, after discussion, accepted MR. BOCCUZZI'S amendment.

THE PRESIDENT stated the motion would be to send back to committee.

MRS. McINERNEY stated that it is essential that we pass it for emergency control. She did not favor holding it any longer.

HEALTH AND PROTECTION COMMITTEE (cont.)

MR. JOYCE said that he would not vote on bad legislation.

MR. CORBO MOVED the question. SECONDED.

THE PRESIDENT called for a vote on moving the question. The vote was 20 yes and 9 no. The question has been MOVED.

THE PRESIDENT proceeded to a vote to send the Water Ordinance back to Committee with instructions for the Committee to meet on the matter and report before the Board at the March meeting.

The vote was 14 in favor, 14 opposed with 1 abstention. The motion to send back to Committee has been DENIED.

THE PRESIDENT stated that discussion is on the amendment that refers to money being turned over to the City.

MRS. CONTI spoke that she was in favor of the money being returned to the City.

MR. BLUM said that the City should have a contract with the Water Company. He did not favor money being sent to the Water Company and they in turn sending it to the City. There must be a legal agreement.

MR. BOCCUZZI asked what would happen to the residents of Darien and Greenwich if they go over the limit. Is there a penalty for them?

MRS. SANTY stated that they are already on restrictions of 45 gallons a day in Greenwich. We must look and plan for the Fall.

MR. DeNICOLA made a motion to RECONSIDER sending BACK TO COMMITTEE. He was on the prevailing side. SECONDED.

THE PRESIDENT called for a vote to reconsider sending back to committee. The vote was 16 yes, 12 no and 1 abstention. The motion to reconsider has been APPROVED.

MR. DARER made a motion to ADJOURN and reconvene within two weeks of tonight to consider any remaining business on the Agenda. SECONDED.

THE PRESIDENT called for a vote. The vote was 3 yes, 23 no and 3 abstentions. The motion was DENIED.

MR. WIDER made a motion to SEND the ordinance BACK TO COMMITTEE. MOVED. SECONDED.

THE PRESIDENT called for a vote. The vote was 18 yes, 10, no and 1 abstention. APPROVED to send back to committee.

MRS. SANTY announced that her meeting is February 10, 1981 at 7:30 in the Main meeting room. She said that she will not be sending two notices and wanted her Committee to note this and invited all members with questions to show up at that meeting.

HEALTH AND PROTECTION COMMITTEE (cont.)

MR. DARER made a motion to take up Charter Revision. MOVED. SECONDED.

THE PRESIDENT called for a vote to SUSPEND THE RULES to take an item out-of-order. The vote is 12 in favor, 16 opposed with 1 abstention. DENIED.

- (1) PROBLEM REGARDING FIRE AND SMOKE PROTECTION FOR THE PUBLIC IN EXISTING AND FUTURE STRUCTURES IN CITY OF STAMFORD - submitted by Rep. Zelinski. Also letter 12/5/80 from Board President Sandra Goldstein.

MRS. SANTY said that the Health and Protection Committee met on January 28, with members Blum, Joyce, M. Perillo attending. Mr. Dziezyc was hospitalized. This was the first meeting Mr. Dziezyc missed. Also, attending were Fire Marshals Steve Heilner, Tom Russell and John Keenan, Asst. Chief Robert Reed of the Turn of River Fire Dept., Chief Earl Cecire of the Glenbrook Fire Dept., Chief Jim Colohan of Springdale, Chief Dan Remling of Belltown, Joseph Avalos, President of the Glenbrook Fire Dept., Tom Lusita, President of Springdale, Joseph Farley, President of Long Ridge, Edgar Gaibel of the Fire Commission, Chief Vitti and Mike Macri of the Building Department. Carmine Speranza was hospitalized by telephoned several times to discuss this item. Also attending was Rep. Zelinski who spoke on the subject.

MRS. SANTY said that on February 3rd a new State Fire Code will be presented to the State Legislature for adoption and if approved, will become law on July 1. Also, the Mayor is appointing a Committee of professionals to study all aspects of fire safety including fire and building codes. MRS. SANTY is a member of this Committee. She will report any findings.

MRS. SANTY said that this will be kept on the Agenda.

MR. ZELINSKI asked about the two resolutions he proposed.

MRS. SANTY stated that the Committee felt that they were premature and all aspects of these resolutions will be taken up by this Special Committee.

THE PRESIDENT stated this would be HELD IN COMMITTEE.

- (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 ELDERLY, ETC., AT A MUCH LOWER COST THAN PUBLIC HOUSING. Currently being monitored and meetings being held by H&P Committee.

MRS. SANTY said that after many meetings, that hopefully a resolution has been achieved. Attending the meeting were Mr. Canino, Grace Lukas and Herbert Ausabel of the Smith House Residence and Nursing Facility, State Rep. and Mrs. Tony Truglia, and Mr. and Mrs. William Fitzpatrick of Park Manor. Also, Reps. Wider and Summerville. Mr. Canino was responsible for putting an end to the communication gap in insuring harmony between public and concrete housing.

MRS. SANTY said that this item is Off the Agenda. The Committee felt there was nothing else they could do regarding the Fitzpatricks and all the things that have been said and written about them, but know now that under Mr. Canino, that this will not happen any longer.

HEALTH AND PROTECTION COMMITTEE (cont.)

MR. BOCCUZZI asked what Board members were present at MRS. SANTY'S meeting.

MRS. SANTY repeated the Members names and added MR. PERILLO.

MRS. McINERNEY made a motion to SUSPEND THE RULES to take up Charter Revision Commission. SECONDED.

THE PRESIDENT called for a vote. The vote was 9 yes, 12 no with 7 abstentions. DENIED.

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

- (1) REQUEST FOR APPROVAL OF PROPOSED FEE INCREASES AND FEE SCHEDULE FOR PARK FACILITIES - Submitted by Supt. Cook of the Parks Dept. 12/18/80.

MR. PERILLO MOVED for acceptance of the fee charges as presented, SECONDED.

MRS. PERILLO said that she sees nothing in the fees for out of town residents that use Stamford's beaches and parks,

MR. PERILLO replied that this has been going on and there is no way of stopping it.

MR. WIDER said that he felt that \$10.00 is too much to go up each year. Last year, the fee was increased \$10.00 and again this year. He said that senior citizens really cannot afford this increase along with the high cost of gasoline. They will not be able to enjoy the water. He said that the fees should be the same as last year for dockside and off shore marina.

MRS. MAIHOCK said that she would like to amend the fee schedule to state \$15.00 fee for Chestnut Hill Park usage, SECONDED.

MR. BOCCUZZI said that the fee last year was \$20.00.

MRS. MAIHOCK said that with the gasoline prices, she felt that the citizens should be able to enjoy the Parks and felt this was a nominal sum, whereas, she felt \$25.00 is more than should be required.

MR. BOCCUZZI stated that why shouldn't this hold for all the other Parks not just Chestnut Hill Park. He said to have the fee at least what it was last year.

MRS. MAIHOCK replied that it was in her district and wanted all the people in Stamford to enjoy it.

MRS. McINERNEY said that she would like to amend MRS. MAIHOCK'S MOTION. If you are going to reduce one, you have to consider the City as a whole and the others should be reduced to \$15.00 if that is the intent of this Board.

PARKS AND RECREATION COMMITTEE (cont.)

THE PRESIDENT stated that there is Chestnut Hill Park and Rosa Hartman Park.

MRS. MAIHOCK said that she agreed with MRS. McINERNEY. She is interested that people can use the Parks this summer at the lowest possible fee that can be charged.

THE PRESIDENT stated MRS. MAIHOCK'S motion to amend Chestnut Hill Park and Rosa Hartman Park all to read \$15.00 wherever it reads anything else.

MRS. MAIHOCK said that if they do not presently read more.

THE PRESIDENT said that it was SECONDED.

MR. DONAHUE stated that as he understood; these fees are charged to groups that reserve the park for a day and these fees help defray the expenses of the cleaning up and facilities being open. This is not charged to each individual.

MR. BOCCUZZI agreed with MR. DONAHUE. A \$15.00 charge is not enough for a group of people. Someone has to open the park early in the morning. If you figure what the cost is per head, you cannot find cheaper recreation anywhere. If the fee is lowered, the taxpayers will have to pick up for the groups.

THE PRESIDENT called for a vote on reducing the fees as per MRS. MAIHOCK'S MOTION. The vote was 20 no, 5 yes with 4 abstentions. DEFEATED.

THE PRESIDENT called for a vote on the fees as presented to the Board. The vote was 24 yes, 2 no, and 2 abstentions. APPROVED.

THE PRESIDENT called for a ROLL CALL.

MS. SUMMERVILLE called the ROLL.

THE PRESIDENT stated that there were 28 members present and 12 absent. Enough members were present for a quorum.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Chairman Robert Fauteux

- (1) REPORT ON COMMUNICATIONS WITH BOARD OF EDUCATION CONCERNING PERSONNEL ADMINISTRATION ACTIVITIES RELATING TO THE PRICE, WATERHOUSE STUDY AND OTHER CONCERNS OF THE BOARD OF REPRESENTATIVES. Submitted by Rep. Robert Fauteux 12/19/80.

MR. FAUTEUX stated that his Committee has been in contact with the Board of Education and presented 4 dates early in March for the joint meeting of the Boards. MR. FAUTEUX is waiting for a response as to the date. When this is received, MR. FAUTEUX will notify the Board, request the questions, and continue from there.

This item will be HELD IN COMMITTEE.

SEWER COMMITTEE - Chairman Michael Wiederlight

MR. WIEDERLIGHT said that his Committee met on January 27, 1981. All members were in attendance. He stated that he would like to place items 3 and 4 on the Consent Agenda as his Committee voted 3 - 0 on both items for approval. SECONDED.

- (1) SUBMITTED BY CITY REP. FIORENZIO CORBO 10/30/80 - Request that the following subjects receive the attention of the Sewer Committee:

- A. Cloverhill drainage problem - requested about a year ago.
- B. Status of request made several months ago about in-house design of Westwood-Skyview Drive sanitary sewer design.

No report made at 12/8 meeting. Held.

MR. WIEDERLIGHT reported that Rep. Corbo was working with City Engineer Sabia and estimates are underway and through Rep. Corbo's work, things are under control.

- (2) FOLLOW-UP ON PROBLEMS OF SEWER EASEMENTS FOR PROJECT 17-A - submitted by Reps. Sandra Goldstein and Michael Wiederlight. No report made at 12/8 meeting. Held.

MR. WIEDERLIGHT regretted to state that he has been unable to receive cooperation from Corporation Counsel. The Easements have not been secured. He further stated that he was in favor of sending a letter to the Mayor and Counsel to get some cooperation out of the Counsel's office. MR. WIEDERLIGHT said that this was resulting in the deterioration of funds from the original amount of money put aside for the sewer project. Due to inflation, the money is deteriorating.

- (3) REQUEST OF 12/12/80 FROM STAMFORD SEWER COMMISSION, enclosing copy of application dated 10/18/80; 12/9/80 letter from Atty. Saul Kwartin to Atty. Leo Gold; and sketches of proposed sanitary sewer construction. Resolution 910 requires this Board's approval of sewer agreements or contracts. The Estate of Alfred Kaskal requests authorization to extend the sanitary system at their own expense to service their Roxbury Road site, known as Doral Farms. Roxbury Swim Club also wishes to hook into the system.

APPROVED ON CONSENT AGENDA

- (4) APPROVAL OF SEWER AGREEMENT BETWEEN THE CITY OF STAMFORD AND NICHOLAS MERCEDE TO EXTEND SANITARY SEWERS AT THEIR OWN EXPENSE FOR 5.29 ACRES LOCATED BETWEEN STRAWBERRY HILL COURT AND FIFTH STREET. RESOLUTION #910 REQUIRES BOARD'S APPROVAL.

APPROVED ON CONSENT AGENDA.

Proper motions were made, SECONDED and CARRIED to place Items 3 and 4 on the CONSENT AGENDA.

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

MR. WIDER stated that Public Housing and Community Development Committee met on January 29. Committee members present were Reps. Roos, Summerville, and Wider. Present also were Rev. Whitehead, Chairman of the Housing Authority, Mrs. Zerrenner on security and Carl Nehring on 61 Grove Street, Nancy McAfee from MITAC and Reps. Blum and Livingston. Also Al Hennekus.

- (1) LETTER OF 12/22/80 FROM JACQUELINE ZERRENNER, 240 Stillwater Avenue formerly of 256 Connecticut Avenue regarding no interest being paid on security deposits for moderate rent at Stamford Housing Authority.

MR. WIDER reported that research is being conducted at this time and he is unable to give any definite information. This item will be HELD.

- (2) INQUIRY INTO WHAT LED UP TO THE CONDITIONS OF BUILDING LOCATED AT 61 GROVE STREET. Submitted by Reps. Blum and Livingston 1/19/81.

MR. WIDER stated that Carl Nehring, Director of Housing Enforcement, reported that this building is boarded-up; all the tenants have moved out without a Court case.

URBAN RENEWAL COMMITTEE - Chairman Richard Fasanelli - NO REPORT

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

MRS. MAIHOCK stated that there will be an informational meeting open to the public to discuss the gypsy moth problem on Monday, March 16, 1981 at 8:00 p.m. at the Rippowam High School Auditorium.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Doris Bowlby, Chairwoman - NO REPORT

TRANSPORTATION COMMITTEE - Patrick Joyce, Chairman - NO REPORT

ON-SITE GARBAGE CONVERSION STUDY COMMITTEE - Fiorenzo Corbo, Chairman - NO REPORT

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

- (1) RESOLUTION TO APPOINT MEMBERS OF CHARTER REVISION COMMISSION

MR. HOGAN thanked the members of the Board for staying until the late hour and for sharing the concern that this is a very important item on the Agenda.

CHARTER REVISION COMMITTEE AND ORDINANCE COMMITTEE (cont.)

MR. HOGAN said that at last month's meeting, a Resolution was adopted for appointment of a 12th Charter Revision Commission. He said that tonight, the Committee is bringing before you a Resolution concerning the appointment of the members of that Commission and it read as follows: "Resolution Concerning The 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.

BE IT RESOLVED by the Board of Representatives of Stamford, Connecticut, in accordance with the provisions of the General Statutes of Connecticut, that there shall be appointed a Charter Revision Commission in the City of Stamford whose duty it shall be to make any appropriate or necessary revisions or amendments to those sections of the Charter of the City of Stamford relative to the scope and responsibilities of the Board of Trustees of the Classified Employees Retirement Fund.

BE IT FURTHER RESOLVED that the following are appointed members of the Charter Revision Commission:"

MR. HOGAN said that the original list as voted on by the members of the Charter Revision Committee. was as follows: MR. GERALD FOX, MR. CHARLES GRINNELL, MR. OSCAR HOFFMAN, MR. FREDERICK KING AND MR. PAUL PACTER.

MR. HOGAN stated that it was brought to the attention of the Committee after the vote, that Mr. Pacter was presently sitting as a member of the Human Right Commission and, therefore, it became necessary to replace him and the Committee voted unanimously to replace him with MRS. LILLIAN FILARDO. The members of the Commission that were recommended were: MRS. LILLIAN FILARDO, MR. GERALD FOX, MR. CHARLES GRINNELL, MR. OSCAR HOFFMAN, and MR. FREDERICK KING. MR. HOGAN MOVED. SECONDED.

THE PRESIDENT called for a vote on the motion to appoint the 5 members of the Charter Revision Commission and stated their names. The vote was 28 in the affirmative, 0 in the negative and 0 abstentions. CARRIED UNANIMOUSLY.

MR. BLUM questioned MR. HOGAN about the ordinances that were deleted or voted out of the book.

MR. HOGAN replied that the ordinances that were repealed were done legitimately and they have been repealed.

COMMUNICATIONS FROM THE MAYOR - NONE

RESOLUTIONS

- (1) COMMEMORATING REV. HERBERT J. MURRAY, JR., PASTOR OF STAMFORD BAPTIST CHURCH. Submitted by Rep. Lois Santy.

MRS. SANTY said that everyone had a copy of the Resolution honoring Rev. Herbert J. Murray, Jr., Pastor of Stamford Baptist Church.

MOVED. SECONDED. CARRIED UNANIMOUSLY.

- (2) CONGRATULATING NATHAN WASSERMAN'S 80th BIRTHDAY. Submitted by Reps. Wider and Summerville.

MS. SUMMERVILLE stated also that everyone had a copy of the Resolution honoring Nathan Wasserman on his 80th birthday. She stated that Nathan is not listening at this hour but always listens in the early hours and asked for an applause for his birthday and to adopt this Resolution. SECONDED. CARRIED UNANIMOUSLY.

- (3) SENSE OF THE BOARD RESOLUTION RE ELECTRIC RATE HIKE BY DEPT. OF PUBLIC UTILITIES CONTROL AND THEIR RECENT DECISION TO DISCONTINUE THE VOLUME RATE FOR ELECTRIC HEAT USERS. Submitted by Rep. Zelinski.

Taken-up under SUSPENSION OF THE RULES - See Page 5.

PETITIONS - NONEACCEPTANCE OF THE MINUTES

December 8, 1980 Regular Board Meeting - APPROVED with 1 no vote (Zelinski).

MR. ZELINSKI said that he did not have ample time to read the Minutes.

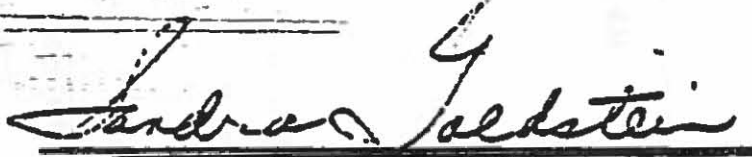
January 12, 1981 Regular Board Meeting - APPROVED WITH 1 no vote (Zelinski) and 1 correction; should be 1:00 a.m.

MR. ZELINSKI said that he did not have ample time to read the Minutes.

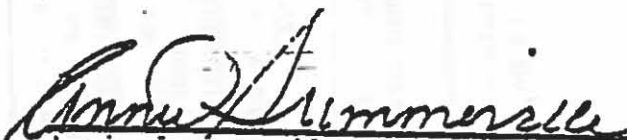
COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS - NONEOLD BUSINESS - NONENEW BUSINESS - NONE

AJOURNMENT - There being no further business before the Board, upon MOTION duly MADE, SECONDED and CARRIED, the meeting was adjourned at 2:58 A.M.

AK
APPROVED:



Sandra Goldstein, President
16th Board of Representatives

By 
Annie M. Summerville, Clerk
16th Board of Representatives

The Above meeting was broadcast in its entirety by WSTC-WYRS

42.

Feb. 2, 1981

Changes in Sentencing:

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

VOTING SUBJECT; NOTIONS, ETC.