

MINUTES OF MONDAY, JUNE 1, 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, JUNE 1, 1981, in the Legislative Chambers of the 16th Board of Representatives in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8:18 P.M. by President Sandra Goldstein, after both political parties had met in caucus.

INVOCATION: Given by Pastor Tony Moore of the Seventh Day Adventists Church, at 2130 High Ridge Road, Stamford, Connecticut.

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

ROLL CALL: Clerk Annie M. Summerville called the Roll. There were 33 present and 7 absent at the time of Roll Call, but Ms. Bowlby came in at 8:27 P.M., making the attendance 34, with 6 absent. Absent: Reps. Darer, Loomis, Kunsaw, DeNicola, Signore (ill), and Livingston (came in 11:24 p.m.); (Mr. Hogan left at 9:55).

The CHAIR declared a QUORUM.

MR. BLUM: "In calling the Roll, I notice that Rep. DeNicola has not been attending our meetings. Is there any reason that you can give?"

THE PRESIDENT: "If I speak to him and determine the reason, I will let you know, Mr. Blum. I can't answer that now."

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

MOMENTS OF SILENCE:

For the late HILDA S. CLARKE of 44 Bedford St., who was 85 when she passed away. She served three times on the Board of Representatives; ten years as a State Representative in Hartford, where her 75th birthday was celebrated in the State Capitol. She had been a member of the Stamford Women's Republican Club and president of the Springdale PTA. She will be sorely missed. This eulogy was given by Rep. Anthony Conti.

For the late PATROLMAN KENNETH E. BATEMAN, JR. of the Darien Police Department who lost his life last Sunday in a tragic accident while performing his duty. Rep. John Boccuzzi extends the Board's deepest sympathy to his wife, Barbara, who is a member of the faculty of Ryle School.

MOMENTS OF SILENCE (continued)

For the late PHYLLIS HOGAN, who was the wife of City Rep. John J. Hogan, Jr., and was employed by the City's Health Department. Requested by Rep. Zelinski.

For the late JOSEPH W. LONGO, the brother of Carmella Terenzio of our office staff, the deepest sympathy extended at the request of Rep. McInerney.

For the late FRANK ALTSCHUL, a very special man, who died last Friday. It was as if a great oak quietly fell on Riverbank Road; and because he was a philanthropist internationally recognized, the reverberation has spread far and wide, said Rep. Audrey Maihock.

STANDING COMMITTEE REPORTS

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

HMM:MS

STEERING COMMITTEE REPORT

A meeting of the STEERING COMMITTEE was held on Monday, May 18, 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.

PRESENT AT THE MEETING

Sandra Goldstein, Chairperson	John Zelinski
Annie Summerville	David Blum
Mary Lou Rinaldi	Audrey Maihock
Richard Fasanelli	Stanley Darer
Handy Dixon	Marie Hawe
Lathon Wider	Alfred Perillo
Donald Donahue	Everett Pollard
Michael Wiederlight	Paul Dziezyc
Robert Fauteux	Fior Corbo
Robert "Gabe" DeLuca	Barbara McInerney

(1) APPOINTMENTS COMMITTEE

ORDERED ON THE AGENDA were seven names appearing on the Tentative Steering Agenda

ORDERED HELD IN COMMITTEE were the remaining names being; 1) Athanasios Loter, Board of Ethics; 2) Mary M. Poltrack, Commission on Aging; 3) Carol Walker, Fair Rent Commission; 4) Ronald J. Wagner, Alternate, Fair Rent Commission; 5) Sybil Taccone, Human Rights Commission; 6) William Sheck, Park Commission; 7) Dale Jackson, Personnel Board of Appeals; 8) John Ordway, Planning Board Alternate; 9) John Sedlak, Zoning Board of Appeals; 10) Orval Stamm, Zoning Board of Appeals Alternate; 11) Catherine Scinto, Welfare Commission; 12) William Askew, Personnel Commission; 13) Edmund Callahan, Golf Authority; 14) Irving Slifkin, Zoning Board Alternate.

2) FISCAL COMMITTEE

ORDERED ON THE AGENDA were 22 items appearing on the Tentative Steering Agenda.

3) LEGISLATIVE AND RULES COMMITTEE

ORDERED ON THE AGENDA were ten items appearing on the Tentative Steering Agenda.
ORDERED HELD IN COMMITTEE was one item being Proposed Ordinance to Repeal Sec. 8-18.

4) PERSONNEL COMMITTEE

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda. ORDERED ON THE AGENDA was an item not appearing on the Tentative Agenda being Ratification of Labor Contract between the City of Stamford and Stamford School Dental Hygienists Assoc.
ORDERED OFF THE AGENDA was one item re: Request for Inquiry into Allegations made by B. Giordano, Supt. of Recreation, Activities of Personnel Director as they Relate to Board of Recreation.

5) PLANNING AND ZONING COMMITTEE

ORDERED ON THE AGENDA were four items appearing on the Tentative Steering Agenda. ORDERED ON THE AGENDA was one item #3, taken from the Transportation Committee re: Request to examine the possibility of returning Bedford and Summer Sts. back to 2-way traffic.
ORDERED HELD IN COMMITTEE one item re: Proposed Ordinance Roads, Streets and Bridges across the Noroton River or the Mill River.

6) HEALTH AND PROTECTION COMMITTEE

ORDERED ON THE AGENDA were two items appearing on the Tentative Steering Agenda. ORDERED ON THE AGENDA was one item not appearing on the Tentative Agenda being Fire Code Task Force Report.

7) PARKS AND RECREATION COMMITTEE

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

8) SEWER COMMITTEE

ORDERED HELD IN COMMITTEE was one item not appearing on the Tentative Steering Agenda being Sewer Avoidance and Air Pollution.

STEERING COMMITTEE REPORT (continued)

9) PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE

ORDERED OFF THE AGENDA was one item re: Request to appoint Sub-Committee under Sec. 204.2 and 206 of Charter for purpose of Investigating the Community Development Dept. due to disclosures in Internal Auditor's Report.
ORDERED HELD IN COMMITTEE was one item re: Inquiry into Auditor's Report of the Community Development Program as it relates to such practices as vacations, compensatory time and wage increases for Non-Civil Servants.

10) TRANSPORTATION COMMITTEE

ORDERED HELD IN COMMITTEE were two items being 1) Request to examine Parking Problems at Springdale Station; 2) Request to examine Ridgeway Center Traffic Hazard at Chester and Urban Sts.
ORDERED MOVED TO PLANNING AND ZONING COMMITTEE one item re: Request to examine the possibility of returning Bedford and Summer Streets back to 2-way traffic.

11) ON-SITE REFUSE CONVERSION STUDY COMMITTEE

ORDERED ON THE AGENDA was a Progress Report of the On-Site Refuse Conversion Study Committee.

12) CHARTER REVISION COMMITTEE & ORDINANCE COMMITTEE

ORDERED ON THE AGENDA was a Progress Report of the Charter Revision and Ordinance Committee.

ADJOURMENT

here being no further business to come before the STEERING COMMITTEE, on MOTION duly made, SECONDED and CARRIED, the meeting was adjourned at 9:35 p.m.

CMT

SANDRA GOLDSTEIN, CHAIRPERSON
STEERING COMMITTEE

APPOINTMENTS COMMITTEE - Handy Dixon, Chairman

MR. DIXON: The Appointments Committee met Thursday night, May 28th, at 7:30 P.M. in the Democratic Caucus Room. Committee members present were Reps. Mildred Perillo, John Boccuzzi, Annie Summerville, Barbara McInerney, Robert DeLuca, and myself, Handy Dixon.

MR. DIXON said he would like to place on the CONSENT AGENDA, Items 1, 2, 3, 4, and 6.

MR. DIXON said #5 is the confirmation of the appointment of MRS. MARGARET ANN ROSS to the Zoning Board. Mrs. Ross has a very broad knowledge in zoning matters, but because of her involvement in the Belltown-Newfield-Springdale Residents Association and the Coalition of Neighborhood Associations, known also as CONA, the Committee's unanimous vote of approval was contingent on the following: That she file a Letter of Intent to resign from the two organizations to this Board and to the Mayor prior to tonight's meeting; that she submit a written resignation to the organizations so-named immediately following the confirmation of this appointment with copies of same filed with the Board of Representatives and the Mayor's Office. The purpose of this request is to remove the appearance of a possible conflict-of-interest. Subject to these conditions, the Committee voted unanimously for her approval. I would just like to read the Letter of Intent which I received this evening.

THE PRESIDENT requested that Mr. Dixon, prior to reading the letter, Move her confirmation, it will be Seconded, and then read the letter.

MR. DIXON said the vote of the Appointments Committee was unanimous for Mrs. Ross' appointment and he so MOVED. SECONDED.

MR. DIXON said the Letter of Intent is very short and it reads as follows; being addressed to him as Chairman of the Appointments Committee:

"With reference to our phone conversation of this morning, I hereby state that upon my confirmation of the Board of Representatives to the Zoning Board, I will resign my position with the Coalition of Neighborhood Associations, and the Belltown-Newfield-Springdale Residents Association, so as to avoid any appearance of a conflict-of-interest."

MR. DIXON said this was signed by Mrs. Ross and was notarized, and he would like this to be filed in the office; and following this Letter of Intent, will be the actual written resignations, copies of which should be sent to this Board of Representatives and copies to the Mayor's Office. Mr. Dixon will make a request of the Mayor that he be certain that he has the resignations before swearing in the person, if she is so confirmed here tonight.

ZONING BOARD

Term Expires

(5) MARGARET ANN ROSS (R)
44 Pershing Ave.

Replacing Paul Dziezyc
who resigned (term expired)

Dec. 1, 1985

THE PRESIDENT called for a vote on Mrs. Ross. APPROVED with 33 Yes, and one Abstention (Patrick Joyce). There are 34 persons present as Ms. Bowlby has joined us.

APPOINTMENTS COMMITTEE (continued)BOARD OF ETHICSTerm Expires

- | | | |
|-----------------------------|---------------|---------------|
| (1) <u>ALAN KALTMAN</u> (D) | Reappointment | June 30, 1982 |
| Mill Stream Road | | |

APPROVED ON CONSENT AGENDA.BOARD OF RECREATION

- | | | |
|-----------------------------|------------------------|--------------|
| (2) <u>PAUL WOODARD</u> (D) | Replacing Richard Rauh | Jan. 1, 1983 |
| 2339 High Ridge Road | whose term expired | |

APPROVED ON CONSENT AGENDA.HEALTH COMMISSION

- | | | |
|------------------------------|---------------|--------------|
| (3) <u>STEFFIE BLOCH</u> (D) | Reappointment | Dec. 1, 1983 |
| 6 Cooper's Pond Road | | |

APPROVED ON CONSENT AGENDA.PATRIOTIC AND SPECIAL EVENTS COMMISSION

- | | | |
|--------------------------------|-----------------------|--------------|
| (4) <u>CARMINE VACCARO</u> (R) | Replacing Jack Palmer | Dec. 1, 1985 |
| 100 West Trail | whose term expired | |

APPROVED ON CONSENT AGENDA.URBAN REDEVELOPMENT COMMISSION

- | | | |
|-------------------------------|-----------------------|--------------|
| (6) <u>NORMAN RAYMOND</u> (R) | Replacing B. Friedman | Dec. 1, 1983 |
| 36 Crestwood Drive | who resigned | |

APPROVED ON CONSENT AGENDA (with Mildred Perillo voting NO.)PARK COMMISSION

- | | | |
|---------------------------------|----------------------------|--------------|
| (7) <u>GEORGE RAVALLESE</u> (D) | Replacing Richard Fitz- | Dec. 1, 1983 |
| 61 Lincoln Ave. | maurice whose term expired | |

MR. DIXON: Item #7 is being HELD IN COMMITTEE because Mr. George Ravallese was unable to appear at this time for interview.

MR. DIXON MOVED for approval on the CONSENT AGENDA Items #1, 2, 3, 4, and 6.
SECONDED. CARRIED. With Mrs. Perillo voting no on #6. Norman Raymond.

SUSPENSION OF RULES TO BRING UP ITEM OUT OF SEQUENCE ON AGENDA

MR. HOGAN MOVED to Suspend the Rules to bring up the Charter Revision Committee Report. Seconded. Carried Unanimously.

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

(1) PROGRESS REPORT.

MR. HOGAN said he spoke with his Co-Chairperson, Mrs. Guroian, this afternoon, and the report is very short: "Inasmuch as the proposals recommended by the Charter Revision Commission will be forwarded to all of the members of the Board by the end of this week, and in keeping with the provisions of the State Statutes, a public hearing will be held during the latter part of this month. The Charter Revision Committee will meet on and make a report to the entire Board, for the Board's action, at the July 6th meeting. Notification of the dates and of the hearing and the meetings will be sent to all members and interested parties."

FISCAL COMMITTEE - Co-Chairpersons Marie Hawe and Paul Esposito

MRS. HAWE said the Fiscal Committee met on Wednesday, May 27, 1981. Present were Committee members Representatives Betty Conti, Robert Fauteux, John O'Brien, Paul Esposito, and myself; as well as various other Board members.

MRS. HAWE MOVED to the CONSENT AGENDA, Items #3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21. The secondary committees that were involved concurred. THE PRESIDENT said Item #8 could go on Consent Agenda with the understanding that the amount be corrected from \$2,000 to \$2,8000, a typo.

- (1) \$ 12,500.00 - COMMUNITY RETURN - Code 770.7552 - MULTI-SERVICE CENTER - Additional Appropriation for Multi-Service Center for ex-offenders returning to Stamford. This award contains \$11,250 of Federal funds and \$625 State funds; the balance of \$625 to be matched with City funds. Mayor Clapes' letter dated 5/4/81. Board of Finance approved 5/14/81.

Above item also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

MRS. HAWE said this is the last segment of money to be received from the Connecticut Justice Commission through an LEAA grant. It will allow Community Return to continue until mid-November, at which time the funding will be assumed under the Connecticut Department of Corrections budget. Fiscal voted 4 in favor and one opposed and she so MOVED. SECONDED.

MR. FAUTEUX said Education, Welfare & Government Committee concurs.

THE PRESIDENT called for a voice vote and the MOTION was APPROVED with one No vote and the rest Yes votes, with a few members off the floor.

FISCAL COMMITTEE (continued)

- (2) \$100,000.00 - MAYOR'S OFFICE - Code 201.079 - NEIGHBORHOOD HOUSING SERVICES - AMENDMENT TO CAPITAL PROJECTS BUDGET - to
(Resolution) be financed by TAXATION, which funds are to be reserved in Mayor's Office Account as the City's contribution to the NHS Revolving Rehabilitation Loan Fund. Mayor's letter 4/16/81. Board of Finance approved 5/14/81.

Above item also referred to PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE.

MRS. HAWE said this Amendment to the Capital Projects Budget^{is} for the Neighborhood Housing Services. These funds would be the City's contribution to the NHS Revolving Rehabilitation Loan Fund. NHS is a self-help program to save and revitalize owner-occupied housing. It is a privately-run, non-profit corporation. It will be a partnership between the private sector, the City, and the residents involved, and the Board of Directors will be people composed from these various groups. When this Board of Directors is set up and policies are set down, it is expected that Phase I of the program will be the West Side and Phase II will be directed toward the South End. The money from the City will be put in a Revolving Loan Fund. NHS also hopes to obtain \$150,000 from corporate sources and \$50,000 from neighborhood reinvestment corporations, to also add to this Revolving Loan Fund. Home-owners in the target area will be able to apply for loans for home improvements. The Loan Committee of NHS which will include bankers, will set policies for granting loans, will set repayment schedules, and will set interest rates.

The Operating Budget for NHS will be approximately \$100,000 per year. They have tentative commitments from several banks who they hope will provide these operating funds. Fiscal voted 2 in favor, one opposed, and 2 abstentions and she so MOVED. SECONDED.

MR. WIDER said Public Housing and Community Development Committee concurred.

THE PRESIDENT said she already had a long list of persons wishing to speak.

MRS. CONTI asked what is Neighborhood Housing Services actually. And she wished to read the definition received with the background material: "Non-governmental. It is a private, non-profit, tax-exempt corporation run entirely by a local Board of Directors."

MRS. CONTI went on to say that if this is a non-governmental, private corporation, why must it be funded, in any part, by the taxpayers of Stamford. She opposes this funding of private corporations by government. If the corporation is dissolved, what happens to the funds contributed by Stamford taxpayers. If the corporation is sued, what is the City of Stamford's liability. This is an entirely new program thrown before us with the sketchiest information. The City is asked to appropriate \$100,000 of taxpayers' money to a private corporation, over which the City has absolutely no control. She firmly believes that what government subsidizes, government should control. If we don't have control over it, then let it finance itself. Is it not enough that the taxpayers have just been subjected to a 5 mill tax increase, without initiating new frill items such as this to insure further tax increases.

MRS. CONTI -(continuing her Minority Report): She said we must call a halt, here and now, to the frills and the luxuries. Local taxes were intended to finance municipal services to the taxpayers, not to subsidize private corporations. She urged all those Representatives who are concerned about the taxpayers of their districts to join her in voting NO on this item. Has it not occurred to anyone that if the tax burden were not so overwhelming, taxpayers would rehabilitate their own properties. The only permanent solution to deteriorating property is a reduction of spending and consequent reduction of taxes. Programs such as this are only short-term solutions. Why not work toward the proper affirmative solutions. The power to tax is the power to destroy. We are reaping the harvest of destruction for the injudicious taxation of the past 20 years, and the answer is not more giveaway programs, creating more unwise taxation. Think ahead. This only adds to the vicious circle of high taxes followed by more deteriorating property. There will never will be an end to it. Stop the spending and property will be privately maintained.

MR. FAUTEUX said he holds a contrary position. He urges approval of this creative and innovative program and would like to quote from the transmittal letter from the Planning Board to the Mayor when they transmitted the request to the Mayor. And the third paragraph reads thusly: "It is the view of the Planning Board that the Stamford Neighborhood Housing Service will play a central role in the upgrading of both the West Side and South End. The combined partnership of local residents, the private sector, and the City provide the key ingredients for a successful re-vitalization program, as has already been shown throughout the country. The enthusiasm already shown by the West Side and South End residents and the banking and corporate communities is an encouraging signal as to the promise of the NHS program in Stamford." Mr. Fauteux said he feels that says it all.

MR. DIXON said he is in accord with Mr. Fauteux's statement as the vacancy rate for housing has reached the Zero mark minus already. Building new units is far beyond our means because of the unavailability of land and the high cost of construction. NHS has provided another means of rehabilitating and preserving existing but deteriorated structures. If this can be done successfully, eventually it will add to the revenue of the City.

MR. WIDER said he is a member of the Mayor's Downtown Housing Task Force. They have sat for a long time trying to find a vehicle, any vehicle, to maintain what housing they already have. They have skimped on many social programs in order to rehabilitate as many units as they could through Neighborhood Preservation. They have given many tax-write-downs to New Neighborhoods. And they have found a Neighborhood Housing Reinvestment Service that is a vehicle that can be used and they are proud to have it to come into Stamford to create a middle between Neighborhood Preservation and New Neighborhoods, Inc. They will be able to help the people that neither one of these programs can loan money to. They will be run by local Boards of Directors, and will be people that people can talk to, can give good legal advice on what the cost is on renovating a building. Many people are afraid right now to renovate their buildings, and many are run-down, because they can't get the kind of technical advice that they need. NHS plans to eventually do more than the two areas, but we must begin somewhere, and that is on the West Side, and then the South End, and from there, they will spread out to the various needed areas.

FISCAL COMMITTEE (continued)

MR. DeLUCA asked if the City would have the right to do an audit, and will we get periodic reports on the expenditures being incurred.

MRS. HAWE said this was not asked and she does not have an answer.

MR. WIDER said that was one of the specific questions he asked and the City will be provided an audit of all their programs.

MR. DeLUCA asked if there were a limitation as to when these people, once their homes^{are} revitalized, remodeled, upgraded, updated, whatever, before they can sell it and keep the profit. As he understands it, the way it was handled with the Richmond Hill Avenue Project, that they went in there, they converted them into useable homes, and they were not allowed to sell them for a period of five years; and if they did, whatever profit they made had to be shared or some such thing with the City. Is this same stipulation included in this contract here.

MR. WIDER said they discussed this at length and the Board of Directors in setting it up, go along. When they set up a contract, the contract will carry with it a time-frame as to how long they must have it before they can sell it without returning the interest to the City of Stamford.

MR. DeLUCA said in other words, this will most certainly be in the contract and Mr. DeLuca can quote Mr. Wider on this for the record.

MR. WIDER said he is making it a part of the record.

MR. DeLUCA thanked Mr. Wider and said since Mr. Wider is chairman of the Committee, it will be part of the record that some form of stipulation will be therein whereby we will not invest \$100,000 and six months later, these people will sell it for a bonanza and the City will be left holding the bag.

MR. ESPOSITO MOVED THE QUESTION. SECONDED.

THE PRESIDENT said they would use the machine for this. There are 22 Yes votes, 10 No votes, and 2 Abstentions. The Motion is DEFEATED as two-thirds are needed for passage.

MR. DONAHUE reminded the Board members when residents of the South End came to this Board to upgrade their neighborhood from a General Industrial Area to a Residential Area, so they could have the right to upgrade the housing in those areas. At the time, before this, they were non-conforming uses and they could not make repairs to their homes. This \$100,000 is well worth it to show the City's concern and their cooperation in protecting the housing stock that is in place in both the West Side and the South End.

MS. SUMMERVILLE said Mr. Donahue said almost exactly what she was going to say. She would just like to add one note and that this particular thing is only to try^{to} keep people in Stamford and to have more taxpaying citizens and not to take them away. This is a worthwhile cause and she urged members to vote for it.

FISCAL COMMITTEE (continued)

MRS. GUROIAN has a question to ask and she has been trying to determine it from the literature, but has not been able to do so. It states they expect to reach a goal of \$500,000, which is half a million dollars, but she does not see where it says who is going to vote that money out of the Revolving Fund.

MRS. HAWES responded that there will be a Loan Committee who will make determinations on who gets the loans, what interest rates, the schedule of repayment, all that. And the Loan Committee will include among others, bankers from the community. They will make the determination.

MRS. GUROIAN asked who will appoint this Loan Committee.

MRS. HAWES replied that it would be the Board of Directors of the NHS, and they are in the process of being set up, and it will include people from the City, from corporations, and residents will also be on the Board of Directors. And they will set up these other committees.

MRS. GUROIAN asked who appoints the Board of Directors now.

MR. WIDER said the directors will be elected by the community which they are going to be working in and are the funding sources, including someone from the City of Stamford will be a part of the naming of that Board of Directors.

MRS. GUROIAN said Mr. Wider is confusing her. He says they are going to be elected. Now, they are either going to be elected, or they are going to be appointed by somebody, or they are going to be volunteers.

MS. SUMMERVILLE said there is an Ad Hoc Committee and from that committee which is the start, the Board of Directors will be set up and they will be spread out from community people, etc.

MRS. GUROIAN asked who is the Ad Hoc Committee.

MS. SUMMERVILLE replied that she does not have it right before her, but ... Mrs. McInerney seems to have the answer. But some of them are Pamela Koposki of Champion International; Clarence Modre from Connecticut Bank & Trust; T. Blackshear who is a resident; John Costanza of Stamford Savings; Gilbert Rozier, Urban League; Henry Tiffet, State National Bank; Peter Walker, a resident; and Jerry Poole and Leslie Higgins are the Coordinators of the entire program for Stamford.

MRS. GUROIAN asked who represents the City of Stamford.

MS. SUMMERVILLE said Mr. Blackshear has been here all his life and is a very active member of the Planning Board.

MR. ESPOSITO said he had a list of the Ad Hoc Development Committee and it is these people who will get together and try to develop a comprehensive Board of Directors representing all segments of the community and the list is very long, but I believe what Mrs. Guroian is asking if anyone from the City is a part of this program, and the people that work for the City include Susan Brewster, who is part of this Ad Hoc Development Committee; David Hruska from the Neighborhood Preservation Program; Janice Goldstein from the Housing Authority; Joseph Gamel from the NPP; Ora Diaz from CTE; Handy Dixon; Patricia Marshall from New Neighborhoods; Nancy Mitchell from Community Development; Carl Nohring from

FISCAL COMMITTEE (continued)

MR. ESPOSITO (continuing) from the Health Department; Gilbert Rozier, so there have been a number of people from the City who have been involved from the beginning.

MR. ZELINSKI asked if there was any possibility of receiving any Community Development funds for this particular project.

MRS. HAWE said there was some mention of that in the back-up and she will see if she can locate it, but she knows the answer is no.

MR. ESPOSITO said it was on Page 2 where they point out that Community Development funds would not be used because it involves a very complicated and cumbersome restriction in the process. It states "However, beyond its initial direct financial commitment to development of the Stamford NHS, the Community Development Program will provide further blockgrant support to this organization through the Stamford Neighborhood Preservation Program for architectural rehabilitation, technical assistance, when needed.

MR. ZELINSKI said based on that answer, he would urge his colleagues to vote in favor of this appropriation. He has always been concerned with taxpayers' dollars and if there would be a way of reducing taxes, he would certainly be the first one to do it; however, in this particular situation, he can't think of a more worthwhile project that would benefit the residents of Stamford.

MR. O'BRIEN has a couple of questions that perhaps Mr. Wider can answer. He is concerned about the operating budget of this. He assumes that none of this \$100,000 which we are putting into the Revolving Fund can be used for operating budget; and if somebody does know the amount of the operating budget, how do they intend to garner these sums year in and year out.

MR. WIDER said it was stated previously there is a plan already afoot to raise the operating funds from corporations, and the bankers have already pledged more than that even.

THE PRESIDENT asked if that answer was sufficient for Mr. O'Brien, because she feels there are some other people who feel that they can expatiate somewhat.

MR. O'BRIEN said no, he is concerned about not only this year, but next year and the years down the line as to where we are getting the operating funds.

MRS. HAWE said the operating budget each year will be \$100,000, and NHS hopes to get a three-year commitment from various banks to fund the \$100,000 for the three years. They already have some tentative commitments from various banks in the area. Beyond that, it's not definite, but they hope to get these three year commitments for contributions of funds from various area banks.

MR. O'BRIEN asked can we be assured that none of this \$100,000 will be used for operating funds.

MRS. HAWE said yes, it is a capital amendment and it will just go into the Revolving Fund and there is no way it can go into the operating.

FISCAL COMMITTEE (continued)

MR. FLOUNDERS said considering the almost insoluble housing problem that we have in Stamford, he heartily supports this effort by Neighborhood Housing Services to rehabilitate existing housing. This is an opportunity collect a half million dollars in a cooperative effort between the City's \$100,000, and \$300,000 from the corporations, and \$50,000 from the Neighborhood Reinvestment Corporation. There are two few affordable ways to address the housing crunch and here is a chance to chip away at it, to give people affordable housing and to preserve some viable potentially higher tax-yielding properties. He urge all his colleagues to support this very modest investment.

MR. BOCCUZZI MOVED THE QUESTION. SECONDED. Vote is 20 in favor, 12 opposed, with 2 abstentions. DENIED. The question has not been moved.

MR. JOYCE said he would like a Point of Personal Privilege. He said he has had his hand up for 15 minutes and now they are Moving the Question and he has not had an opportunity to speak on this item.

MR. JOYCE said in answer to Mr. O'Brien and some of the earlier speakers, regarding the monitoring of the usage of the funds we are speaking about, he has been assured precisely by the members of this Ad Hoc Committee, and there are 58 of them and he has their names in front of him, 25 are City bureaucrats, 4 represent the corporations, and 8 represent the banking community. Mr. Joyce has been assured by the banking and corporate members that he will be elected to this particular group with their votes at least and he intends to carefully monitor the funds that are being used.

MR. WIEDERLIGHT said once again we are talking about a marriage between government and the private sector to improve our City. We must make our City a better place to live in, as well as to work in.

MRS. PERILLO has one great concern and that is with the Health Department's Housing Code Task Force inspectors going into the homes. She would like whoever is on this Committee to make very certain that they do not use Gestapo tactics with the people in her district, or any other district, whether it is the 9th, the 5th, or the 10th or the 2nd, because this is what they have been doing and she has been receiving a lot of complaints and she will not tolerate having the people in her district treated in this manner. She is going to vote for this item as she received additional information to her satisfaction.

THE PRESIDENT said there is a request for a Roll Call vote and there are sufficient Show of Hands for this, so the Clerk will take a Roll Call vote. The question is on an amendment to the Capital Projects Budget of \$100,000 for the Mayor's Neighborhood Housing Service Revolving Rehabilitation Loan Fund. It has been MOVED and SECONDED. APPROVED with 30 Yes votes, 3 No votes and 1 Abstention (Roll Call sheet at end of Minutes.)

- (3) \$ 35,000.00 - TURN-OF-RIVER FIRE DEPARTMENT - Code 474.981 - STATION #2 -
(Resolution) Building Improvements and Parking. AMENDMENT to the Capital Projects Budget, to be financed by bonds. Mayor's letter 4/28/81. Board of Finance approved 5/14/81.

Above item also referred to HEALTH AND PROTECTION COMMITTEE.
APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (4) \$ 2,548.00 - PARKS DEPARTMENT - TERRY CONNERS RINK - Code 620.2210 - BUILDING MAINTENANCE - Additional Appropriation to repair scoreboard for hockey programs. Mayor's letter 5/4/81. Board of Finance approved 5/14/81.

Above item also referred to PARKS AND RECREATION COMMITTEE.

MRS. HAWES said this is being HELD.

MR. DeLUCA asked if a Motion could be made to delete this item altogether from the Agenda as he received a call last Thursday, May 28th, from Supt. Cook that these funds will be transferred from another account and should never have been part of the Agenda.

THE PRESIDENT said Mr. DeLuca was correct and the item will be DELETED FROM THE AGENDA.

- (5) \$ 1,823.40 - BOARD OF RECREATION - Code 655.4185 SELF-SUSTAINING WINTER SOCCER PROGRAM. Additional Appropriation requested Mayor's letter 5/4/81. Board of Finance approved 5/14/81.

Above item also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA, with Mrs. Conti Abstaining.

- (6) \$ 7,022.00 - BOARD OF RECREATION - Code 660.2310 DOROTHY HEROY RECREATION AREA MAINTENANCE OF FACILITIES - Additional Appropriation requested by Mayor's letter 5/4/81. System in need of immediate repair. Board of Finance approved 5/14/81.

Above item also referred to PARKS AND RECREATION COMMITTEE.
APPROVED ON CONSENT AGENDA.

- (7) \$ 500.00 - BOARD OF RECREATION - Code 663.2710 STERLING FARMS - Additional Appropriation due to major increase, and will cover Building #9. Mayor's letter 5/4/81. Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

- (8) \$ 2,800.00 - WELFARE DEPARTMENT - SMITH HOUSE RESIDENCE - Code 530.077 - (Resolution) Amendment to the CAPITAL PROJECTS BUDGET for Stove Replacement, to be financed by taxation. Mayor's letter 4/14/81. Board of Finance approved 5/14/81.

Above item also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (9) \$ 2,200.00 - WELFARE DEPARTMENT - SMITH HOUSE RESIDENCE - Code 530.1130
PART-TIME SALARIES - Additional Appropriation to cover
full-time staff absences due to illness and vacation.
Mayor's letter 5/4/81. Board of Finance approved 5/14/81.

Above item also referred to PERSONNEL COMMITTEE.

MRS. HAWK said before she starts on these Welfare items, she would like to make a few comments, if that is appropriate. At the Committee meeting last Wednesday, the Committee met with Mr. Canino and administrators in the Welfare Department for almost an hour. She is sorry that many Board members who are concerned about some of these items could not be there because they spoke to them for quite a while about it. There appear to be two reasons for the financial problems within the Welfare Department at this time. One, the Welfare Department's budgets could have been better thought out and better mathematically arrived at. The Board of Representatives and the Board of Finance made no cuts last year in the Welfare Department's budgets so it is obvious that they were inadequately prepared to begin with.

Second, under the previous Welfare Director, the Smith House administrators were given no experience or training on how their departments were run financially, or on the City's budgetary process. To remedy this, Mr. Canino has told us that a team from the Finance Department will be sent to the Smith House Skilled Nursing Facility, the Smith House Residence, and the Welfare Department to train the administrators in City fiscal matters.

Also Mrs. Hawk wished to bring to the Board's attention the research that has been done by Barbara Miller, the Board's Researcher, this month, but in the back is a list of all the appropriations that we have approved for the Welfare Department from December, so that at a glance, we can see that we are not duplicating things.

MRS. HAWK said the money requested is to correct a shortfall in the account due to raises going through, and an unusual amount of absenteeism this year and this was not taken into account, making the account under-funded to begin with. Fiscal voted 5 in favor, none opposed, and she so MOVED. SECONDED.

MR. BLUM said the Personnel Committee voted 4 to 1 to concur, but he would like to read into the record, their reasoning not to have this go on to the Consent Agenda. Mr. Canino, Acting Welfare Director, spoke in answer to questions in regard to fiscal items 9, 10, 11, and 12 in which the Personnel Committee was the secondary committee. Upon asking numerous questions as to why an outside agency sends nurses in because of the lack of nurses at the Nursing Facility, it was found that the Smith House Nursing Facility has been working understaffed due to vacancies and absences. Many of the regular nurses were working double shifts due to vacancies. They also learned that school nurses and public health nurses cannot be used because of a Personnel Department policy. Personnel voted 4 to 1 to concur with Fiscal, but with some recommendations. Personnel recommends that the Personnel Director, with his Commission, look into the policy about using our public health nurses and school nurses at the Smith House rather than going to an outside agency that costs us practically double for that nurse. Personnel also asked that the City Auditor do an immediate audit on the Operating Budget, especially in regard to the use of personnel, the salary account, over-time account, and the part-time account which was used for salary account. This is a non-compliance.

FISCAL COMMITTEE (continued)

MR. BLUM (continuing). He said you cannot use regular Salary funds for funding Part-Time Accounts. Therefore, with these stipulations of the Personnel Committee, they will concur provided the Board acts upon these recommendations.

THE PRESIDENT said that now we have a different question. We cannot place contingencies upon money. We either approve or we reject it. We can also cut an amount. But we cannot say we'll approve it if you have an audit. We can recommend, but it becomes a non-binding recommendation, and the Board can vote on adding these recommendations, and that is just what they will be: recommendations. If you would like to move that those three areas be recommended to the Personnel Director, the City Auditor, etc., we can do that. If the Board does not concur, you are at liberty to vote against those appropriations, if you so choose.

MR. BLUM asked if, after they vote on the money, could they also vote to make the recommendations; they can be non-binding, yes, but they wish the Personnel Director and Commission look into these items, and that the City Auditor conduct an immediate audit on the Operating Budgets of past performance.

THE PRESIDENT said she would allow that to be a Motion and the Motion is that attached to the Welfare Department's requests for these appropriations, the Board recommends that the Personnel Director looks into the policy of using other nurses in those areas where that applies; and that second, the City Auditor, audit the Operating Budget of the Welfare Department. MOVED. SECONDED. APPROVED UNANIMOUSLY (voice vote). She asked Mr. Blum to write out specifically what he requested, as she paraphrased it, and it will be added to the request.

THE PRESIDENT called for a vote on the \$2,200.00 for Item #9. MOVED. SECONDED. APPROVED with 2 No votes (Mr. Stork and Ms. Summerville), no abstentions; and the rest were Yes votes (by voice).

- (10) \$ 1,900.00 - WELFARE DEPARTMENT - SMITH HOUSE RESIDENCE - Code 530.1122
SALARY DIFFERENTIAL. Additional Appropriation - MEA
employees are paid 10% differential after 3:00 p.m. This
account started with insufficient funds. Mayor's letter
5/4/81. Board of Finance approved 5/14/81.

Above item also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (11) \$ 3,330.00 - WELFARE DEPARTMENT - SMITH HOUSE RESIDENCE - Code 530.1110
SALARIES - Additional Appropriation per Mayor's request
5/4/81. Initial request was insufficient. No additional
staff added. Board of Finance approved 5/14/81.

Above item also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (12) \$78,850.00 - WELFARE DEPARTMENT - SMITH HOUSE SKILLED NURSING FACILITY
Code 520 (see below) - Additional Appropriation requested
Mayor's letter 5/6/81. Board of Finance approved 5/14/81.

520.1110 Salaries	\$65,300.00
520.1122 Differential	1,150.00
520.1201 Overtime	<u>12,400.00</u>
	\$78,850.00

Note: Salary-related accounts either are in deficit or
are projected for year-end deficit.

Above item also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (13) \$ 150.00 - FAIR RENT COMMISSION - Code 115.2740 TELEPHONE - Addi-
tional Appropriation requested Mayor's letter 5/4/81.
Funds are not sufficient to cover monthly rate which was
increased. Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

- (14) \$ 750.00 - PLANNING BOARD - Code 104.2740 TELEPHONE - Additional
Appropriation requested Mayor's letter 5/4/81. Funds
not sufficient to cover monthly rate which was increased.
Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

- (15) \$ 550.00 - PLANNING BOARD - Code 104.2923 - PHOTO-COPYING - Addi-
tional Appropriation to cover additional copies for
Planning Board, Zoning Board, and Board of Representatives
for meeting relating to new Master Plan. Mayor's letter
5/4/81. Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

- (16) \$ 600.00 - PLANNING BOARD - Code 104.2910 OFFICIAL NOTICES - Addi-
tional Appropriation to cover increased rates to cover
costs to June 30th. Mayor's letter 5/4/81. Board of
Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

- (17) \$ 1,160.00 - MAYOR'S OFFICE - Code 201.1201 OVERTIME - Additional Ap-
propriation requested Mayor's letter 5/4/81, which will
be used for commercial relocation for the Urban Redevelop-
ment Commission, and will be reimbursed to the City by URC.
Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (18) \$ 3,322.00 - COMMISSION ON AGING - Code 114.4201 PROGRAM SERVICES - Additional Appropriation to cover four City-wide events for the elderly which will be reimbursed. Letter dated 5/5/81 from Harry Selin, Chairman, of Commission on Aging.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (19) \$351,800.00 - BOARD OF EDUCATION and THE STAMFORD EDUCATION ASSOCIATION. Re-submission request for Additional Appropriation - CODE 811.1165-TEACHERS' ATTENDANCE BONUS - which is included in the contract as awarded under binding arbitration as provided by Sections 10-153 (d) and 10-153 (f) of the Connecticut General Statutes. Supt. of Business Affairs B. R. Reed's letter dated 4/29/81.

Above also referred to PERSONNEL COMMITTEE.

MRS. HAWES said this Attendance Bonus originally came before us several months ago and at that time the request was for \$425,000.00. Since there is no experience in this, and this is the first year that this has been in effect in the contract, it is very hard for the Board of Education to determine how much is needed exactly. Based on figures in April, and assuming similar experience to the end of the year projected out to the end of June, this is what they feel they will need to cover this.

MRS. HAWES said upon questioning Mr. Morris on the future of the Perfect Attendance Bonus, considering apparently that our Board feels quite negatively on the subject, they learned that the Board of Education has made a commitment to address this issue next year as part of the ongoing negotiations with the teachers' union. Fiscal voted 3 in favor and 2 opposed and she so MOVES. SECONDED.

MR. BLUM said Personnel voted 3-2 to concur, as well. However, he wished to speak regarding the bonus. He said they voted to approve this amount as it is mandatory to pay the financial portion of an arbitrated contract. He would like to read into the record a part of the General Statutes of 1979, Section 7-474 of the Municipal Employees' Contracts. Section 7-474 (c): Notwithstanding any provision of any General Statute, Charter, Special Act, or Ordinance to the contrary, the budget-appropriating authority (which we are) of the municipal employer, shall appropriate whatever funds are required to comply with a collective bargaining agreement provided the request called for in sub-section (b) (which pertains where the agreement is signed by the Mayor and 14 days thereafter it comes to the Board of Representatives and we have 30 days, as the Legislative Body, to act upon it) - of this section has been approved by the legislative body of such municipal employers, or with a collective bargaining agreement approved as the result of an arbitration decision rendered in an impasse of contract negotiations under Section 7-472, or rendered in accordance with the provisions of Section 7-473 (c) or subsections (h) to (k) inclusive, of this section, or approved under subsection (c) of section 7-473, as the result of the failure of the parties to reject the factfinder's report."

FISCAL COMMITTEE (continued)

MR. BLUM (continuing) That is how this contract came to us, through Binding Arbitration, so therefore according to the General Statutes, we are bound mandatorially, just by the word "shall", to pay this. By not paying this amount, we are subject to a court decision and I assure you it would cost us, the City, more money in the end, to pay this.

The Personnel Committee has recommended that the Board of Education open up the Teachers' Attendance clause of the contract for the next fiscal year starting July 1st, and negotiate a better salary for teachers in an attempt to prevent the flight of our highly-skilled specialized teachers. That is the end of Mr. Blum's report.

THE PRESIDENT said there is a long list of speakers and Ms. Summerville is the first.

MS. SUMMERVILLE said she cannot believe that when something is done wrong, it cannot be made right. She is going to vote against this on principle alone. She received more calls from persons, not just her constituents; educators, schoolteachers, who are against this, against this, the principle of it. Whoever is responsible should be brought to task. For example, suppose the Board of Representatives, who get no expense reimbursement, no gas, no telephone, nothing, were to receive awards, or special recognition for perfect attendance, or some extra-special privileges. That would be ridiculous. She feels this is a similar situation, and you are insulting the integrity of educators when you do this. She is not saying we won't go to court, but she is willing to go to court, stand up and say we made a mistake, let's deal with it. It is as simple as life and death. It was a mistake, and whoever is responsible, the Board of Education, the negotiator, or whoever is responsible, she is willing to stand up to that person who is responsible and say, you rectify the mistake, because in good faith, Ms. Summerville thinks those teachers themselves were bargaining in good faith, and she has that much trust in them.

MRS. MAIHOCK agrees with Ms. Summerville. She questions Mr. Blum about the mandatory part of it, and why are they voting on this at all. She agrees that teachers should receive a proper salary, but it should be given for merit not just for attendance. If Representatives are not given discretion as to which appropriations they feel are fair to taxpayers, then it seems that the function of Representatives is being eroded. This item represents a double payment for a service that was contractually already paid for. It seems morally wrong to assess taxpayers twice for what they have already paid for: teachers' attendance as part of the contractual expectation of a salaried contract. She cannot in good conscience vote for this as she believes very strongly, as a representative of taxpayers, that she do so. It is improper, and represents a misuse of public funds, in her opinion.

MRS. MCINERNEY said she has to agree with both Ms. Summerville and Mrs. Maihock. This is an injustice and she would rather see the City fight this action in a court of law; and she would look for ramifications if this is approved tonight, for if one union will get perfect attendance bonus, you can be guaranteed that every other union will come in afterward for it.

FISCAL COMMITTEE (continued)

MR. DeLUCA said he feels it is time for all municipalities to appeal all arbitration decisions which place a burden on the over-taxed community. He cannot agree with Rep. Blum that it is mandatory because of arbitration. We are not here discussing salaries. We are discussing something that these people are being paid to do. They are professionals. In Mr. DeLuca's business, professionals put in 110% attendance, not 100%, and they do not get paid extra for it. They are not paid overtime, and if you are a professional, it should be required of you also. And that if this is mandatory, Mr. DeLuca does not see why additional funds should be provided. Just recently, Alan Grafton found \$120,000 more to pay for the bus contract which only called for a 6% increase, but he is willing to give them a 12.9% increase. If he is able to find \$120,000 to pay this off, let him find the \$351,000 out of the Board of Education funds. He urges his colleagues to reject this tonight.

MR. DIXON said however way this comes to us, he wants to go on record as being opposed to it. He thinks it is the most ridiculous thing he has heard of during his 13 years on this Board. It sets a new precedent with which we are going to be slapped in the face with, probably next year and the next years to come. The teachers of this City have a job, and they have a job to do. It is the job of their choice, not ours. And any time that we have to pay a person to come to the job which he is being paid to do, it just doesn't make any sense to him at all. Most of the members of this Board have expressed their concern about the taxpayers' money from time to time. Well now, we are talking about just giving away money, giving away the taxpayers' money. It simply just doesn't make any sense. He wants to see our teachers paid. He wants to see them happy on their jobs. And he wants to see them doing a good job. But to hand out \$351,800 just to say "Come to work" is downright ridiculous and he is opposed to it.

THE PRESIDENT said there is a long list of speakers so that if anyone shares the same point of view, could they please just shorten their remarks a bit, if they are going to be basically repeating the gist of what previous speakers said.

MRS. CONTI agrees with all the previous speakers in opposition to this. Even though we are talking about binding arbitration here, the parties to this contract were the Board of Education and the teachers. The contract was not between the City of Stamford and the teachers. Now even though they say they will think next year about possibly removing this, I think we are all realistic enough to know that once something is given in a union contract, it is never gotten back, unless you give 100 times more in return. She would rather go to court and see this fought up and down the line because it will be cheaper in the long run than having this provision in every labor contract that comes before this Board. She urges her colleagues to join her in voting No.

MR. DZIEZYC said if we are legally obligated to pay this sum, the Board of Education should pay it. They negotiated it. They initiated this proposal; the teachers did not want it. The Board of Education brought it upon them. It is an insult to the teachers who are dedicated and conscientious who put their time in 100% every year; and now to reward somebody is an insult. There is enough money in the Board of Education budget if the court says we have to pay for it. We don't have to appropriate any more money. They could pay it out of their funds. They have enough money there.

FISCAL COMMITTEE (continued)

MR. JOYCE said this is a legal point. Following up Mrs. Conti's point, this contract was made between the Board of Education and the teachers; and which we hear every year, as a State agency, we do not have the opportunity to review their budget, line item by line item, as we do the other City Boards and Commission and Departments. In this particular instance, the contract was not made between the City of Stamford and the schoolteachers' association. The binding arbitration, as such, was not between the City of Stamford and the teachers' union. This was a contract between the Board of Education, as we have heard and as there is allegedly a decision of law in the State of Connecticut, that says the Board of Education is a State Agency. Therefore, I fail to see how possibly arbitration (The President interposed here, asking the members to give Mr. Joyce their attention) can be binding upon the City. So there is a very strong legal impediment here and he thinks that this is the reason why he would seriously urge the Board members to consider the aspects of the legality of this Board without ever having engaged in negotiations, being bound by arbitration of two other parties. We were never a party to this contract and we should not be bound by any decision of any arbitrator. That Statute read by Mr. Blum does not apply in this case.

MR. STORK said he sympathizes with those members of this Board who are in disfavor of this appropriation. He was on the Prevailing Side of the Personnel Committee's vote on this matter. As Rep. Summerville said, principle is at issue here. As a labor organizer for the largest union in this country, membership 2,300,000 strong, Mr. Stork must stand up for a contractual obligation. What we have here is a blundered negotiation, but he must vote in the affirmative for the principle of honoring an agreement. This Board is not a party to binding arbitration.

MR. HOGAN said he must echo Mr. Stork's thoughts on this. He thinks that we are losing sight of the fact that this should not have been negotiated into the contract, that we are, as Mr. Blum said, we are mandated by State law to appropriate these funds. Because we don't agree with the law, gives us no right to violate the law. On Thursday last, when an injunction was brought preventing us from holding a meeting, we honored that injunction although we disagreed with it because it was the law. And this, in effect, is also the law. This is an obligation that we are bound by State Statute to adhere to. We have no choice but to appropriate the money, and he feels our remedy here is not to reject it, but to attempt to have the law then changed in Hartford, through our local Representatives and Senators.

MR. WIDER MOVED THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT said the record will note that Mr. Donahue has left the floor for the purpose of this vote.

THE PRESIDENT said the question before the Board is on \$351,800, Fiscal item #19.

MR. BLUM asked for a Point of Personal Privilege as Chairman to answer some of the questions posed by other members in their discussion. The President ruled this out of order since the question had been moved and that was incontrovertible.

FISCAL COMMITTEE (continued)

THE PRESIDENT called for a vote. The vote was 9 Yes, 19 No, 6 Abstentions, and the Motion has been DEFEATED. (Mr. Fasanelli voting NO.)

- (20) \$ 4,767.12 - HEALTH DEPARTMENT - PUBLIC SCHOOL HEALTH PROGRAM - CODE 560.1110 SALARIES - Additional Appropriation to cover payment for unused sick days to a Dental Hygienist who will retire in June, 1981. Mayor's letter 4/23/81. Board of Finance approved 5/14/81.

Above also referred to PERSONNEL COMMITTEE.

MRS. HAWE said this dental hygienist will retire 6/30/81. In accordance with the Dental Hygienists' Contract, the City owes her \$4,767.12 for her unused sick days. These kind of requests will not be coming to us in the future since we approved a line item for Termination Pay in the budget, and all things such as this will come out of that, rather than out of the individual department's budget, starting in the new fiscal year. Fiscal voted 5 in favor and none opposed, and she so MOVES. SECONDED.

MR. BLUM said Personnel felt there were some questions that were not answered and they voted to HOLD IN COMMITTEE.

MRS. HAWE said this person had 144 unused sick days, and upon retirement, the contract states that one-half of those sick days, which would be 72, are paid to her at her retiring salary.

MR. DeLUCA MOVED to HOLD IN COMMITTEE for another month since this person is not scheduled to retire until June 30th. SECONDED.

THE PRESIDENT called for a vote on the Motion to Return to Committee for one more month. We must consider the possibility that this person might become ill during June, which would change the sick leave pay, and therefore he feels it should not be paid in advance. Holding it for one month should not be detrimental to anyone.

MRS. HAWE said the request was sent from Dr. Sol Weisberg, who is employed by the public school dental program, to Dr. Gofstein on April 23rd. The amount is still valid. This is the amount they feel they need. For the short time remaining, Mrs. Hawe feels the Board should approve it.

MRS. SANTY disagrees with Mrs. Hawe, and that if the person is not retiring until June 30th, we should not appropriate the funds now. We should not set a precedent here for every person available in the future. This should be held in committee another month.

MR. BLUM said some of the answers given at the Committee meeting were very vague. Dr. Gofstein was not there and that is why his Committee preferred to hold for one month.

MRS. CONTI said that she assumes if the person is leaving on June 30th, then payment must be made on June 30th, and since we do not meet until July 6th, and if that is correct, we should not return it to committee. She would like Mrs. Hawe to check this assumption to see if Mrs. Conti is correct.

FISCAL COMMITTEE (continued)

MRS. HAWE said yes, that is her understanding.

MS. SUMMERVILLE said she cannot believe a contract is binding to the point that a legislative body has to approve money before they retire. If the money isn't there, she feels sure Dr. Gofstein knows where to find it. She can't see, with the Board having 27 contractual agreements, and 100,000 people going to retire in June, and you are going to come to us before they even retire and ask us to appropriate. She disagrees with Mr. Blum, as she feels a contract doesn't state that.

THE PRESIDENT called for a vote on sending Item #20 Back to Committee for one month. MOTION APPROVED TO RETURN TO COMMITTEE, with 19 Yes, 9 No, and 6 Abstentions. (Change to 5 Abstentions - see below.)

MR. STORK: Madam President, hasn't Mr. Hogan left?

THE PRESIDENT said Mr. Hogan did not indicate that to her. The vote is 19 Yes, 9 No, and 5 Abstentions. (Mr. Hogan left approximately 9:55 P.M.)

- (21) \$64,700.00 - WELFARE DEPARTMENT - Code 510.3601 CASH RELIEF. Additional Appropriation, per Mayor's letter 5/8/81, is required to finish this year, despite the previous transfer and two additional appropriations this fiscal year. Board of Finance approved 5/14/81.

Above item also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (22) \$ 3,955.00 - WELFARE DEPARTMENT - Code 520.2210 MAINTENANCE OF BUILDINGS - SMITH HOUSE NURSING FACILITY. Additional Appropriation. Board of Finance approved 5/14/81.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MRS. HAWE said item #22 funding is required because several months ago, both septic fields which served both the Smith House Skilled Nursing Facility and the Smith House Residence were rendered out of service. The Welfare Department received permission from the Health Director to deficit spend in that it was a health emergency. The problem has now been corrected and this is the price for the fixing of those septic fields. According to Mr. Canino, the septic fields work now as well as they ever will work, those were his words. He also told us that a major new septic system will have to be considered in the future because it is really quite a problem. Fiscal voted 5 in favor and none opposed, and she so MOVES. SECONDED.

MR. FAUTEUX said EW&G thoroughly concurs.

MS. SUMMERVILLE asked if Rep. Hawe could assure her that when they have the appropriation for the Capital Projects Budget that this particular ^{item} was not put in the Capital Budget that we just approved.

MRS. HAWE responded "Absolutely."

FISCAL COMMITTEE (continued)

MS. SUMMERVILLE asked why it was not put in the Capital Budget.

MRS. HAWE said the Capital Budget is made up in the Fall, when they start the budget procedure process. In March, it became a emergency, happen ing over one weekend, and the Welfare Department had to fix it immediately, and that was long after the Capital Projects Budget was in. The Health Director is able to sign a waiver enabling a department to deficit-spend if he considers it a health emergency, which this was, and which he deemed it to be at the time. But this is definitely not in the Capital Budget.

MS. SUMMERVILLE asked if we are allowed, even if we are different departments, to ask the Mayor to place something in the Capital Budget, and also go to him and ask to place an additional appropriation request during that Capital Budget procedure.

MRS. HAWE said yes, that it has been done that after the Capital Budget has been set up, that someone goes to the Mayor. But because this particular item was an emergency, they put it through the emergency channels which was through the Boards, which is why it has come to us now a month before the new budget goes into effect.

MS. SUMMERVILLE asked when did they find out it was inadequate.

MRS. HAWE said she believes it was the beginning of May. She has a letter from Dr. Gofstein dated May 1, 1981 to Mrs. Lucas, who is the Administrator of the Smith House Residence, and in this letter the emergency is outlined. On April 23rd, the Health Department ordered them that they had to fix this immediately and said they could deficit-spend to do it because it was a health emergency.

MR. WIEDERLIGHT asked that the reports of the Researcher be sent to all members of the Board.

THE PRESIDENT said this would be done.

MR. WIEDERLIGHT said he wanted just this particular one that was discussed in Steering about the Welfare Department.

THE PRESIDENT called for a vote on Item #22 for \$3,955 for the Welfare Department. APPROVED by voice vote unanimously.

MRS. HAWE MOVED for the approval on the CONSENT AGENDA of Fiscal Items #3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21. SECONDED. APPROVED unanimously, with the exception of one Abstention, being Mrs. Conti on #5.

SUSPENSION OF RULES MOVED by MRS. HAWE to consider an item not on the Agenda. SECONDED. This is on Reapportionment. APPROVED UNANIMOUSLY.

(23) \$10,000.00 - REAPPORTIONMENT COMMISSION - Code 133.3509 - 1981-1982 EXPENSES.

MRS. HAWE said the Co-Chairman of the Reapportionment Committee met with them and explained in detail what this money will be used for. Briefly, it will be used for computer consultants to convert the State materials into computer programs so that they can work on re-districting, on re-aligning the districts,

FISCAL COMMITTEE (continued)

MRS. HAWE (continuing).... maps, overlays, the clerical help, reproductions, etc. They have six months in which to complete their allotted work. The last Reapportionment Commission which was in effect in the early 1970's spent \$25,000 for their entire work, and this is the first of several, or at least another appropriation, this \$10,000. This is to give them something to start with. Fiscal voted 5 in favor and none opposed, and she so MOVES. SECONDED.

MR. ZELINSKI asked if this is State-mandated (Mrs. Hawe said Yes); are there any funds that can be obtained from the State as a result of their requesting this (Mrs. Hawe said No); is there any other resource that this Commission can use to get the job done. Can they use any existing City departments and ways to achieve their results?

MRS. HAWE said they will probably be getting some help from the Planning Board but this money is really for things that can't be given to them outright by other departments, such as secretarial help at their meetings; and they will be using computers to help them work up alternate maps, trial lines for various districts. They said they hoped to disrupt as little as possible the existing districts and work it out so that people will be able to vote in the same place for State, Federal and local elections in different years. It requires setting up various ways of shifting the lines around and this is going to be done by computer. There is no program for this and they will need a computer consultant prepare the program for them.

MR. BLUM asked if this was in our Operating Budget.

MRS. HAWE said this was set up by this Board, who has sole jurisdiction. The money does not have to be approved by anyone else, the Board of Finance or the Mayor. This Board has sole authority on this.

MR. BOCCUZZI said he is a member of this Reapportionment Committee and they had their first meeting, an organizational one. They agreed they would need X amount of dollars to operate. They need it to try to take the tracts that come down from the State as to population, and take off that tract and put it on our computer where the people are. They need a secretary to take the minutes of the meeting so they will have a continual reference point to go to for their own use and anyone else who wants to come in and see what is going on. There will be some help from the Planning Board, but cannot expect them to donate all their time during the day for this particular item. They have other work to do, and one person may be engaged from the Planning Board to come to their meetings at a set fee, which is another expense. There are some overlay maps being made of the City. The 24 tracts we get from the State will be transferred and put on top of the 20 districts to see what lines are going to have to be moved to put the right amount of people voting in the right districts. Some districts, as you well know, have far more than the allotted amount; and some districts have a great deal of numbers under. There is going to have to be some line movement. In the final analysis, when they are finished, this Board will vote on what was done by the Commission. In other words, they will have to approve the lines, etc. But they cannot operate without funds, and time is limited. The Commission will hire the people they need.

FISCAL COMMITTEE (continued)

MRS. McINERNEY said that since we are mandated by Charter to re-apportion; we are mandated by the State to re-apportion; so she would think if we ignored our duty and did not fund this important Commission, that we would be dragged into Court.

MR. WIEDERLIGHT said if there were no other speakers, he would MOVE THE QUESTION. THE PRESIDENT said there were other speakers. MR WIEDERLIGHT said he would like TO MOVE THE QUESTION. SECONDED. CARRIED.

THE PRESIDENT called for a vote on \$10,000 for the REAPPORTIONMENT COMMISSION. CARRIED UNANIMOUSLY by voice vote.

MR. CONTI MOVED for a five-minute recess. SECONDED. CARRIED UNANIMOUSLY.

RECESS: From 10:13 P.M. to 10:40 P.M.

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

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE REPEALING ORDINANCE NO. 313 WHICH BANNED SELF-SERVICE GASOLINE STATIONS IN STAMFORD. Requested by John Mitovich, and also Rep. John Zelinski. Held in Committee 2/2; 3/2; 5/4/81.

MR. ZELINSKI said Legislative and Rules met twice this month. The first meeting we had was on May 20th. Present were Reps. David Blum, Donald Donahue, Anthony Conti (Co-Chairman), and John Zelinski. There was no Quorum so they did not discuss any business at that meeting. The second meeting was on Tuesday, May 26th. Present were Reps. David Blum, Donald Donahue, Michael Wiederlight, Everett Pollard, and Fiorenzo Corbo, also Co-Chairmen Anthony Conti and John Zelinski. Also present were Reps. Lathon Wider, Alfred Perillo, and Gabe DeLuca.

Two public hearings were held. One was on Item #1 and also present for that hearing were Wayne Konitshek, who is the Executive Director of the Connecticut Gasoline Retailers Assn., and Mr. John Mitovich. On item #1, for final adoption, the Committee voted 5 against and 1 in favor. In order to follow the Board's usual practice in making affirmative motions, I MOVE for adoption of item #1. SECONDED. Mr. Zelinski said he had further remarks to make.

THE PRESIDENT said it has been Moved and Seconded to adopt item #1 with the knowledge that the Committee voted 5 opposed and one in favor.

MR. ZELINSKI said he was the one vote that voted in favor, and his reasons were that there is a considerable difference in price realistically speaking from the self-service stations in Greenwich and Norwalk, It is 8¢ per gallon cheaper for no-lead gas. There could be a saving.....

MR. DONAHUE asked for a Point of Order and wanted to know if Mr. Zelinski was giving his own personal opinion or the Committee report at this time.

MR. ZELINSKI said it is his own opinion, as he stated at the beginning.

MR. DONAHUE asked then who is going to give the Committee report.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ZELINSKI said there is no report other than he stated that the Committee voted 5 against and one in favor, and that is the Committee Report.

MR. DONAHUE said he felt that it was the Chairman's responsibility to report the reasons that were expressed by the Committee in that vote.

MR. ZELINSKI said he felt sure that those Committee members who voted against it will express their opinions during the discussion period.

THE PRESIDENT asked MR. CONTI if he were going to speak on the Prevailing Side of the Committee vote. Mr. Conti said yes. The President then asked Mr. Zelinski to make his remarks very, very brief as she feels Mr. Donahue has made a very good point.

MRS. GUROIAN suggested it would be quite proper if Mr. Conti gave the Committee Report and Mr. Zelinski gave the Minority Report.

MR. CONTI said the Committee met as Mr. Zelinski mentioned, with the people in attendance that he spoke of. After a lengthy discussion by two opposing sides, one was Mr. Mitovich who claimed he was speaking as Mr. Mitovich, not as President of SACIA, and Wayne Konitshek, who spoke on the opposing side. This went on for a couple of hours and it went on at length. Then after the report was given, a video-tape was shown and pictures were passed around, and it was very, very comprehensive and well-planned report on one side, I felt. The Committee did vote 5 to 1 against repealing the ordinance, after listening to both sides of the question.

MR. CONTI said the vote of the Committee, barring self-service stations was 5 to 1. Only two opposing people appeared for the hearing and there is more here than meets the eye. Since then, He has received countless telephone calls concerning the ordinance. He feels we can justify his request to RETURN TO COMMITTEE and call for another public hearing where people who did not, or could not attend the last hearing, be given a right to express their opinions. He realizes this again means a delay, but one well worth satisfying their constituents and the City as a whole. The last hearing was very instructive and constructive and he feels another effort before final adoption would prove that L&R would bend over backwards to please all concerned. Now the vote was 5-1 AGAINST, and he feels the strength would be there, or should be there to Return to Committee for final consideration. He so MOVES.

MR. BOCCUZZI said he is trying to determine why 5 members of the Committee voted not to repeal the ordinance banning self-service stations.

MR. DIXON said, as a point of clarification, he has heard many reports coming from chairmen and co-chairmen of many committees of this Board. The report, as he understands it to be, is to REJECT the final adoption of the ordinance. Now why do we have to go into a lot of detail to explain what who said. The report of the Committee is to reject it. It is just as simple as that. He asked if he were right or wrong.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT said she is going to allow this Board - that she is going to Rule, and she will let the Board determine, and she is sure her Ruling will be challenged. She is going to Rule that another member of the Committee, who voted on the Prevailing Side, be allowed to give the Committee Report. When the Chairman of any Committee gives his or her report, not only does the Chairman talk about the disposition of the item, but why, and what facts...

Several Board members, without being recognized by the Chair, said No, No.

MRS. GUORIAN said no member of the Committee asked to speak. And if they are on the President's list, they can wait their turn like every other committee member does at every other time.

MR. BLUM said he challenges her ruling, and the President replied that many have, and it is absolutely his and their prerogative.

MR. ESPOSITO asked for a Point of Information.

THE PRESIDENT said they would proceed to an Appeal of the Chair, and the Chair has ruled that another committee person can give the Prevailing Side report for the Committee.

MRS. GUORIAN asked for a Point of Information.

MR. ZELINSKI said in all due respect to the President's opinion and ruling, the L&R Committee, not too long ago when they had the Code of Ethics in the Committee, the recommendation of the Committee was to recommend denial of the Code of Ethics. At that particular point, no one had to give an explanation as to the reasons for voting no. Mr. Zelinski feels the Ruling is incorrect. The Chairman makes his report. As to Aye or Nay, each member would raise his hand if he wished to enter into discussion. Otherwise a precedent would be set tonight that Mr. Zelinski has never seen since he has been on this Board.

MR. ESPOSITO asked for a Point of Information again.

THE PRESIDENT said (to Mr. Zelinski) that that was not true. If you don't agree with the Chair's ruling, vote against it.

MR. ESPOSITO asked for a Point of Information.

MRS. GUORIAN said they have a right to say why we don't agree.

THE CHAIR said absolutely and that is why she is calling on people to speak.

MR. ESPOSITO asked for a Point of Information.

MR. WIEDERLIGHT said on the appeal, he feels the Ruling is justified because one of the Co-Chairmen voted on the losing side so that his ability to express the Committee's side is impaired. Apparently it would appear that Mr. Conti has second feelings about his vote even though he voted on the Prevailing Side. At this point, what the Chair is trying to say is to have somebody who voted on the Prevailing Side and feels and can express the Prevailing Side's opinion as to why they voted that way, to elucidate for the rest of the members so that they can make an intelligent decision.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. GUROIAN said before she votes on this, she would like the Chair to state at what point a Committee Chairman's report is not sufficient, so that other people of the Committee will be asked to speak on that point. Is it the Chair's decision and at what point does the Chair decide that the report is not sufficient, because many, many times we have heard reports from Committee chairmen where only the vote was given and a few words in explanation, and a vote was taken.

MRS. GUROIAN went on to say that as Mrs. Goldstein pointed out to her only last Saturday, every member of that Committee has a right to speak if he or she waits their turn. If they wait their turn. In this case, the President says it is the right of the chairman to speak. These are co-chairmen and that is why Mrs. Guroian never raised a Point of Order. These are co-chairmen and they spoke. Every other member of the committee should be afforded the same opportunity that I have been time and time again, to wait their turn in proper order, and then they can express their opinions. But to relegate them to the point of a chairman of a committee, by the President's own statement to Mrs. Guroian, at the President's discretion, is totally unfair to every other member of every other committee. Then they should have that right, too. And for that reason, Mrs. Guroian urges everybody to vote NO.

MR. ESPOSITO said he was on the list for the original motion and does not know how he got on this list, but he wanted a question answered and he has been trying to get a Point of Information. What happened to Mr. Conti's original Motion to Return to Committee. Where did that go? He made the Motion, and Mr. Esposito SECONDED it. And then it vanished into thin air. What happened?

THE PRESIDENT said that was because it was Out of Order in relation to having a committee report. Mr. Conti, himself, in indicating that he wished to be put on the list further on down the road, was saying to me, and I didn't understand that he was going to be making another motion, that he was not going to be speaking, elucidating the committee's report. The Chair believes that another member of the Committee who voted on the Prevailing Side and who can tell to the members of this Board the reasons for, no this vote, but the vote of the committee, ought to have that right. And then we can proceed to a vote on any number of amendments that might come up. We are still speaking on the Appeal to the Rule of the Chair. Next is Mrs. McInerney.

MRS. GUROIAN said the first thing the President ruled Out of Order was the fact that his Motion was Out of Order.

MRS. MCINERNEY said in the past the Chair has established the rules of allowing a Chairman to give the Committee report with the votes taken. As Mr. Zelinski indicated, when we voted on the Code of Ethics at one particular point in time, the report of the Committee was to deny the ordinance. There was no great discussion. It was accepted. Each member of this group was allowed the option to speak on the issue. Tonight you have allowed Mr. Conti, and Mr. Zelinski to give the Committee report which was both in the negative and I think that is sufficient, and I think the Chair should be over-ruled.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BLUM said there are many times, even in Fiscal, that the Chairman might be on the negative side, but the Chairman, when he gives the report of his committee, is supposed to speak as a Chairman of the Whole. He gives his report, even though he might be on the negative side in the affirmative motion. Mr. Zelinski did give us a, not a broad statement, but he did give us a report that the Prevailing Vote, that the majority of the committee voted against the ordinance, and he was on the negative side. He should be allowed, if he wants to continue, in a sense, he has to give the entire picture as to what went on, still prevailing as a neutral chairman. We heard the other co-chairman. The Motion should have been made in the affirmative and that is the way any ordinance is brought out. If any one of us on the committee wish to speak and want to give our negative report, we can and state why. But to supersede the Chairman, that is what has happened to me this evening, on giving the secondary report on that item #19. I never had the chance to give or answer questions that were put in regard to that \$351,000. You are superseding chairmen. If you want to be chairman of all the committees, so be it. So be it.

MRS. SANTY MOVED the Appeal. SECONDED. APPROVED UNANIMOUSLY by voice vote.

THE PRESIDENT called for a vote on the Appealing the Chair's decision to give another member of the Committee the opportunity to give a majority report. If you are in favor of Sustaining the Rule of the Chair, vote Yes; if you are opposed to Sustaining the Rule of the Chair, vote NO. The vote is 12 in the Affirmative; 20 in the negative; with one Abstention. The Chair's Ruling has been over-turned and we will now proceed the discussion on the item.

MR. ZELINSKI feels that self-service gasoline station patrons could save from \$150 to \$200^{per car} per year if they could pump their own gas at lower prices. What concerns him[^] is that of 169 cities and towns in this State, only three Bridgeport, West Haven and Stamford, have bans not allowing self-service gasoline stations. If this were such a bad, hazardous thing, he feels at least 50% of the other cities and towns also would have done this. The State Legislative would also have done this state-wide. Out of 50 states, Oregon and New Jersey, have banned self-service gasoline stations. It has not been proven to his satisfaction that safety is a factor. Another point is that he can sympathize with gas station owners in Stamford. He did ask Mr. Konitshek if the present stations could provide both self-service and full-service in their stations, but did not receive an answer. He is not proposing this ordinance in order to put the existing stations out of business. He said he does not agree with the contention that the big oil companies will take control of the pricing and of the stations if self-service were permitted.

MRS. McINERNEY said the legislative process had become a fiasco when they passed Ordinance 313 in 1975. It was never legislated on the merits of the issue. The proponents in September of 1975 did not allow the then L&R Committee extra time needed to pursue the issue further and allow them to rework the proposed ordinance to allow for further safety measures to guarantee the protection of our citizens as those proponents so greatly urged us to do.

It is well recognized because of the extremely dangerous propensities of explosive substances, the Legislature, in the exercise of the police powers of the State, may regulate the manufacture, sale, transportation, use, and storage of explosives or explosive substances. Similarly, because of the

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. McINERNEY (continuing)....highly flammable nature of gasoline, the operation of a gasoline service station is subject to regulation and control of the State by police power. She is surprised that the State has not found that self-service stations are so hazardous to the public that they have not banned them from the State. In her opinion, the operation of a self-service gasoline station is a legitimate business, and to prohibit the operation of such service stations would be in restraint of trade. In 1975 the gasoline station owners said that most motorists have become accustomed to the diligent and conscientious care of their cars as provided by the service station operator. It was stated that when a motorist drives in for gasoline, most prudent operators will check tires, battery, oil, fan belt, wipers, and clean the windows, and advise the motorist of any item that requires attention on his car. It was also stated that the self-service operation does not provide this service, and as a result, many cars will be operating with defective items unknown to motorists. She does not remember the last time a full-service station filled her car and then checked, or even asked to check, any of the previously-mentioned items. All of these remarks are documented from 1975.

In Norwalk today, the price of gasoline varied from 1.338, 1.348, 1.349, 1.358, 1.368, and 1.388¢ a gallon. The lowest being 2.1¢ a gallon lower than the prices shown in the pictures of those of the Stamford stations. Not to repeal this ordinance denies the citizens of this community the freedom of choice, and the option of shopping around and saving on the cost of gasoline, if he so wishes. There are violations of the State law requiring the posting of prices in large numbers and in conspicuous places for the public to see.

Mrs. McInerney urged her fellow Board members to repeal Ordinance 313, and therefore allow the operation of self-service stations in Stamford.

MR. FLOUNDERS said on Sunday, May 31st, he surveyed Greenwich and Stamford stations, and found the five stations in the pictures are indeed among the lowest-priced in town, with prices ranging from 1.359 to 1.389 for regular. An expanded random survey of six additional Stamford stations showed significantly higher prices ranging from \$1.396 to \$1.508 for regular, or 4¢ to 12¢ higher than the A group and the group that was sent to us by Mr. Konitshek. Combining both groups, a representative average cost per gallon of gas is more like \$1.42 for regular and \$1.477 for unleaded. Greenwich prices for full-service are 6¢ to 7¢ higher than Stamford to start with, a fact that was previously unknown to Mr. Flounders. No reliable estimate can be made as to what self-service pricing would be, were we to pass this ordinance; Stamford is a lower-priced gasoline market than Greenwich to begin with, so comparisons cannot properly be made. In the Greenwich station which now offers both self-service and full-service, the prices are for full-service regular gas \$1.506 and unleaded is \$1.536 per gallon. For self-service, the prices are \$1.446 for regular, and \$1.1476, or 6¢ less per gallon. There, within a given market where all the factors are the same and we are comparing apples with apples, that station owner, for some reason or other, considers it a viable business opportunity for him within the same station to charge 6¢ less for self-service and to give his customers that option.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DeLUCA said he planned to vote for this ordinance, repealing Ord. 313, not because of price or even safety factors. If safety is a viable reason, then we should stay here tonight under Suspension of Rules and ban auto driving because that is dangerous to our health and safety. Our country was founded on the principle of freedom of choice; a freedom that caused our cessation from England, our independence, etc. He urges Board members to repeal Ord. 313 and give our citizens the freedom of choice upon which this country was founded.

MR. WIEDERLIGHT said some of the remarks he has heard from some of the previous speakers are fraught with inaccuracies and untruths. He will try to separate the fact from fiction, the myth from reality, if he can. Mr. Zelinski said that there were only two self-service gasoline stations in Greenwich and one in Norwalk. That is absolutely not true. There are a lot more. Next, he indicated that there is a difference of 8¢ between Stamford and Greenwich, and that also is not true. Mr. Flounders proved that incorrect. Next, he indicated that there is \$150 a year to be saved by using self-service. That, too, is not true. If you average 10,000 miles per year, which most people do, other than salesmen such as himself and Mr. Zelinski, at 10,000 miles per year at 15 mpg, that 666 gallons at an 8¢ saving, which is inflated, that is \$53.28. And at Mr. Flounders' figure of 6¢ saving, that is \$39.96, a far cry from \$150.00. Of course, if you average 20,000 miles, as a salesman might then you can double those numbers, you still don't come near \$150.00 per year.

Why do we compare Greenwich and why do we compare Stamford? Because these two sister cities have the same economic base. Obviously, if you compare Stamford and Norwalk, you have a different economic situation; i.e., your housing, rent, cost of food. It is an unfair basis for comparison. The rent of a gasoline station operator in Norwalk is far less than Stamford.

What do we know, and what do we think we know? We think that there might be lower costs with self-service. No one can guarantee that. We think so, but what do we know. Let's talk about the matter of safety. I had the opportunity to speak to the fire marshal from Turn-of-River, Mr. Heiland. He said he has deep and serious reservations about self-service stations. For example, and one reason, a self-service gasoline station uses a "dead-man nozzle" on the pump so that if somebody lets go of the nozzle, it will stop. It has been circumvented by putting the gasoline cap in there and walking away. And then when there is an overflow and a spill, you have a fire. Mr. Wiederlight went on to give statistics on actual fires in self-service stations, and where they were located. However, safety is not the only issue we have to consider.

Let us consider the issue about jobs. We sat here about a month ago, budget time, and we talked about SEAC and how SEAC has been instrumental in getting 8 more individuals into the job market, and we debated whether we should continue an appropriate for \$60,000. Let me tell you that if self-service is instituted in Stamford, the 8 people that were put back to work and are now making meaningful contributions to our economy are going to be negated many times over. And who are the people that are going to be put out of work? It is not going to be the easily employable people. Think about that.

The last issue to confront us is the handicapped and the infirm. What is going to happen at ten o'clock at night when a car with an elderly person or an handicapped person that can only motivate themselves with a wheelchair, pulls up for gasoline on High Ridge Road or Summer Street and they want gas; and the gasoline attendant in the self-service station just taps on the bullet-proof, sound-proof window and points

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. WIEDERLIGHT (continuing)....to the sign up there and says "Self Service - you have to go someplace else." That is an unfair thing. The ordinance has not been well-thought out. There is no reason to repeal what we have on the books, and he urged the members to vote accordingly.

MR. FAUTEUX said it is an irrefutable fact that 98%, or 166 out of 169 Connecticut municipalities allow self-service gas stations. They don't perceive a safety problem. The consumers in these towns must be benefitting from a wider choice of where to buy their gasoline. Let's recognize the claims of safety, threats of take-over from big oil, and loss of jobs as the red herrings that they are. We cannot deny our citizens their right to have a complete set of choices available to buy gasoline. He urges repeal of Ord. 313.

MR. POLLARD favors repealing this ordinance. Like Mr. Flounders, he did his own survey of Greenwich and he did it today. He included stations on the Port Chester and Stamford sides of Greenwich, also the Glenville section. His own survey revealed savings ranging from 8¢ to 13¢ for self-service compared to full-service. He feels the safety issue is just a lot of smoke. If the handicapped, or the elderly, or the lazy like himself, don't want to use a self-serve station, they are not obligated to do so. They can go to a full-service station and get gasoline.

MR. BOCCUZZI asked how many people attended the Committee's public hearing and how many favored full-service and how many did not, percentagewise.

MR. CONTI said there were approximately 5 or 6 people there at the hearing. Two people spoke, one for, and one against. The only one in favor of self-service was Mr. Mitovich.

MR. BOCCUZZI said only 5 or 6 from the whole public? Where was the big cry from the general public that everyone is talking about to repeal the ordinance when practically nobody was here.

MR. CONTI said this is why he asked a little while ago to have this item returned to committee and hold another public hearing for those people who did not, or could not attend the first hearing, so they could express their opinions.

MR. DIXON said many speakers have stolen most of his thunder. Again, we nickel and dime away our precious time and we are losing sight of the big wheel which appears to be in control of the whole operation, the big man who moves into a situation like this and takes over, and leaves us supporting a cause which we have no control over, and in the end do ourselves more harm than good. Mr. Dixon is not concerned about the big oil and gasoline operators, and he has learned a lesson over the years of just how they operate. He is most concerned, though, about the small gas station operator who is striving at this point to maintain a business and earn a decent livelihood, and believe me, he is having quite a struggle to do that. Certainly there are risks and hazards involved in the self-service operation, but also there is the loss of jobs, and in fact, a loss of business. I think we should have, by now, learned a lesson about big operations moving in and putting our small business operators to rest, so to speak. Losing the small jobs that they offer to some of our kids to help keep them off the street and to provide jobs and income for them during the summer months, Mr. Dixon is not in favor of repealing Ord. 313 and he urges his colleagues to vote likewise.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT said there are still ten speakers who remain. Please keep remarks brief and try not to repeat what has already been said.

MRS. HAWE said even though there were not many people at the hearing, many constituents have spoken through calls to various members expressing their feelings on this thing, and that is where our knowledge of how the community feels, comes from. The only possible reason to keep this ordinance on the books, this restraint of free trade, would be for safety reasons, and she has seen no proof at all that there is a safety problem with self-service. She feels that Mr. Wiederlight's recitation of fires in other cities does not prove anything since we do not have a list of fires in full-service stations.

Our duty is not to special interests but to the people we represent who could conceivably save if we repealed Ord. 313, and whether it is \$39.00 or \$200.00 that they save per year, it certainly is better in our pockets than in someone else's.

MR. ESPOSITO said unlike Mrs. McInerney, he was not on the Board in 1975 when this was passed, but listening on the radio, he was just as outraged as she was. It was one of the factors that led to his decision to run for this Board. He would like to speak to Mr. Konitshek's letter. The whole issue of saving money is a smoke screen. A motorist can certainly tell which gas is cheaper when he passes a station and sees the prices posted for self-service and for full-service gas.

He said what is to stop the small independent dealer from having one island devoted to self-service pumps, and another island devoted to full-service pumps to provide for the handicapped, to provide for someone checking your tires and your windshield. I haven't had anyone ask to check my tires or windshield in five years in Stamford. But there is nothing to stop them from doing so. Again, these are all irrelevant issues. The basic issue, the basic philosophical point is the restraint of trade. This is the real issue. How far will this Board go in restraining trade, to preserve jobs that may not be able to continue to exist without artificial controls such as this ordinance. Will we propose next a ban on fast-food chains, like McDonald, if the small restaurant finds it hard to compete? Where do we stop? Since when is the function of this Board to prop up private industry by enacting ordinances which deny the majority of the citizens of Stamford from having a free choice, and I believe that is the issue.

THE PRESIDENT said that Mr. Livingston has arrived, and the record will so indicate. We now have 34 members in attendance.

MR. DONAHUE said he is not going to mention the safety factor as being a lot of smoke as, at best, it is a very poor pun. The safety factor cannot be minimized. Just because many cities and states have not passed laws against self-service stations, doesn't mean there is not an issue there. Tomorrow, ten states could do just the opposite, but he wished to talk about a practical problem of safety. Mr. Wiederlight spoke of the "dead man pump". Mr. Donahue knows of several stations, if we pass this, who will be self-service before we know it. They are owned by jobbers; jobbers who buy directly from oil companies at a cheaper rate than the guy who fixes your car on the corner, can buy it for. That's why self-service stations work. That's why they can sell it a few cents cheaper. The other day, at a gas station that does have "dead man nozzles" still there because it was a self-service station, an attendant came out and was filling the car in front of me. He jammed the nozzle open with the gas cap just as has been mentioned here before, and then started talking to someone and there were gallons of gasoline all over soon-to-be a self-service station before anyone could stop it. It is a hazard that

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DONAHUE (continuing). It is a very quick thing. Thank God no one was smoking a cigarette, no one had a lighted match, or there was a spark from an exhaust pipe didn't ignite those fumes. That's a very practical example of the safety hazard. Mike Wiederlight has already talked about the handicapped and the elderly and made some very important and very good points, and he would not go into that further.

Mr. Donahue said there has been talk about restraint of trade, and that if McDonald's was a problem at some future date, we might pass an ordinance, but they are not a monopoly, they are not a cartel. They don't control the oil and gasoline that comes into this country. They don't have a lock on the hamburger market.

MR. DONAHUE said further that one thing that has to be mentioned is the fact that one very impressive thing was shown to the committee who voted 5 against the repeal of Ord. 313. It was an independent videotape done by NBC News which showed how self-service, among other things, were used in California by Gulf Oil to put the guy on the corner out of business, to put the neighborhood gas station that does your repairs, out of business. He cannot compete. He has to either raise his prices and lose your business; or raise your prices on repairs and gain it back there. So the money you save on one end pumping your own gas, you could lose on repairs and probably more. There was no public outcry at the hearing to repeal this ordinance #313. Mr. Donahue received one phone call today who said we should, but he spoke with 4 or 5 who said don't do it. They don't want self-service here. These are the important issues. To minimize the health and safety aspect is wrong.

There is nothing wrong with small business men coming to us for help when they encounter unfair competition. You will recall that with URC Parcels 8 and 9, we had the small business men in that area come, and we responded that we've got to help these people. There is nothing wrong with preventing unfair competition to drive certain people out of business.

MR. WIDER said people have dealt with penny-pinching enough. He said he hopes there are people around who were here two years ago when you couldn't serve yourself at a gas station. They did not want you to put a cap on your tank. If you had a half a tank, they would not sell you any gas. They needed attendants then. They had to have them so they could preserve the gas and charge you twice as much. They wanted you to preserve the gas that you are now paying double as much for. He is real concerned when he hears some members talk about losing a few jobs when just a very few years ago, the kids were destroying our City, we appealed to every organization in the City of Stamford to try and put together something for some jobs for our young people so we could get them off the streets. We did. I, as a member of the Committee of the Stamford Labor Council, was a part of putting this proposal together. If we don't have but 5 or 10 jobs, that's 5 or 10 kids who will be able to buy their own clothes and help the parents when they get ready to go back to school, instead of the parents having to bleed themselves in the face of the expensive utilities that they have to work all summer trying to meet. We, as legislators, have to take a look at exactly what we are talking about. We are talking about saving a penny, but if the kids are working, they could pay a dollar in tax, and I think that is what the game is all about. Let's keep as many people working as we possibly can. And let's don't put the pressure on parents of the people who are trying to educate their kids which we are promoting. I have become very concerned when on one hand, we are talking about helping, and on the other hand, we are talking about hurting. Let this ordinance stay on the books. We have it. It is working, and a lot of people appreciate it.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. RYBNICK MOVED THE QUESTION. SECONDED.

THE PRESIDENT called for a machine vote, stating that there are many speakers that remain on the list. There are seven names remaining to speak. The Motion was DEFEATED with 14 Yes, 19 No, and 1 Abstention.

MR. STORK said last month, shortly after this Board spent two nights of lengthy Budget sessions, the Board of Finance met and set the City's Mill Rate, which, in essence, and in his opinion, ripped off the taxpayers of Stamford. His point is that while this Board was handicapped in holding down the Mill Rate, there is an opportunity tonight to save the citizens some real money. Why do we need to support the oil conglomerates. On safety, what about the blatant disregard in Stamford for failing to stop properly at Stop signs, running red lights, and especially the illegal manner in which drivers make illegal right turns on red lights. For the financial benefit of our citizenry, he supports a vote to repeal Ord. #313.

MRS. SANTY received many calls from constituents expressing approval of repealing Ord. 313. Many people in her district will not come down here at night because there is no place to park which explains perhaps the lack of participation at the Committee's public hearing. The hour is late. The hearings go on. But this is a representative form of government and it is their right to call us and express their views and that is why she favors repealing this Ord. 313 tonight. Let us not set ourselves up as safety engineers, fire marshals, or cost analysts, although she listened very carefully, and she would pose a question to Mr. Wiederlight, and he doesn't have to take the time to answer it, but if those fires that he mentioned that occurred at those times and in those places, why did they not repeal their self-service ordinances if, in fact, the fires were caused by a consumer pumping his own gas. Did Mr. Wiederlight do any research on that. This is a consumer issue and she would ask those who vote against this ordinance, how can they justify denying the consumer the right to choose.

Mrs. Santy said Mr. Donahue mentioned that the people were crying for help. The taxpayers in this town are saying "Help us. Give us that right."

MRS. CONTI said she is in favor of repealing Ord. #313. The citizens are entitled to freedom of choice in spending their earnings for necessities such as gasoline. We only have jurisdiction to prohibit things which can be proven perilous to the general welfare of the community. Now as to the small station operators, what prevents them from having a self-service and a full-service pump? They, too, have freedom of choice with this repeal. Regarding jobs, why this haste to assume that we are going to lose jobs. Just because you lose an attendant pumping gas, don't forget with the self-service, you need cashiers to take the money. You are not going to lose jobs, you are just going to have a different type of job. As a matter of fact, they would be more up-graded and it would be more helpful to have people learning to be cashiers than to just pump gas for the rest of their lives. As to cartels, no matter what we do here tonight, OPEC will be in existence in the morning. She urges the members to vote for repeal of Ord. #313.

MR. BLUM said regarding the statement made that only 3 municipalities out of 169 in Connecticut have self-service bans, we do not know in every small community, namely some with 3,000, if they have any stations, or have only one and it is usually manned, I have found in driving through southeastern Connecticut. Usually in the small towns, you will find a full-service station. Usually it is the big cities which may be apt to ban self-service.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. BLUM (continuing): Let us take an example, if there were self-service stations in Stamford, what is to guarantee that the prices tomorrow will drop one penny, four cents, or nine cents? We have this great law of economics, the law of supply and demand, but it doesn't work here, in a city like Stamford, or Greenwich, or going down toward the City of New York. In New York City, the prices are much higher, so the closer you get to a demand area, and Stamford being a demand area, the prices, in a sense, are going to be higher. The further you get away from a demand area, the prices go down. Certainly Norwalk is cheaper, so is real estate, so is rent. Let us all leave Stamford and run to Norwalk. Then the demand gets greater and the rents and the houses and the gasoline gets higher.

MR. BLUM went on to say about jobs, what kind of jobs are they, really. Are they high-skill jobs. Yes, Mrs. Conti, it is pumping gas and it gets the minimum wage. It may be \$3.50 or \$4.00 but there are still people in Stamford looking for that job. Editorials have appeared about blue collar jobs being needed in this City because we are losing industry. Do we want to lose even the gasoline pumping jobs. Let's think back to the Momma-and-Poppa stores; and even the A&P on the corner, where the manager with his helper worked on a commission at the A&P, and often delivered the groceries. Now we have self-service with the carts and we are a captive group. When they captured the market with self-service markets and self-service food stores, we lost the little entrepreneur. Small business men are just as important as the big oil dealers and self-service stations, and let us not be captives of them.

MR. CORBO wishes to remind this Board that just about a month ago, they approved \$350,000 to save 10 or 15 business men on Bedford Street. Now we have 90 gas stations in Stamford. If you want to make a comparison, they are not asking for \$350,000 to save their businesses. They are asking to leave the legislation we have on the books now the way it is. We spent \$350,000 to improve Bedford Street. We approved \$100,000 tonight. Where is the justice to the taxpayers.

MR. O'BRIEN MOVED THE QUESTION. SECONDED.

THE PRESIDENT called for a vote. DEFEATED with 15 Yes, 16 No, 3 Abstentions. Two-thirds needed. (Change Mrs. Maihock to NO.)

MR. LIVINGSTON does not believe anyone is going to change anyone's mind, at this point, about this. He thinks, however, that most of the members would like the record to show exactly how we feel on this. He feels the present legislation which we have on the books is certainly interfering with the free enterprise system, and he does not believe that self-service stations are going to eliminate an awful lot of jobs all of a sudden. He does believe that if the free enterprise system is allowed to do its thing, honestly, the taxpayer and everyone else concerned will keep an extra penny or two in their pockets.

MR. JOYCE said it is absolutely amazing in this forum to hear such brilliant speaking and arguments on both sides that you change your mind two or three times in the course of an evening. He thinks it is a compliment to the previous speakers. At this point, he does have reservations about the legal aspects on the question of restraint of trade. However, he is really caught on the argument of the need for jobs, and he thinks that people who are urging both sides of this thing - he wonders whether anyone has considered the possibilities of putting this back into committee. He would like to see some argument as to the legal veracity of the ordinance as it stands. He does not know if we have ever had an opinion from the Corporation Counsel. Does anyone know about that?

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. McINERNEY said yes, they had two or three. That was in 1975.

MR. JOYCE asked if that touched on the aspect of restraint of trade. (Mrs. McInerney said yes, it did.) Mr. Joyce asked did it state it was a restraint of trade, or not?

MRS. McINERNEY said it indicated if we could not establish and prove safety measures, it was indeed a restraint of trade. Consider the 14th Amendment, Mr. Joyce.

MR. JOYCE said he would pass, for the moment.

MRS. MAIHOCK and MR. CONTI passed.

MRS. HAWE MOVED to RETURN TO COMMITTEE. SECONDED.

THE PRESIDENT called for a vote on the Motion to Return to Committee Item #1 under L&R regarding self-service stations. APPROVED with 19 Yes votes and 15 No votes.

MRS. HAWE asked if she could request the Legislative and Rules Committee to hold another public hearing on this.

THE PRESIDENT said the item had already been voted on, but the request could be made afterwards of the Co-Chairmen of the committee. She thinks it would have some validity.

MR. CONTI said that was what he said an hour ago.

MRS. PERILLO said she sat here for an hour listening to pros and cons, and she would like someone to tell her what it is going back into committee for. For what?

THE PRESIDENT said the Motion was a legitimate one, the count has been taken and announced, so it can't be discussed any further. If anyone had wished to discuss it prior to the vote, they could have.

THE PRESIDENT asked MR. ZELINSKI to advise which of the items under Legislative and Rules were placed on the CONSENT AGENDA.

MR. ZELINSKI said he MOVED to place on the CONSENT AGENDA, Items #2, 3, 6, 8, 9, 10.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE FOR TAX EXEMPTION PURSUANT TO SECTION 12-81 (15), also SECTION 12-81 (b) OF THE CONNECTICUT GENERAL STATUTES FOR BETHANY ASSEMBLY LOCATED AT 2 SCOFIELDTOWN ROAD.

APPROVED ON CONSENT AGENDA, with Mr. Corbo Abstaining.

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE RE: TAX ABATEMENT FOR THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CONNECTICUT. Property located on south side of Ocean Drive West, pursuant to Section 12-81 (b) and Section 12-81 (15) of the Connecticut General Statutes. Submitted by Atty. Gordon Paterson 3/16/81.

APPROVED ON CONSENT AGENDA, with Mr. Roos and Mr. Flounders Abstaining.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (4) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL CONCERNING DELETION OF REQUIREMENT TO POST SIGN ON PUBLIC PARKS PREMISES.
Originally passed for Final Adoption 10/3/79. Passed for publication 5/4/81.

MR. ZELINSKI said the vote was 4 in favor and 2 against, and he so MOVES. SECONDED.

MRS. MAIHOCK said the L&R Committee did not have a quorum so she could not come to explain the reason why this should be approved. There was a problem at the time this ordinance was created. The Parks Department was having a great deal of difficulty keeping their rules and regulations posted in the Parks, and they were having a particularly difficult time in Chestnut Hill Park, but it was not restricted specifically to that park. Mr. Cook found that condition to be prevalent all over the City. They did not know what to do about it. As fast as the signs were put up, they were torn down, although they had been bolted with the strongest bolts you can imagine and Mr. Cook was at a loss for a satisfactory solution. There was a reluctance on the part of the police to enforce any of the laws if the sign was not posted, for the ordinance on the books said "and a sign is posted". Mrs. Maihock went to Corporation Counsel's Office and asked what would be the appropriate measure to take to solve the problem. He said, under the circumstances, that we just delete that section, which did not mean in any way that the signs stating rules and regulations would not be posted; it would just mean in the event that they were taken down by vandals, the police could still enforce the regulations because they would not be hampered by that one little phrase. Admittedly, it isn't the best remedy but it was the only remedy we had at that time and we haven't thought of anything better to this point.

MR. WIDER said he attended the L&R meeting and he was and still is in opposition to this. First, we are disarming our Parks Department. He does not like to see this done. As he rides into the parks now, he sees signs there and he sees signs that can be enforced, and the police do have the power to enforce them. If we pass this, then they cannot enforce putting up their own signs. He goes to a number of parks around the country, and one of the first things he looks for, is the beautiful sign of the rules and regulations of the park. That tells him what can and cannot be done. Signs should be erected and enforced. Outlaws should not have the upper-hand.

MR. BLUM MOVED THE QUESTION. SECONDED.

THE PRESIDENT called for a voice vote on the Motion. CARRIED UNANIMOUSLY.

THE PRESIDENT called for a vote on L&R Item #4, stating 21 votes are needed for passage. (Change Mr. Roos from NO to YES. Mrs. Santy's vote did not register.) The vote is 21 Yes, 7 No, and 3 Abstentions. The Motion is APPROVED.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (5) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL CONCERNING DELETION OF REQUIREMENT TO POST SIGN ON PUBLIC RECREATIONAL PREMISES.
Originally passed for Final Adoption 10/3/79. Passed for Publication 5/4/81.

MR. ZELINSKI said L&R voted 4 in favor and 2 against, and he so MOVES.
SECONDED.

THE PRESIDENT called for a vote on item #5. APPROVED with 24 Yes votes, 2 No votes, and 5 Abstentions.

- (6) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL concerning approval of the use of PVC Pipe in building sewer lines. Originally passed for Final Adoption 10/3/79. Passed for Publication 5/4/81.

APPROVED ON CONSENT AGENDA.

- (7) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING SECTION 14-17 (h) of the Code of Ordinances. Submitted by Rep. Zelinski 4/20/81. Concerning Building Operations time changes: 7:00 A.M. changed to 8:30 A.M., and 8:00 P.M. changed to 6:30 P.M.

MR. ZELINSKI said the Committee 4 in favor, 1 against, and 1 abstention to HOLD IN COMMITTEE and he so MOVES. SECONDED.

- (8) FOR FINAL ADOPTION - PROPOSED ORDINANCE AUTHORIZING THE CITY OF STAMFORD TO JOIN THE MENTAL HEALTH CONSORTIUM FOR DARIEN, GREENWICH, NEW CANAAN AND STAMFORD.

APPROVED ON THE CONSENT AGENDA, with Mrs. Perillo voting No, and Mrs. Conti Abstaining.

- (9) ADDENDUM RESOLUTION #1315 FOR ORDINANCE #423 SUPPLEMENTAL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO CARRY OUT PURPOSES OF ORDINANCE #423 FOR THE CREATION OF A NON-CIVIL SERVICE POSITION OF "ZONING ANALYST FOR THE ZONING BOARD". Passed for final adoption 5/4/81.

APPROVED ON CONSENT AGENDA.

- (10) ADDENDUM RESOLUTION #1340 FOR ORDINANCE #426 CONCERNING ENFORCEMENT OF SWIMMING POOL DEVICES INCLUDING ENCLOSURES. Ord. #426 passed for Final Adoption on May 4, 1981.

APPROVED ON CONSENT AGENDA.

MR. ZELINSKI said he wished to bring to the attention of the Board two corrections on the Agenda. On Item #2 concerning Bethany Assembly Church, there should also be added the State Statute 12-81 (b). On Item #3 concerning the First Presbyterian Church, there should also be added the State Statute 12-81 (15), which was not shown on the Agenda. Both Sections should be listed as they apply. 12-81 (15) gives the tax abatement, and 12-81 (b) gives the refund if they have already paid the taxes. In these two cases, both organizations paid the taxes so they are entitled to the refund. When the ordinances were drafted, that was not included, and he wished to be technically correct.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT thanked Mr. Zelinski for this information and said it was important.

MR. ZELINSKI MOVED to the CONSENT AGENDA: Items 2, 3, 6, 8, 9, 10. SECONDED. Mrs. Perillo voted No on #8; Mrs. Conti Abstained on #8; Mr. Corbo Abstained on #2; Mr. Flounders Abstained on #3; and Mr. Roos abstained on #3. APPROVED.

PERSONNEL COMMITTEE - Chairman David I. Blum

- (1) RATIFICATION OF AGREEMENT BETWEEN STAMFORD BOARD OF EDUCATION AND STAMFORD ADMINISTRATIVE UNIT - July 1, 1981 to June 30, 1983. Requested by Sarah L. Silveira, President, Board of Education, on 5/1/81.

MR. BLUM said the Personnel Committee met Thursday, May 28, 1981. Attending were Reps. John Hogan, Michael Wiederlight, Philip Stork, Paul Dziezyc, and David Blum. They voted 5-0 for the first item and would like that to go on Consent.

MR. BOCCUZZI (acting President) asked if anyone objected to that going on CONSENT, and someone did, so it is off CONSENT.

MR. BLUM continued saying the Committee voted 5-0 to ratify the contract with the Registered Nurses, item #2 and wish to place that on CONSENT. On Item #3, the School Dental Hygienists Association, the Committee voted 5-0 to approve this contract and place it on CONSENT. There was objection to this being placed on CONSENT.

MR. BOCCUZZI said the record is to show that REP. DONAHUE and REP. McINERNEY are off the floor and are abstaining from participation on these contracts. Mr. Donahue from items 1 and 2; and Mrs. McInerney on Item #1.

MR. BLUM MOVED Item #1 for approval; it was SECONDED; and he reported that the Committee heard Mr. John V. Kane and Dr. Charles Robinson explain the Board of Education's Administrative Unit Contract. Later Mrs. Silveira, President of the Board, and Mr. Bieder, Attorney for the Board, and Mr. John Morris, Personnel Director for the Board of Education, came in, inasmuch as they had a meeting at their Board. This is a two-year contract starting July 1, 1981 and ending June 30, 1983.

The wage increase is 9.5% the first year; 9.1% the second year.

Another part of the contract that is different is the Sick Bank. The Bank allows each employee to donate two days of the Earned Sick Leave into a Bank, for use when one needs more than his own Accumulated Sick Leave. There are firm restrictions on the use of days from the Sick Bank, and these are listed in the contract.

The third item that has been changed is the Reduction In Force; Article VIII has been improved to safeguard the teachers, as well as the administrators, in the system allowing each to move with protection in salary, when the administrator is reduced in rank. Over-all the contract is sound, and both management, as well as the employee, received the best each can get in the process of collective bargaining; therefore, Mr. Blum asks this Board to vote favorably for this Agreement.

PERSONNEL COMMITTEE (continued)

MR. DeLUCA said he agrees that the contract is sound. It is very sound for the Administrators. He reviewed the contract several times and he cannot see where the taxpayers received anything from this contract. All he can see are several things: (1) before, the retirement including age and years in service, was 75; now it has been reduced to 70. If you look at Article XII, you will find that it was a combination from 75 to 70, to conform to the teachers. Mr. DeLuca said he is talking about the pension, about Early Retirement. It is a benefit for the Administrators, but not for the taxpayers. (2) Longevity Pay. 25-29 years has gone from \$200 to \$500 per year, an increase of \$300. Once again, no benefit for the taxpayers. Over 30 years, has gone from \$400 to \$750, or a \$350 increase. Once again, what benefit do the taxpayers derive from this.

Now go to the Reduction In Force (RIF) on page 10, Article XII, for Bonus Payments for Early Retirement. If you are age 65, you get a \$1,000 bonus per year until you hit age 70. 61-63 years, goes \$1,000 a year. 53-60 goes \$1,400 per year. These are bonuses for Early Retirement. Mr. DeLuca does not believe the teachers get this. He believes theirs is \$1,000 per year until age 70.

Surely, if this Board were to pass this contract for the Administrators, when the teachers negotiate their contract, they will be looking for the same increments.

Another thing that disturbs him about this contract is Page 9, Option 3, whereby if ^{you} are an Administrator, and the following year, you go down to being a Teacher, you get Severance Pay for the difference. Mr. DeLuca was always under the impression that you get Severance Pay only if you get laid off.

These people are not being laid off, but yet they are going to get a difference as a Severance Bonus between the Teacher's Salary and the Administrator's Salary, and it will be like a Bonus Payment. He does not see where there are any benefits in this contract for the taxpayers. The Administrators have received everything. He will vote against it, unless someone can explain where we benefit from it.

MRS. CONTI wishes to inquire if there were any provision for Bonuses for things that people are already paid to do in this contract.

MR. BLUM said there is no Perfect Attendance Bonus, if that is what Mrs. Conti means. (Mrs. Conti responded, any bonuses at all for things that they are already paid to do.) The only Bonus that they have is on the Early Retirement, and what they are trying to do here is to actually get them out of the school system because their idea is when they get them out of the school system on an Early Retirement, the person that would eventually come on board, will be getting less pay, less pay than the person that they are retiring. They feel that they will be saving money by that. That is, in a sense, a saving to the taxpayers.

MRS. CONTI asked Mr. Blum if he was trying to tell her that we were saving money by paying an additional bonus to the person who is retiring, plus hiring another person in his place.

MR. BLUM said no, they pay them a Bonus to go out on Early Retirement. Once they are out on an Early Retirement, they do have to hire someone, we'll say a principal, usually that comes up from the ranks, and it is ^a bottom person that they get at an incoming salary.

PERSONNEL COMMITTEE (continued)

MRS. CONTI said you are still paying two positions. You are paying for the retiree's Bonus plus half his salary, and then you are paying another person.

MR. BOCCUZZI said that a person may retire at \$35,000 per year, he may get a \$1,000 bonus. The person that comes up to take his place is probably going to get paid \$28,000, so there is a difference of \$7,000 in the salary account. He is just giving figures as he does not know the exact salaries.

MRS. CONTI said but you forgot to say that the person who is retiring is going to be making half his pay for the rest of his years while he is retired.

MR. BOCCUZZI said the savings in the salary account will be more than the bonus you pay him.

MRS. CONTI said the difference will be in the Pension account.

MR. BLUM said the City does not pay anything into the Pension Account. That is a State pension for Administrators and Teachers.

MR. LIVINGSTON said probably most Board members have felt frustrated over a number of these contracts over the past year, and probably the most recent shocker was the Incentive Pay given to the teachers to come to work. He feels Mr. DeLuca has raised some very valid points and that some of the questions that he has asked should be answered. Therefore, Mr. Livingston MOVED that this be Returned to Committee and get the answers to the questions that Mr. DeLuca and Mrs. Conti have raised.

MR. BOCCUZZI said if this Board doesn't take any action tonight, it automatically passes. You have the choice of rejecting it without prejudice; or you can approve it; but not send back to committee, as that is tantamount to no action, thereby constituting passage. Mr. Blum added some of this information.

MR. LIVINGSTON said in that case, he would withdraw his Motion, and will probably vote against it now.

MR. BLUM said he would answer some of the questions that came up. On the RIF clause, let us start with the three options that an administrator has: Placement in a special administrative assignment for one year at his or her present salary and then he will return to a teaching position. That is Option #1. Option #2, retirement to take effect June 30th of the current year, and the administrator receives a percentage of one salary over a three-year period, installments to be payable the first of the year. This is the Bonus question. It only lasts for three years, and then he is out on his pension. The difference between his highest salary and the low-paying administrator who will come into the ranks, could be \$7,000, \$8,000, even \$10,000 difference. They feel this is a savings even if we paid \$1,000 to each administrator; or the highest could be \$1,400 per year for three years. You still would have a saving. Option #3.....

MR. BOCCUZZI recognized Mr. Zelinski.

MR. ZELINSKI asked if he could yield to MR. LIVINGSTON for a Point of Information and then he could come back, if that were allowable.

PERSONNEL COMMITTEE (continued)

MR. BOCCUZZI said that if Mr. Livingston wants a Point of Information, he should ask for it.

MR. LIVINGSTON thanked the Majority Leader and said his Point of Information is if a Motion is made that this be rejected without prejudice, would it be able to come back before us again.

MR. BOCCUZZI said yes, with the hope that they don't make any more changes. If you reject it without prejudice, it doesn't guarantee that it will come back in the same form that you rejected it.

MR. LIVINGSTON said he doesn't believe some of the members would like it come back in the same form that it is in at the present time. He wants to be clear on this.

MR. BOCCUZZI said you can just vote against the contract, and then it comes back.

MR. BLUM said if the contract is rejected, now you allow them to go back and re-negotiate. When you re-negotiate, even if you are against certain clauses, they can re-negotiate OTHER items in the contract for something that you feel might not be good in there. For example, they come back for more money. Sure they can. And you can keep rejecting it.

MR. ZELINSKI said on Page 12 of the Report (a few words lost here in changing the tape) endeavor under normal circumstances, to maintain class sizes as follows: No regular class shall have more than 30 students. No Special Education class shall have more than 20 pupils, and so on and so forth. Does that mean to say, what if they have to have 31 students, or there has to be over 21 students in the Special Education class. What happens? According to this, it can't be allowed.

MR. BLUM said this is an item that has been in this contract for quite some time. He does not know why it remains here. A principal, in a sense, does have entire charge of the school. Actually, this is a teacher clause. Yet that principal may some day go back to being, in the RIF clause, a teacher. So this is under the teacher's contract. At one time, before the SFT came along, and the union was the SEA, then the SEA represented both the administrators and the teachers. This particular item pertains to teachers, but the only thing that Mr. Blum can see is that this is a clause that has been in this contract from Year One. At some time, under the RIF clause, he might go back as a teacher and maybe this is safeguarding the fact, the same as the teacher, there can only be 30 students, no more, no less; and believe me, I am sure if there were 31, there would be no qualms about it. But when it comes 35....

MR. ZELINSKI said he has two other questions. Under Article VI, Health Insurance, according to the Board of Finance's recommendation, another cost is the provision for \$125 for a biennial physical exam. This exam is expected to highlight problems and might lead to a suggested early retirement in some cases. The cost of this is \$9,388 every two years. Is this also something in the teachers' contract, or is this something new in the administrators' contract. This does concern Mr. Zelinski.

PERSONNEL COMMITTEE (continued)

MR. BLUM said as far as he knows, they have to reimburse the Administrator when he has to take this Physical Exam, up to \$125. He does not know if this is in the teachers' contract.

MR. ZELINSKI said this seems to be a new article, that now we are going, in addition to giving excellent Health Insurance Benefits, we are now going to start paying for Physical Exams, and that is a matter to be concerned about.

MR. ZELINSKI said his last question is under Article XII, Early Retirement, and the Board of Finance's recommendation, Section B. This section used to have an annual compensation for Early Retirement of \$1,000 per year. A new schedule that has now been set up, those 61 and older would continue to receive an \$1,000 per year; but those that retire under 60, would receive \$1,400 a year; and those 55 and under, would receive \$1,600 a year. It is hoped that this Incentive will encourage Early Retirement.

MR. ZELINSKI said that another new item, under Section C, Plan D, is that individuals who elect Early Retirement will have 50% of their Medical Insurance paid for three years. Is he to understand that if an Administrator, who is 52 years of age, will get a bonus of \$1,600 for retiring first of all, and also will have his Health Insurance paid for the next three years at 50% of whatever his pay is. Yes or No?

MR. BLUM said Yes; whatever you see here is right. It is in the contract.

MR. ZELINSKI said rather than have this contract fail for some of the questions raised by him and other Board members, he would like to Move that this Board rejects this contract without prejudice.

MR. BOCCUZZI said it would be best, when it comes time to vote, that Mr. Zelinski can vote to reject, at that point.

MR. BLUM would like to answer the question about Early Retirement where the Board of Education, in the case of high-salaried positions, maybe because of their budget, would like to get them out with an attractive Bonus to move them on their way. That's what the offer is. He does not get that offer on the railroad.

MRS. MAIHOCK on page 9, under 3, there is a sentence that says: "He will receive a Severance Benefit equal to the administrator differential which would be received under the next year's administrator's salary schedule." Why would it not be the present year. And she has another question.

MR. BLUM said that was the third option that he was going to read when Mr. Zelinski was recognized. This is like a protection agreement; they don't have a RIF clause in the teachers; they don't have a RIF clause in any other contract (some one interjected why not and he said he didn't know). This was negotiated. He will receive a severance benefit equal to the administrator's differential which would be received under the next year's administrator's salary schedule. The Board meets and they sever him the following year, not the same time as the budget. When school is over and they are figuring the budget out, he will be notified that he is going to be severed. He is going to receive that money the next fiscal year, the budget we just voted on, IF they sever him, but I doubt if any one is severed. A person takes an

PERSONNEL COMMITTEE (continued)

MR. BLUM (continuing)...Early Retirement Option first. That's what he was told.

MRS. MAIHOCK said her second question is under E. The first sentence says: "Ten years of full experience as a teacher, or administrator." Now last year or whenever this came to us previously, she recalls that they had quite a time with this RIF clause, so does this mean that this person can have 10 years' experience as an administrator and then claim 10 years as a teacher, to get the same credit, (Mr. Blum said No) as a good administrator might not necessarily be a good teacher, so she is concerned.

She said it states: "Ten years of full experience as a teacher or administrator in the Stamford School System would be required for any individual to get full credit under Option 1 or 2, Section D."

MR. BLUM said that was right. When an administrator has tenure, if he is promoted say after 5 years as a teacher to an administrator, his teacher tenure continues with him as an administrator. He continues on in both, teacher and administrator. Right now in the General Assembly, there is a bill to cut this off; in other words, when he is promoted from a teacher to an administrator, his time stops as a teacher. But right now, as it stands now, if an administrator gets promoted from a teacher, all his teaching time remains with him, and he has this tenure.

MRS. MAIHOCK said Mr. Blum has explained it but she does not necessarily agree.

MR. DeLUCA asked for a Point of Information. Mr. Blum made a comment before about the Bonus in that there is an Option that they get paid for only three years. But if you look at Page 8 at the bottom, if an administrator were to elect Option II, he is at age 46-51, he would get a Bonus in addition to his Early Retirement equal to 80% of his salary. If this person is making \$47,000 annually, 80% would be roughly a \$37,000 Bonus for retiring, granted it is payable over 3 years; that's a darned nice Bonus for Early Retirement, whereas if he waited to go under Page 12, I believe it is, for \$1,600 a year until he hits age 70, it only comes out to \$36,000, but he is getting it only from age 46 to 70, which is a period of 24 years. Those are healthy bonuses we are giving out over here, and I would definitely urge rejection of this.

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

MRS. SANTY asked how many members were present.

MR. BOCCUZZI said 29.

MR. BOCCUZZI called for a vote on the Motion to approve the contract between the Board of Education and the Administrative Unit. DEFEATED with 10 Yes votes, 12 No votes, and 7 Abstentions.

(2) RATIFICATION OF LABOR CONTRACT BETWEEN CITY OF STAMFORD AND LOCAL 465 OF COUNCIL #4 AFSCME - REGISTERED NURSES, CITY OF STAMFORD. Board of Finance approved 5/14/81.

APPROVED ON CONSENT AGENDA, with Mrs. Conti Abstaining.

PERSONNEL COMMITTEE (continued)

MR. ZELINSKI asked if, inasmuch as there were several questions raised by the Board members which probably led to the defeat of this item #1, can the recommendation on rejecting this contract be accompanied by a letter with some of the questions that were raised as to why the contract was rejected, and possibly if they were changed, they would be accepted.

THE PRESIDENT said what we will do is we will convey the reasons why this was done in the Minutes.

MR. BLUM said Item #2 was on CONSENT, the Registered Nurses' contract.

(3) RATIFICATION OF LABOR CONTRACT BETWEEN CITY OF STAMFORD AND STAMFORD SCHOOL DENTAL HYGIENISTS ASSOCIATION. Board of Finance approved 5/14/81.

MR. BLUM said somebody wants to know about this one, and it is the same as the nurses. He Moved for approval. SECONDED.

MRS. CONTI wants to know what type of bonuses they have in this contract.

MR. BLUM said as far as he knows, they are getting a wage increase the same as the nurses, 7% July 1, 1981; 7% July 1, 1982; and they are getting an increase in the uniform and transportation allowance. There is tuition allowance which is the only addition to the contract that is shown, and those items that have been increased.

MRS. CONTI asked if there were any deletions of existing provisions.

MR. BLUM said there are no deletions.

THE PRESIDENT called for a vote on ratification of the Dental Hygienists Contract. APPROVED by voice vote with 3 Abstentions, Mrs. Conti, Mrs. Guroian, and Mrs. Perillo. There was some discussion as to how many people were present, and how many were participating in the vote. The President said only a majority is needed for passage.

She said MR. DONAHUE will be recorded as an Abstention on the Administrators' contract, Item #1.

MR. BLUM MOVED to approve the CONSENT AGENDA which consists of Item #2. SECONDED. CARRIED with one Abstention, Mrs. Conti.

PLANNING AND ZONING COMMITTEE - Chairman Donald T. Donahue

(1) STUDY OF PENALTIES FOR ZONING VIOLATIONS. Submitted by Reps. Santy and Signore dated 3/17/81.

MR. DONAHUE said the Planning and Zoning Committee met on May 27, 1981. Present were Reps. Wider, Guroian, Donahue. Item #1 is being HELD IN COMMITTEE.

PLANNING AND ZONING COMMITTEE (continued)

- (2) ACCEPTANCE OF STREETS - GENERAL WATERBURY LANE - as a City Street.
Submitted by City Engineer William Sabia.

MR. DONAHUE said this is also being HELD IN COMMITTEE.

- (3) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING APPROVAL OF THE SALE OF PROPERTY LOCATED AT THE INTERSECTION OF LINDEN PLACE AND WASHINGTON BLVD. TO NEW NEIGHBORHOODS, INC. FOR THE PURPOSE OF DEVELOPING SIX TOWNHOUSE-TYPE DWELLING UNITS. Mayor Clapes' letter 4/7/81. Board of Finance approved 4/9/81.

MR. DONAHUE said this will go on the CONSENT AGENDA.

APPROVED ON CONSENT AGENDA.

- (4) FOR FINAL ADOPTION - PROPOSED ORDINANCE PROHIBITING ESTABLISHMENT OF AIRPORTS, HELIPORTS AND HELISTOPS WITHIN THE MUNICIPALITY -
submitted by Rep. Marie Hawe 3/16/81.

THIS ITEM WAS APPROVED AT THE SPECIAL MEETING OF THE BOARD HELD ON SATURDAY, MAY 30, 1981. See Minutes of that Meeting for detail.

- (5) REQUEST TO EXAMINE THE POSSIBILITY OF RETURNING BEDFORD STREET AND SUMMER STREET BACK TO TWO-WAY TRAFFIC. Submitted by Rep. Zelinski 3/16/81. Held in Committee 5/4/81.

MR. DONAHUE said Jim Ford, the Acting Director of the Traffic Department, attended the Committee meeting. What he has here is a summary of the conversation that occurred between the Committee and Mr. Ford in response to an outline which we had discussed earlier.

MR. DONAHUE said first, the \$2.2 Million cost of returning to the two-way traffic pattern on Bedford and Summer Streets appears to be accurate. Approximately \$1.2 M would be needed for intersection reconstruction, signalization, re-striping, removal of new concrete islands, installation of conduit, etc. An additional One Million Dollars would be owed to the State as reimbursement of the funds that the City received for the implementation of the Bedford-Summer Street one-way system. The City further agreed to maintain all regulations established by the agreement, and failure to do so could result in loss of future Federal and State traffic funding. The agreement was authorized by the Board of Representatives on August 10, 1969 in Resolution No. 643.

It appears there hasn't been an avalanche of complaints received by the Traffic Department; and as people adopted the new traffic pattern, and to the one-way traffic flow and the need to re-plan each individual's daily routine, complaints are no longer being received. There have been no serious accidents to the Bedford-Summer St. one-way system.

PLANNING AND ZONING COMMITTEE (continued)

MR. DONAHUE (continuing to report on Item #5).

Because the State compiles the statistics that we need to compare the accident rate along Bedford and Summer Streets, and because the State usually runs about a year behind in compiling those facts, we cannot compare pre-accident statistics 'til current accident statistics. However, in the opinion of the Safety Officer of the Police Department, that, if anything, the accident experience rate has dropped off since the change to a one-way traffic pattern.

Mr. Donahue believes the cost question has been answered earlier. He would add that the Bedford-Summer one-way pattern is a conditioned precedent within the contracts between the City, the Urban Development Commission, and those who will own and operate the Stamford Town Center. The return to the two-way traffic on Bedford and Summer Sts. would nullify those contracts, leaving us with an empty Town Mall.

The Committee explored the question of limiting the one-way traffic pattern to peak hours only, and we were told that Bedford and Summer Sts. could no longer handle the increased traffic due to downtown revitalization and the opening of the new Mall. They are not wide enough to accept two-way traffic successfully. The nature of Bedford and Summer Sts. do not compare with streets in other cities where peak-hour one-way systems are used.

To create a peak-hour one-way system would require manpower, major intersections, to place cones, and re-direct traffic. Traffic control signals would have to be installed in each lane at intervals of 250 feet at a cost of \$30,000 per unit. I believe that is an indication that we cannot go back to a two-way system on Bedford and Summer St., and that would conclude his report on that item.

MRS. GUROIAN would like to add two points to the Chairman's report. One was a question that was raised by many people whether this was in fact originally part of the TOPICS PROGRAM and Mr. Ford said it was a part of that program. The other one was a bit of clarification on what Chairman Donahue said about the complaints that were received about the one-way flow. Mr. Ford said that both of the complaints were individual complaints, mostly by people who own property along either of those streets; and on an individual basis, he felt that most of them could be equitably resolved.

MR. ZELINSKI said he wished to state for the record that he was the one who originally submitted this, but unfortunately due to a business commitment out-of-town, he was unable to attend the committee meeting held by Planning and Zoning. Although the report made by the Chairman regarding the cost and the legal ramifications and everything else, he thinks the higher importance is the fact that it is a great concern, and provides a great deal of difficulty with people not only residing in his 11th District, but also throughout the City. As a matter of fact, ironically tonight, he received two telephone calls from constituents who do not live on either Bedford or Summer Sts., but live off of Oaklawn Avenue. They had heard, or been misinformed, that there was going to be some money appropriated tonight for a study to go back to two-way. There have been so many near-misses of accidents on Bedford and Summer Sts. He would like to get a report from the Chairman of the Committee so he and his other colleagues could digest it before they work further on this. However, he still feels something has to be done. He has received numerous complaints. He knows Rep. Tony Conti has received complaints. Apparently when people call

PLANNING AND ZONING COMMITTEE (continued)

MR. ZELINSKI said now that he knows that the Traffic Department is not also getting those calls, Mr. Ford will get them in the future.

MR. WIDER just wanted to add a couple of other points that came up. While they were at the meeting, he asked Mr. Ford some direct questions about Spring Street, and Prospect Street being made one way. He explained that he is aware that there are some problems and they are working on them, so that they can be resolved to the best advantage of the people who have to use them.

MR. WIEDERLIGHT said he would like to commend Mr. Donahue and his committee for the thorough job that they did on this item. This item has been on the agenda under other committees for quite some time. This is the first month it has been under the Planning and Zoning Committee, and they gave us the in-put that we have been looking for. As far as near-misses concerning accidents are concerned, he would like to remind Mr. Zelinski that near-misses are only important in horse-shoes and grenades.

MRS. MAIHOCK asked Mr. Donahue if they had considered turning just Bedford Street back to two-way traffic, which is primarily residential in contrast to Summer Street which is commercial.

MR. DONAHUE responded that the cost factor that is involved, would still be involved. However, it is a condition precedent within the contracts for the new Town Center in much the same way that Elm St. and Tresser Blvd. had to be realigned before the opening of that Town Center. These are required within the agreements signed by the Urban Redevelopment Commission and the City with those who would operate the Town Mall, so there is no going back to either Bedford St. one-way or Summer St. two-way.

MR. BLUM said at the meeting he asked about Urban St. and Chester St. He has gone down Bedford St. and sees that those are still one-way streets. At the time they had the discussion about returning Bedford and Summers Sts. to one-way, there was still that bottleneck between Sixth St. and whether they could go up Chester or Urban because they are now one-way streets. Has there been any improvement on that street whatsoever? Are they going to make any changes? At least let one street come down, and one street go one-way up the other, so that motorists coming out of Sixth St. has an access to go back where ^{he} comes from, Glenbrook. He has to go all the way to Bull's Head and back up Summer St. to Fifth St. and then up Fifth to get home.

MR. DONAHUE said even though the Urban and Chester Sts. question is not on the agenda, they did pursue that with Mr. Ford in other discussions he had with him since then, and he believes that is on the agenda either next month or the one after with the Traffic Commission, where they hope to resolve the question.

MR. CONTI said he would like to go on record as having told Mr. Ford that this WAS part of the TOPICS PROGRAM and it goes back 12 or 13 years, and he claims it was not at the time that we discussed Chester and Urban Sts.

MR. BOCCUZZI MOVED THE QUESTION. SECONDED. CARRIED.

PLANNING AND ZONING COMMITTEE (continued)

MR. DONAHUE MOVED for acceptance of Item #3 on the CONSENT AGENDA. SECONDED. CARRIED UNANIMOUSLY.

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

NO REPORT.

HEALTH AND PROTECTION COMMITTEE - Jeanne-Lois Santy

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE ADOPTING REGULATIONS RESTRICTING USE OF WATER DURING WATER SHORTAGE. Submitted by Mayor Clapes.

MRS. SANTY said Item #1 is being HELD IN COMMITTEE.

- (2) REPORT ON CREATION OF EMERGENCY MEDICAL SERVICE DEPARTMENT.

MRS. SANTY said that Mr. Wiederlight will give a report on this item.

MR. WIEDERLIGHT said that there will be a rough draft within the next three weeks.

- (3) STATUS REPORT - FIRE TASK FORCE.

MRS. SANTY said the minutes are on the desks of the members, and they are still meeting on this, and the Committee hopes to have everything resolved by September.

REQUEST FOR SUSPENSION OF RULES

MR. BOCCUZZI MOVED for a Suspension of the Rules to bring up an item that is not on the agenda and is in committee - being the matter of the water situation in Dolphin Cove. SECONDED.

MRS. SANTY said it was not necessary to Suspend the Rules. She said she could tell Mr. Boccuzzi if he had asked her.

THE PRESIDENT called for a vote on the Motion to Suspend the Rules. DEFEATED with 16 Yes votes, 9 No votes, and 2 Abstentions. (Mr. DeLuca wished his vote to show Yes; Mr. Blum wished his vote to show No.) There are 25 persons present, and two-thirds, or 17, are required for passage.

MRS. SANTY said she would suggest that Mr. Boccuzzi see her privately and she will bring him up to date on what the Committee knows on this item. This concludes her report.

MS. SUMMERVILLE said that it is not only Mr. Boccuzzi that would like to know, she would like to know also; and she would like them to have a meeting so she could attend.

MRS. SANTY said she would like to answer that. Mr. Dziezyc took over while she was in California for over two weeks. He did not have a quorum. She does not know who was present and who was not present. Mr. Dziezyc was the other

HEALTH AND PROTECTION COMMITTEE (continued)

MRS. SANTY (continuing)...Republican member. No Democrats attended, so the meeting was not held, but it was going to be discussed. This is the first time in two years that she has gone out of town.

PARKS AND RECREATION COMMITTEE - Chairman Robert "Gabe" DeLuca

MR. DeLUCA said his Committee met on May 26, 1981 and he MOVED that Items #1 and #2 go on the CONSENT AGENDA. SECONDED. CARRIED.

- (1) REQUEST FROM SAINT TEODORO MARTIRE SOCIETY FOR A PERMIT TO HOLD THEIR ANNUAL FEAST ON GROUNDS, 107 WEST AVENUE. PERMIT IS FOR ILLUMINATION, MUSIC AND PROCESSION. Submitted by Anthony Melchionne, Secretary.

APPROVED ON CONSENT AGENDA.

- (2) BOARD OF RECREATION FEES FOR CUBETA STADIUM FOR 1981. Submitted by Recreation Supt. Bruno Giordano.

APPROVED ON CONSENT AGENDA.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Chairman Robert Fauteux.

NO REPORT.

SEWER COMMITTEE - Chairman Michael Wiederlight

NO REPORT.

PUBLIC HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Chairman Lathon Wider and Stanley Darer.

MR. WIDER said that his Committee planned to have a meeting on June 10th and everyone is invited to attend.

URBAN RENEWAL COMMITTEE - Chairman Richard Fasanelli

NO REPORT.

ENVIRONMENTAL PROTECTION COMMITTEE - Chairwoman Audrey Maihock

NO REPORT.

CHARTER REVISION & ORDINANCE COMMITTEE - John Hogan & Grace Guroian,
Co-Chairpersons.

- (1) PROGRESS REPORT.

See Page⁷ of these Minutes, as this item was discussed after APPOINTMENTS and before FISCAL COMMITTEE.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Chairwoman Doris Bowlby

NO REPORT.

TRANSPORTATION COMMITTEE - Chairman Patrick Joyce

NO REPORT.

ON-SITE REFUSE CONVERSION STUDY COMMITTEE - Chairman Fiorenzo Corbo

(1) PROGRESS REPORT.

NO REPORT.

MR. ZELINSKI said the President was going a little too quickly for him, and he wished to ask Public Housing and Community Development Committee Chairman Lathon Wider a question. He asked if that Committee were meeting also on June 4th as well as June 10th?

MR. WIDER said that was only for the Committee.

MR. ZELINSKI asked if it was a public meeting, and could anyone attend.

MR. WIDER responded that it was only for the Committee, and he has not invited anyone.

THE PRESIDENT suggested they discuss that later.

COMMUNICATIONS FROM THE MAYOR

NONE.

PETITIONS

NONE.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS

NONE.

ACCEPTANCE OF THE MINUTES

MAY 4, 1981 Regular Meeting - Moved for Acceptance, SECONDED, CARRIED.

OLD BUSINESS

MR. WIEDERLIGHT said he would like to go back to the issue of the Good Attendance Bonus for the teachers. It was stated that the Board of Education felt they made an error in negotiating this, and that the teachers felt bad, that it was an insult to their personal integrity to have this. He feels that if this Board would send a note to both parties, if they are in earnest in their regrets of negotiating this contract, that they could come back to us for this \$351,000 in another form, possibly a raise for all of the teachers across-the-board, or something, that it might be more palatable to the Board.

NEW BUSINESS

NONE.

ADJOURNMENT:

There being no further business to come before the Board, upon MOTION made, SECONDED, and CARRIED, the Meeting was ADJOURNED at 1:15 A.M.

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

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

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
16th Board of Representatives
City of Stamford, Connecticut

HMM:MS
Encs.