

MINUTES OF JUNE 14, 1983 - SPECIAL CHARTER REVISION MEETING

TUESDAY, JUNE 14, 1983

17th Board of Representatives

Stamford, Connecticut

A SPECIAL MEETING of the 17th Board of Representatives of the City of Stamford, Connecticut, was held on TUESDAY, JUNE 14, 1983, pursuant to a "CALL" issued by PRESIDENT JEANNE-LOIS SANTY, in the Legislative Chambers of the Board, Second Floor, Municipal Office Building, 429 Atlantic Street, Stamford, Connecticut 06904.

The meeting was Called to Order at 8:15 P.M. by President Jeanne-Lois Santy, after both political parties had met in caucus.

INVOCATION was given by the Rev. Ralph Mugford, Pastor of the Bethany Assembly of God Church, 2 Scofieldtown Road, Stamford, Connecticut.

"Shall we pray? Our Heavenly Father, we thank You tonight for the privilege we have of coming to Thee. We realize, Lord, that You see us where we are, You know all about us, You are aware of the world in which we live and the problems that many times face us, and God, we're many a times not to think of the great problems that come in against us and we don't know how to cope with them, but we are so glad, Lord, that in that moment, that we can call upon Thee in the day of trouble and You have said, Lord, that You would deliver us and give answer to our problems. So, our Father, tonight, we pray that You will bless this meeting tonight. We pray, Our Father, that You will give wisdom unto each one of the members here tonight, Lord, that are going to minister, Lord, unto the affairs of this City. We ask Thee, Lord, that You will just give them the wisdom that You alone can give, and Lord we ask Thee that You will keep your hand upon each one of them. We pray that at the conclusion of this night, Lord, since we have asked for your help, that we will recognize that You have been with us, and You have helped us. Lord, we remind You of a man back in days gone by, by the name of Solomon, who became a head of state, and in that moment, Lord, he called upon You to help him. And in that moment, You endowed him with wisdom. And, Lord, he was able to carry on the affairs of the state. So we pray that You will bless this Committee that meets tonight, Lord, and give them the answers that they have need of. For this we pray, in the name of the Father, and of the Son, and of the Holy Ghost. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Jeanne-Lois Santy.

CLERK OF THE BOARD ANNIE M. SUMMERVILLE Called the Roll. 33 Present and 7 Absent at the attendance call. Absent: Reps. Owens; Roos (out-of-state); Blum (ill); Hogan (father ill); Signore (ill); Jachimczyk (will be in later); Dudley (will be in later).

PRESIDENT SANTY declared a QUORUM.

TEST VOTE OF THE MACHINE - President Santy tested the voting machine and found it to be in working order, with each member voting yes, no, and abstain, in turn.

PRESIDENT JEANNE-LOIS SANTY read the "CALL" of the Meeting:

"I, JEANNE-LOIS SANTY, President of the 17th Board of Representatives of the City of Stamford, Connecticut, pursuant to Section 202 of the Stamford Charter and Sec. 7-191 of the General Statutes of the State of Connecticut, Rev., do hereby CALL a SPECIAL MEETING of said Board of Representatives, for:

TUESDAY, JUNE 14, 1983

at 7:30 P.M.

In the Legislative Chambers
Municipal Office Building
Second Floor, 429 Atlantic Street

for the following purpose:

To consider and act upon the REPORT OF THE 13th CHARTER REVISION COMMISSION and the recommendations of the Charter Revision Committee, and to act upon proposed Charter amendments to be submitted to referendum, or referred back to the Commission for such changes as it may deem desirable."

The CALL was signed by President Jeanne-Lois Santy and the regular distribution was made to Mayor Louis Clapes, Town & City Clerk Lois PontBriant, and the regular mailing list of those receiving agendas on a regular basis.

PRESIDENT SANTY: We have all received a final report of the Charter Revision Commission dated May 10, 1983. Our Clerk has extra copies if any of you need one tonight. Just come up and ask her for it and she will give it to you.

The Charter Revision Committee of this Board was unable to act upon this Report due to the lack of a quorum at their meeting last evening. Mr. Livingston will make a Motion to Waive a Committee Report, Rule 5, Page 4 of our Board Rules; then we will proceed page by page. Mr. Livingston, as Co-Chairman of the Committee will present the Charter Revision Commission Report to our Board with a running Motion. Any amendment can be made by any member on any item on any page. All changes that appear in this Report from the Commission must have 21 votes. We have 15 days from the public hearing date, which was June 7th, to submit our recommendations to the Commission, which brings us up to June 22nd. The Commission may amend its proposals of the Charter accordingly, or reject our recommendations within 30 days. We must then approve within 15 days the proposed Charter amendments that will go on the ballot in November. Mr. Livingston, do you want to make a Motion to Waive your Committee Report? Mrs. Guroian?

MRS. GUROIAN: Does that mean that we are going to vote all over again after the Commission comes back to us?

PRESIDENT SANTY: Yes, Mrs. Guroian, it is. We are making our recommendations tonight back to the Commission. If they accept our recommendations, if we recommend anything...

MRS. GUROIAN: So that even if we are voting tonight, we are going to vote again?

PRESIDENT SANTY: Yes, we are.

PRESIDENT SANTY: Mr. Livingston, do you want to make your Motion to Waive your Committee Report?

MR. LIVINGSTON: Yes, Madam President. Because of a lack of a Quorum, I ask you, Madam President, that we Waive the Committee Report. Seconded.

PRESIDENT SANTY: All in favor, please say Aye. Opposed? Passed Unanimously. Now, Mr. Livingston, do you want to begin? And we all have our Charter Proposal in front of us.

PG. 1 MR. LIVINGSTON: Well, Madam President, I believe if we turn to Page 1, we can start right away.

PRESIDENT SANTY: Mr. Zelinski, do you have a question?

MR. ZELINSKI: Yes, I did. Just ^{so} myself and my colleagues can follow, which text are we going to be using tonight? I have three of them which I received since the first recommendations were made, so I think it would be wise to make sure we all have the right pages.

PRESIDENT SANTY: I said, Mr. Zelinski, the one that is dated May 10, 1983. The one that is dated May 10, 1983.

MR. ZELINSKI: I don't have anything with a green cover like that.

PRESIDENT SANTY: You don't. This is the one that was submitted to the President of the Board through the Town Clerk's Office, Mr. Zelinski, but yours is exactly the same without the green cover.

MR. ZELINSKI: This was May 10th to the Town Clerk? Thank you very much.

MR. LIVINGSTON: Again, Madam President, on Page 1.....

PRESIDENT SANTY: Yes, Mrs. McInerney?

MRS. MCINERNEY: Yes, Madam President, I would like to make a motion to reinstate, under Section 1-10-2 Definitions, it says "When ever used in this Charter: (1) "Public Notice" means a notice published in ~~--an-official--~~ a paper...", I note that "an official paper" was taken out of the Charter, and I would like to have that reinstated along with item "(2) ~~---"Official-Paper~~ means-a-newspaper-published-and-circulated-in-Stamford-at-least five-days-weekly;

PRESIDENT SANTY: Mrs. McInerney, I see (2) ~~---"Official Paper" means a news---
paper published and circulated in Stamford...."~~, that is, just those two sentences? All right, Mr. Livingston's Motion is to accept the change, and you want it reinstated, so we will act on a Motion by Mr. Livingston which is to remove that, so you would speak against that? There is a Motion on the floor to remove ~~"Official Paper" means a newspaper published and circulated in Stamford....~~

MR. WIEDERLIGHT: A Point of Information, Madam President? I do apologize, but a question in regard to procedures that we are following, how would we proceed then, again, on something where there has been no change recommended by the Charter Revision Commission in a section and somebody does wish to make a change where there has been no change recommended?

PRESIDENT SANTY: Then you would make an amendment and that would need 21 votes.

MR. WIEDERLIGHT: Thank you, Madam President.

PRESIDENT SANTY: Right now, Mr. Livingston is making a running motion to accept the entire text, so we are accepting this. Mrs. McInerney is speaking against this. We are going to vote on the Motion which would need 21 votes to remove this from the original charter. Is that your motion, Mrs. McInerney? Just those two sentences?

MRS. MCINERNEY: No, Madam President, I would like to have it reinstated as it presently is in the present charter and you would have to take out all of the words that are underlined and reinstate the words that are deleted, that are crossed out, for item #1 and Item #2.

PRESIDENT SANTY: Just for clarification. The whole Section, Section 1-10-2 Definitions. You want that as originally, you are speaking against this?

MRS. MCINERNEY: Yes, that is correct, I am speaking against it.

PRESIDENT SANTY: There is a motion on the floor made by Mr. Livingston to, as you have in front of you, to underline "for additions" and to remove "by... yes, Mr. Dziezyc?

MR. DZIEZYC: I would like to amend that motion to eliminate "at least five days weekly", everything else the same as Barbara presented, but just remove "at least five days weekly".

PRESIDENT SANTY: Now, Mr. Dziezyc, you are agreeing with Mrs. McInerney except that you want to eliminate "five days weekly".

MRS. GOLDSTEIN: Well, that is putting it back to the change that....it will return it to the way the Commission recommends. I happen to agree with what the Commission recommended. I believe that gives the opportunity for more than one paper to publish a public notice, but if you amend it, Mr. Dziezyc, you can't amend it. I believe what you have to say is I agree with the Commission's change.

MR. DZIEZYC: No, but she wanted to put "official paper", you see, eliminating the official paper.

PRESIDENT SANTY: Just wait a moment. One at a time. The Motion by Mrs. McInerney, her remarks are to speak against Mr. Livingston's Motion. and to go back to the original charter. Mr. Livingston's motion on the floor is to go along with the Commission as their recommendation. Mr. Dziezyc, your amendment is just to remove one section of that?

MR. DZIEZYC: Yes, "five days weekly".

PRESIDENT SANTY: The motion on the floor is Mr. Livingston's motion which is to go along with what the Commission has submitted to us. Mrs. McInerney is speaking against the motion. She wants to go back to the original text of the charter. We are voting on Mr. Livingston's motion which was made on behalf of the Commission, for the entire change. Then you can go back, if you'd like to amend it after. But for clarification, to make it a little bit easier, I think this is the best way to do it, Mr. Dziezyc, would you accept that and remove... Fine, thank you. Mr. Zelinski is next.

MR. ZELINSKI: I would be in favor of Rep. Livingston's motion and against Rep. McInerney's motion. I would like to remind my colleagues that approximately five or six months ago we had received from the Corporation Counsel's office, a ruling dealing with this particular topic. I had asked this during a discussion at a Legislative and Rules Committee where it came up pertaining to the publishing of ordinances, and the Corporation Counsel clearly ruled per State Statute, it would be perfectly all right to publish in any type of newspaper, so I think if we do this, we would actually be going against the Corporation Counsel's opinion on this, so I would be in favor of Rep. Livingston's motion.

PRESIDENT SANTY: Thank you. We are now addressing Page 1. Mr. Livingston's motion is to go along with the Commission's proposal to us. Next to speak is Mr. Donahue, and Mrs. Guroian and Mr. Flounders.

MR. DONAHUE: I hadn't really thought about this issue until just this moment, to tell you the truth, but having been on the L&R Committee, and knowing that that Committee has voted on a number of occasions to publish ordinances in the STAMFORD ADVOCATE, which happens to be a daily published legitimate type of circulation newspaper, and whereas the alternatives in town are kind of hit-or-miss; one week you receive it, other weeks you don't, and sometimes for months. I have thought it to be very important for people in the City should know where they can look for public notices on a regular basis and in what publication they can expect to find legal notices published by this and other boards. I think it is important to define that. The Corporation Counsel's opinion that was rendered did not address this line in the Charter, as far as my recollection was concerned. And I do believe that this wording is very important to the people of this City so that they are kept aware of what we are attempting to do as far as ordinances and notices of public hearings, so I think this wording should be reinstated in the Charter.

PRESIDENT SANTY: You agree with the Commission's proposal to us.

MRS. GUROIAN: I would like to agree with the Commission's thinking in this matter and affirm what Mr. Zelinski said about the Corporation Counsel's opinion on this. I think it directly refers to this type of thing, and I would like to remind the Representatives that at the present time, the Zoning Board of Appeals does publish theirs in the SHOPPER. The ZBA is a State-mandated board and does not fall under the jurisdictions of this Charter and that is where the confusion arises. I think it would do well to dissipate that confusion as best we can, especially since I agree with Mr. Zelinski that the State Statute does define a newspaper differently than we do in the Charter, and that we approve the change as the Commission has deemed to write it.

I had another question to ask of Rep. McInerney, through the Chair. I couldn't quite understand, does she mean for the whole Section 1-10-2 to go back to the original, or just that part up until "(2) Data"?

PRESIDENT SANTY: I think that would be a good question for Mrs. McInerney to answer.

MRS. MCINERNEY: Yes, thank you. Mrs. Guroian, I was only concerned with the public notice and the official newspaper, and having those reinstated; so basically, it is up to where you have proposal (2) Data. That's my basic concern.

MR. FLOUNDERS: I Move the Question. Seconded.

PRESIDENT SANTY: All those in favor of Moving the Question. Opposed? We are going to use the machine on Mr. Livingston's Motion to approve the Commission's proposal here on Page 1. We are voting on Mr. Livingston's motion which is made on behalf of the Commission, to approve the changes on Page 1. Now, Mrs. McInerney is opposed to part of a section, but what we are doing is we are voting on the entire page.

MR. BOCCUZZI: Madam President, I think Mrs. McInerney only wants to change up to, at the beginning, where it says "Wherever" up until the word "Data". Now, if we vote on the whole thing, and it goes back to the way Mrs. McInerney asks, then what you are saying, we will also be deleting the rest of it, the rest of the changes.

PRESIDENT SANTY: Then Mr. Livingston's motion is going to have to be to accept the changes in Section 1-10-2, sentences 1, 2, and 3. That is the Motion we are going to have to vote on. That is the change that we are interested in.

MR. DIXON: Clarification, Madam President? As you stated, Mr. Livingston's Motion is a continuing motion that carries right through the entire charter. Now, if we are going to vote on his motion, then that means we are going to be voting on his motion on every page, will we not? Is it necessary as long as he has made a continuing motion?

PRESIDENT SANTY: Yes, when there is debate, when someone is opposed to the proposal. There may be some pages that members are not opposed to, that we just may go through. But there is opposition to this one particular section.

MR. DIXON: Well, does this differ in any way from the way we vote on the City budget? On the City budget, we vote on amendments. We vote on amendments and not on the continuing motion.

PRESIDENT SANTY: Mr. Dixon, in text this is different. This is a proposal that is a change to our charter, and there has to be 21 votes to approve any of these changes, so we have to approve by a 21-vote the Commission's changes. They aren't our changes; it is not ours. We are approving by a 21-vote. Mr. Livingston is making a continual motion. Mr. Livingston, you are going to have to make a motion, then, to approve the Section with sentence 1, 2, and 3, and you have to make that as one motion, then make the other page as another motion to include the whole thing to be approved. There is no other way we can do that. Yes, Mr. Donahue?

MR. DONAHUE: If I understand the motion Mr. Livingston has made is to accept the recommended changes to the Charter of the City of Stamford. That is a motion that is before us. What the Chair is entertaining now is suggestions for a revision to that package, so that the only thing that we have to vote on now is the amendment before us, not anything that Mr. Livingston has to do. Mr. Livingston has already done what he has set out to do.

Now we go through this, and any suggestions for change can be voted on, but we keep in mind that the motion on the floor, the main motion on the floor at all times tonight, is Mr. Livingston's motion to accept the package presented by the Charter Revision Commission. We don't have to vote on that every page.

PRESIDENT SANTY: No, except that changes to the Charter require a 21-vote. What Mrs. McInerney is amending is not a change. It is going back to the original Charter.

MR. DONAHUE: I don't want to belabor the point, Madam President, but at the end of this evening, we will come up with a list of suggestions to be sent ^{some} back to the Charter Revision Commission; that is what we are trying to achieve ^{some} consensus on. At the end of the evening, you could ask for a vote on Mr. Livingston's motion as we amend it. Much the same way as we passed a resolution to accept the budget per se, after all that is done.

MRS. GOLDSTEIN: The problem really is with the number of votes. I mean, do we then have to have 21 votes to retain the wording in our Charter which seems blatantly unfair. It does make a great deal of sense to need 21 votes to make a change in our Charter, but if, as Mrs. McInerney is proposing, we go back to the current Charter, that should really get the benefit of that extra vote, and not need 21 votes. I mean, that is really the issue that has to be addressed, right? (Two people speaking simultaneously now - cannot separate dialogue.).....

PRESIDENT SANTY.....the Chair is considering now. The 21 votes is needed for a change, but certainly not 21 votes to go back to the original Charter which is what we are trying to change. And that is what the problem is now, and since our Parliamentarian is ill, I would go along, and the suggestion is made that any change would need 21 votes.....

MR. LIVINGSTON: But to retain something, Madam President, it would take a simple majority, correct?

PRESIDENT SANTY: Except that I would see, in going back over Minutes of past Charter Revisions, that there were Motions made on the floor to go back to the original Charter. "I make a Motion to go back to the original Charter....." and they required a 21-vote, too, Mr. Livingston, for passage.

MRS. GERSHMAN: I must agree with most of the things that Mr. Donahue said. It seems to me that, in the first place, we are not voting on the Charter changes tonight. We are only voting on recommendations to give to the Charter Revision Commission. Secondly, we really are not considering our present Charter in that. We are only considering the package that has been given us, the changes, so that the running Motion by Mr. Livingston is to accept the package, but if any amendments are made, they should not be referred to as reverting to the old Charter; they should be new wording in the new package, and therefore, the vote should be on the amendment, and at the end of the evening, we vote on Mr. Livingston's running motion.

PRESIDENT SANTY: Thank you, Mrs. Gershman. Mr. Livingston made a Motion, one Motion, to accept the Report of the Commission. We are going page-by-page to make our recommendations known to the Commission. The Motion on the floor is to accept the change. Mrs. McInerney is speaking against the change. She is against the change in a certain Section. The Motion that we are voting on will still be for the change.....

MS. SUMMERVILLE: But she, Point of Information, is making a suggestion which tonight, all suggestions are changes in what has been presented to us. She is not only saying I disagree with what the Commission has done, but I am suggesting that my suggestion be voted upon to take back to the Commission as a consensus of this Body as to why we want to proceed and.....

PRESIDENT SANTY: And the consensus of the Body would have to be a majority of the entire membership and that would be 21 votes.....

MS. SUMMERVILLE:.....(after interruption)...the answer and she says that's not right.

MRS. MCINERNEY: Madam President, would it clarify things if I made the Motion and indicated the words that I want as Item #1 and #2. Would that help at all?

PRESIDENT SANTY: No, that's not going to help at all. The point is you did make an amendment and the amendment to the motion, the motion is to accept it; your amendment is not to accept it; our recommendation will have to go to the majority of the entire membership, so we will have to vote on your amendment and that is how we are going to have to proceed. The Chair can see no other way to proceed this evening. Mr. Franchina, your hand's been up.

MR. FRANCHINA: I was going to say something similar to Mrs. Gershman, but with one addition: seeing that the Parliamentarian is out, why doesn't the Chair appoint another Parliamentarian. That was my question, why doesn't the Chair appoint another Parliamentarian?

PRESIDENT SANTY: An Assistant Parliamentarian, yes. Mr. Donahue, would you accept the position of Parliamentarian this evening? You vote in your seat.

MR. DONAHUE: In the interests of moving along and in trying to accomplish what we set out to do tonight which I believe is to make suggestions to the Charter Revision Commission so that they can come back to us with a finished product, I would think that what we are doing is considering the package before us, and that amendments made from the floor are suggestions for change; and that we should vote on those suggestions, and if the consensus of this Board wishes to send those changes, or any change recommended, to the Charter Revision Commission, then that is what we are supposed to be doing. I don't think that Mr. Livingston has to make a Motion to move every page. I think he's done that.

PRESIDENT SANTY: Yes, but Mr. Donahue, we are going to go page-by-page so that everyone will understand. The point is ^{we're} going to need 21 votes; the question is the amount of votes. We do need 21 votes, so Mrs. McInerney's change to the proposal here is going to have to be 21 votes. Do you agree with that?

MR. BOCCUZZI: Mrs. McInerney is not making a change in our Charter. Mr. Livingston is making the change in the Charter. The vote should be if you want to uphold Mr. Livingston's Motion, which is the change in the Charter, then Mr. Livingston's Motion will need 21 votes. Mrs. McInerney does not need 21 votes because she is saying that there shouldn't be any change. She is going back to the original text.

PRESIDENT SANTY: The Chair accepts that. Mr. Donahue, you are saying that just by a majority, Mr. Livingston's motion on each page will need 21, but any change back to the Charter a majority. Mrs. Guroian, you had your hand up? We are having a round table discussion. Mr. Donahue, I will get back to you. You have your Robert's Rules?

MRS. GUROIAN: For what it's worth, I will tell you what I think should have been done right from the beginning. Since this not the meeting at which the final vote would be taken, and it is only a meeting where recommendations for changes to the proposed revision be sent back to the Commission, I would not have had a running motion at this particular meeting, but would have gone as Mr. Donahue, in part as Mr. Donahue suggested, gone page-by-page to make recommendations to the Charter Revision Commission and vote on the proposals as they are made, which would still require, I imagine, 21 votes. But the time for the running motion is when we finally vote on what comes back to us from the Charter Revision Commission, and it only confuses the issue if you are voting on the proposal right now because then you would have voted twice on the same thing. You are supposed to be considering right now, recommendations to the Charter Revision Commission as to what you think should be altered in the document that they have presented. As far as I am concerned, you could do that by just going page-by-page without a running motion, and if anybody has a recommendation, voting on that recommendation. It is as simple as that.

PRESIDENT SANTY: Except that, Mrs. Guroian, the Commission may accept all our changes, and present it to us like that, and we have a very short meeting to accept the total thing. They may agree with all the changes that we make tonight so we may not have to have another long, lengthy meeting and go page-by-page again; so this really the work session, and this is what has been done on prior Charter Revisions.

MRS. GUROIAN: Well, in that case, all you would have to do is to convene and accept it as a Motion in gross and that would be it.

MR. WIEDERLIGHT: I have to agree with Rep. Guroian on the procedures. What we have before us is a Report, a Draft Report, as it is so entitled to you, Madam President, on Page 1. Now, I see no harm in doing the simplest thing possible in taking the Report, going through it page-by-page, notwithstanding having any Running Motion, which is really not necessary, and going through it page-by-page, ^{and} as Rep. McInerney has made a request to change the Report, that would need 21 votes. That would simplify things, because first, it is like voting^a negative to get a positive, and then how are we going to proceed, if you are going to do the original procedure as was originally outlined, what if there is another recommendation at this point, what if this Report is voted down, and Barbara McInerney's Motion, for example, is voted down and somebody else wants to bring up a motion, it becomes very cumbersome. Yes. So my recommendation is that we take the Report and vote on changes, the changes needing 21 votes.

PRESIDENT SANTY: Basically that is what we are doing, we are going page-by-page. If there wasn't any change, we are just accepting it, and this would go back to the...

MR. WIEDERLIGHT: We're not doing that. What we are doing is saying we have a running motion on the floor to accept this Report and any changes will.....

PRESIDENT SANTY: I think we have debated this long enough. It is ten minutes to nine. Mr. Donahue, do you have any final words of wisdom, and then we will proceed.

MR. DONAHUE: I think what we are looking for here tonight is consensus on the suggestions we wish to make to the Charter Revision Commission. What we are doing is not binding on the Commission, nor is it a binding change on the Charter of Stamford; so that we...there is an outline that was handed out to just about everyone. I don't know, some 18 references to Charter changes that were made. We could simply vote on those 18 suggestions, O.K., rather than go page-by-page, and give them a consensus of what we want to see. However, I think that the procedure we're going through, page-by-page, considering each section, is perfectly all right just as long as we understand that it is a consensus that we are looking for, about suggestions that we will make to the Commission concerning this document.

PRESIDENT SANTY: And, Mr. Donahue, you would go along if we discontinued the running motion as we begin this page, that 21 votes are necessary for any recommendation that we send back to the Charter Revision Commission.

MR. DONAHUE: I think, as I said before, consensus does not dictate 21 votes. It is majority of here present and voting. O.K.? I think that is what we are here to do tonight.

PRESIDENT SANTY: Mr. Zelinski, you are going to be the last speaker, as we are going to proceed.

MR. ZELINSKI: Yes, thank you very much, Madam President. Based on what Rep. Guroian and Rep. Wiederlight said, their points maintaining that this is nothing more than a draft, I think, at least my thinking on it would be that not 21 votes, because we're not voting on final adoption; when we do come back finally to vote, then and then only would we need 21 votes, but tonight I think we would only need a simple majority, and that would be my impression, but you can rule on that, Madam President.

PRESIDENT SANTY: I think so. I think that that is clarified, and I think the Chair will go along with all the input from all the members. Mr. Livingston, will you withdraw your Running Motion?

MR. LIVINGSTON: Yes, Madam President, to expedite time, I withdraw my Running Motion on the proposed Charter changes.

PRESIDENT SANTY: Fine, Mr. Livingston. We are now on Page 1. A recommendation has been made by Mrs. McInerney to eliminate....read your motion, Mrs. McInerney, and then we will vote on that.

MRS. MCINERNEY: Yes. I would like to have the following words re-inserted in the Report...

PRESIDENT SANTY: Wait, you have to give...this is for everyone concerned tonight, give us the page number, the section, and the sentences are numbered. It will make it easier. If you have lengthy changes, please put them in writing. Please go on, Mrs. McInerney.

PG. 1 MRS. MCINERNEY: I daresay we are still on Page 1? Section 1-10-2 Definitions. I would like the following words inserted in the Report in place of the words that are there now. First paragraph: "Whenever used in this Charter: (1) "Public Notice" means a notice published in an official paper. A public notice of a meeting or a hearing shall state the time and place thereof, and shall be published at least three days prior to the meeting or hearing unless otherwise provided in this Charter; (2) "Official Paper" means a newspaper published and circulated in Stamford at least five days weekly."

PRESIDENT SANTY: Is there a Second to that Motion? Seconded. Any discussion? No discussion. We are going to move right to a machine vote. If you agree with Mrs. McInerney's changes, please vote Yes, if not, you can use your No button. It wasn't for nothing, Mrs. McInerney. It's because we clarified it, and this is the easiest way to expedite matters. Has everyone voted?

The Motion is LOST: 9 Yes, 24 No, Zero Abstain, and Zero Not Voting.

Will you continue, Mr. Livingston, going on page-by-page.

PG. 2 MR. LIVINGSTON: Yes, Madam President, that takes us to Page 2. And I don't think it is necessary for me to read the changes if we are all looking at the same document.

PRESIDENT SANTY: You all got the outline of the changes...

MR. LIVINGSTON: But if there are any amendments to it, I guess this would be the time to bring it up.

PRESIDENT SANTY: Mr. Livingston, if we don't see any hands, you can just move right along.

PG. 3 MR. LIVINGSTON: Then that takes us to Page 3. There are deletions at the bottom.

PG. 4 Then we move to Page 4. And again there are deletions in the first paragraph and in Section 1-40-1 and 1-40-2.

PG. 5 MR. LIVINGSTON: Moving to Page 5, and if there are no questions or amend-
PG. 6 ments, we can move to Page 6.

PG. 7 If there are no questions on Page 6, we will move to Page 7.

MRS. GOLDSTEIN: We come to a very interesting thing now, because here on Page 6, we have deleted the Board of Finance, the Commission deleted the Board of Finance, in keeping what they hope this Board will do, and that is to delete the Board of Finance from City Government. Now what we do here, shall we wait until we get to the Board of Finance section and then make a Motion to put everything that refers to the Board of Finance that was already taken out, back in.....

PRESIDENT SANTY: I think if the Parliamentarian will concur, I think we should go right to the Board of Finance section now? No?

MS. SUMMERVILLE: I think that the procedure we are using is fine, and whatever happens with the Board of Finance is understood. Whatever happens, it does not pertain to what happened before, because it is going to depend upon that. It is an understood thing, and we can just go right ahead and then whatever happens to the Board of Finance, if it's not complying with what happened on Page 6, we know it automatically does not stand.

MRS. GOLDSTEIN: Is that the consensus of the Body?

PRESIDENT SANTY: Except the Parliamentarian....

MRS. GOLDSTEIN: There could be certain matters that we would choose to take certain powers away from the Board of Finance without cutting the Board of Finance.

MS. SUMMERVILLE: But we could always go back.

PRESIDENT SANTY: Mr. Donahue, you're the first to speak.

MR. DONAHUE: I assume that at some point during the course of the evening (change in tape)...appropriate motion to make the address the issue of the future of the Board of Finance. When that is done, and depending on the outcome of such a motion on the floor of the Board, that recommendation will be given to the Charter Revision Commission. They will have to deal with the technicalities of placing those references back in the Charter before they return^{if} to us.

MRS. GUORIAN: If they so choose.

PRESIDENT SANTY: If they so choose. Those are wise words.

MR. FLOUNDERS: That was precisely the point I was going to make. Rep. Goldstein, I think is correct; if we eliminate references to the Board of Finance in anticipation of the possibility that the Board of Finance may be eliminated, we could end up with the Board of Finance continuing, but some of its powers removed simply by error. So I think we are going to have to keep a list of wherever it's mentioned. And then go back. On these key things like changes in commissions, or additions, or whatever; certainly the elimination of the Board of Finance is one that we would have to keep a list of.

MS. SUMMERVILLE: If we are going to do that, through you to the Chair, to Mr. Flounders and Mrs. Goldstein, would it not be proper at this time to take the sheet of paper, whether it was Charter Revision Commission sent us telling us of significant changes, and all of these changes are based upon the total plan, so maybe what we should be taking first instead of page-by-page, is this particular data that was sent to us by the Commission, because this is the package. Whatever happens here is what is going to happen on page 6. This is why they broke it down the way they did to the Committee. That's why they did it. These are the 18 most important changes and the Plan works with these changes, and that's it.

MR. ZELINSKI: I think we should proceed the way we are going. I think it would be less confusing. We are all aware of those changes. When we get to that part of the Charter, if someone wants to make a Motion, fine; if not, we have to assume consent and move along; otherwise, we will get too confused, so let's continue in the vein we are going.

PRESIDENT SANTY: Yes, and I would like to ask Mrs. Maihock, would you please keep a list of the Sections now that refer to the Board of Finance for the Chair and for the Leadership of the Board, and then when we decide the fate of the Board of Finance, we can go back to those Sections. I don't think there are that many. The first one is on Page 6, Section 1-50-1. If you do that for us, and after when we vote on the Board of Finance, we can come back to those Sections.

MRS. GUROIAN: There are quite a few instances where it has reference to the Board of Finance and it is not only the reference to the Board of Finance, it is the reallocation of the powers that were inherent to the Board of Finance and nobody in this room, including myself, is going to remember all the powers that were reallocated. It is not difficult, if the Commission so chooses, to go along with a recommendation to reinstate the Board of Finance. They have a list and they know exactly which changes are going to be affected. Nobody in this room is going to catch every one, believe me, because even they didn't catch every one at the first try, and to me it makes no sense because you are not only going to have to look for where it specifically mentions Board of Finance, you are going to have to look for where it mentions the powers that have been given to other Bodies, and you are not going to know that.

PRESIDENT SANTY: The Charter Revision Commission asked us with our recommendations for notices of what they should do, and this would be our recommendation when we decide the fate of the Board of Finance, to make sure it is included in the entire Charter. I take that suggestion well, Mrs. Guroian. Mrs. Maihock, thank you for your cooperation but that is what we will do when we get to that Section. Mr. Livingston, we are now on Page 7? Mrs. McInerney?

PG. 6 MRS. MCINERNEY: I was going to speak on an item on Page 6.

PRESIDENT SANTY: All right, we'll go back to Pg. 6.

MRS. MCINERNEY: Under "Miscellaneous" Section 1-60-1. Injunction. I would like to see that deleted based on the information that was supplied to both caucuses this evening from Corporation Counsel Fraser that it doesn't hurt

PG. 6 MRS. MCINERNEY (continuing)...to have ^{this} provision in the Charter; however, it seems to present an unnecessary reaffirmation of remedies available to the City for violation of its laws which originates from sources external to the City Charter, and I would like to make a Motion to have that Section 1-60-1 deleted. Seconded.

PRESIDENT SANTY: There is a Motion on the floor to remove Section 1-60-1. Injunction, on Page 6. We will move right to a vote to remove that Section. It is on Page 6. She just gave a detailed report on it.

MR. BOCCUZZI: You didn't offer debate.

MR. CONTI: Are we voting on changing the Charter tonight, or only on the suggestions that were sent to us? This would be changing the Charter, right?

PRESIDENT SANTY: Mr. Conti, Mrs. McInerney made a Motion to delete this one sentence. There was no discussion on it. She mentioned why she wanted to do it. There were no hands raised. We were proceeding to a vote. Has everyone voted? Any amendment can be made on any page by any person. Has everyone voted?

The Motion has been DEFEATED: 10 Yes, 15 No, 3 Abstentions, 5 Non-Voting.

What I will do from this point on is repeat it three times so you will understand what we are doing, but Motions can be made on the floor. Mr. Livingston, please go ahead.

PG. 7 MR. LIVINGSTON: We are now on Page 7, and are there any amendments?

MRS. CONTI: On Page 7, Section 1-70-3, I would like to add a final sentence after the very last sentence there. I would like to add "No elective officer shall serve more than six (6) consecutive years; two terms for a three-year term; three terms for a two-year term." Seconded.

PRESIDENT SANTY: Any discussion? Mr. Zelinski.

MR. ZELINSKI: I would be against this Motion simply because of the fact that there have been cases where people have not wanted to run for the Board of Representatives, and we run into a situation where the only person that is willing to run for the Board of Representatives has already served a term, or for the Board of Education, or whatever this would apply to, and there isn't anyone in the community willing to serve, then you may not have anyone elected to that particular office, and I don't think that would actually be fair to the constituencies of our City. In that case, I really don't think it would be feasible.

PRESIDENT SANTY: Any other discussion? We will move right to a machine vote. Mrs. Conti has made a motion to add at the end of page 7, Section 1-70-3, "No elective officer shall serve more than six (6) consecutive years; two terms for a three-year term; three terms for a two-year term." We are now proceeding to a vote. Has everyone voted?

The Motion is DEFEATED: 5 Yes, 28 No, Zero Abstain, Zero Non-Vote.

MR. WIDER: I am going to ask that all Motions made that are voted down be garbage-canned, please.

PRESIDENT SANTY: They are thrown in the garbage.

MRS. GOLDSTEIN: Madam Chairman, I really don't know to whom I should address this question, but I would like to know why The Historical Society was cut out? I'm certain that the Commission had a reason and during the public hearing held by the Board of Representatives with the Commission, I don't recall their answer to this and I really would like an answer if anyone knows.

PRESIDENT SANTY: Is there any member of the Committee that would like to answer that question? Mrs. Guroian?

MRS. GUROIAN: If Rep. Goldstein would look behind on Page 5, she'd see also the reference to The Ferguson Library changed. The Historical Society was taken out because it is not an integral part of government. It is not a government body per se. It falls in the category of some of the other things such as the Museum and that type of thing, and they decided that in order to shorten the Charter, they would leave out those peripheral boards and agencies which could be set up by ordinance rather than specifically stated in the Charter. If I am quoting them correctly, that was it.

PRESIDENT SANTY: Another member of the Committee, Mr. Blais, would like to address that?

MR. BLAIS: The Commission did stress for the members of the Committee that in several instances they took out cluttering bookkeeping, administrative matters that really didn't belong in the Charter in order to achieve a structure status for our Charter to simplify, and they felt that certain items such as this that were in the Charter, were better left to ordinances determined by the Board of Representatives.

PRESIDENT SANTY: Does that answer your question, Mrs. Goldstein?

MRS. GOLDSTEIN: It does, Madam Chairman, and I'd like to Move to reinstate Section 1-60-4 Historical Society.

PRESIDENT SANTY: Several Seconds. Any discussion?

MRS. GERSHMAN: I must speak against reinstating it, not for lack of respect and indeed love for The Historical Society but because it really isn't necessary. They can come to the City for funding, as can such organizations as the State Opera or the Stamford Symphony, and do. It is a private, non-profit organization which I don't think has any place mandated in the Charter. There are many, many other private, non-profit organizations that could also be mandated, so there is no real reason for this.

PRESIDENT SANTY: The Motion on the floor is to reinstate 1-60-4 Historical Society. Next to speak is Mr. White.

MR. W. DENNIS WHITE: As I go through this Charter, I am increasingly disturbed and I always have been over the language that has been chopped out, on the grounds that this is supposed to make a leaner Charter. Well, leaner Charter is not necessarily a more efficient Charter; in fact, it may be a lousy Charter. What makes an efficient Charter is not whether it is lean or whether it is fat, but whether or not you have a clear delineation of responsibilities and powers and authority, and the power to back it up. Much of the language that has been deleted in this Charter was, I think, language that should be in the Charter because if anyone here has ever had any dealings with the various bureaucracies in this Charter, one of the damndest things that one runs into is the fact that these guys proceed to set up their own procedures, and they vary from day to day. O.K. And it is a very good idea to have these procedures rather delineated intelligently in the Charter which ameliorates their allure. This particular thing that's been chopped out is not so much procedure, but is something that would be good to have in this Charter because it is one thing Stamford has had a problem with, and that is the idea of its own image, the idea of preserving its past. And that's a very real problem in this town, especially since the Gold Rush is on and they're grabbing up land this way and that way. To simply say you are going to come back on the base of an ordinance, I'd like to see it here in Stamford, especially for something the Historical Society, which given the Philistine attitude of so many of the Power Structure here in Stamford, you'll never get any money or any ordinance for an organization like this unless it is in the Charter, and this is one thing that..... sure, there are a lot of non-profit organizations that are very nice that don't belong in the Charter, but this is a non-profit organization that I think belongs in the Charter. It is necessary to preserve something here in Stamford. It's been responsible for what little bit we've preserved of our past that's good. It's been very responsible for at least keeping alive the idea of the past and the necessity for preservation. And I very much think, Madam President, that it, and all the other language that they've chopped out in this Charter, should be kept in, and I'm really disturbed about it. I really am. I'm disturbed at this whole package that's been presented to us, quite frankly. Although I don't know, Madam President, if this is the time right now for me to take off on it, but the point is that this should be kept in. Thank you.

MRS. MCINERNEY: Yes, I would agree wholeheartedly with Mr. White.

MRS. GUROIAN: I know from past experience that Mr. White's act is a hard act to follow. But, nevertheless, I am going to try and follow it. I approve of the deletion of The Historical Society. If it is a symbolic gesture, why the Historical Society? I can understand his feelings as to the past and so forth and so on, but I don't think the Charter is the place for this type of symbolism, because that is the only argument that could validly be made for keeping this paragraph in the Charter, because if you would read the language that follows it, it doesn't say anything which I've been reminded of, it doesn't say anything that isn't accepted procedure or which isn't procedure which is referred in the rest of the Charter. It would seem to me that a similar argument could be made for many other non-profit organizations, and with all due respect to Dennie, I hate to differ with him, but I don't think the Charter is the place for this, and especially

MRS. GUROIAN (continuing)...since you are now discriminating and saying that this particular Society has more significance than other societies, so I think we should what is the phrase, "something course of wisdom" and delete it altogether because it doesn't say anything specifically. It doesn't give them anything special that they wouldn't have ordinarily without even appearing in the Charter.

MRS. GOLDSTEIN: I want to agree with Mr. White. First of all, I don't believe we are discriminating against other agencies by keeping what is in the Charter already, in the Charter. I really would hope to see this recommendation by the Commission defeated. There just is no way of putting it as well as Mr. White did.

MR. WIDER: It's about time someone hears from the people who are living in the Historical Society, not away from it; and I'm afraid that we are going to leave something in the Charter concerning historical value, something about the history of Stamford. I'm afraid that we are going to elect a Mayor who has very little knowledge of the history of Stamford and whatever we have here of historical value can be destroyed like the most of it already has been destroyed; so since I live in that area, I would like to see at least this little part stay a part of the Charter, so I would like to see this reinstated.

MR. BOCCUZZI: I think that it should come out of the Charter. I think the place for the Historical Society, its duties, and what-not would be under an ordinance that this Board could really approve. I think the Charter should not have a lot of description in it. I think this is one place where it could easily be taken out of the Charter and put into the Code of Ordinances and we can very well set it up and even give it more authority, if we wanted to. It's things like this that are in the Charter that makes the Charter so cumbersome as far as I am concerned.

MRS. HAWE: I Move the Question. Seconded. One No vote. Question is Moved.

PRESIDENT SANTY: We are going to vote on Mrs. Goldstein's motion to reinstate Section 1-60-4. If you agree with her, vote Yes. If you agree with the Commission, vote No. Has everyone voted?

The MOTION is DEFEATED: 14 Yes; 19 No; Zero Abstain; Zero Non-Vote.

MRS. HAWE: I'd like to make a Motion on Page 7 before we leave that page. It is on Section 1-70-3, the one on the bottom. The second sentence. I would like to change it to read: "The terms of office of the Mayor, the Town and City Clerk, Constables, and members of the Board of Representatives shall be four (4) years." Seconded.

PRESIDENT SANTY: Discussion on this Motion?

MRS. GOLDSTEIN: I would like to, I don't know if this is a proper motion, but I would just like to amend that Motion to delete "and members of the Board of Representatives". I would like it to read: "The terms of office of the Mayor, the Town and City Clerk, Constables shall be four years", and delete "the Board of Representatives."

PRESIDENT SANTY: That is a proper amendment, Mrs. Goldstein. We are now addressing Mrs. Goldstein's amendment first.

MR. BONNER: I agree with the recommendation made by Mrs. Goldstein.

MR. ZELINSKI: Would I be speaking on Mrs. Goldstein's Motion or Representative Hawe's?

PRESIDENT SANTY: No, the Motion on the floor is Mrs. Goldstein's Motion, four years for just the Town and City Clerk, Mayor, and Constables. Following that vote we will vote on Mrs. Hawe's Motion.

MR. ZELINSKI: I feel that we should be consistent, if we have a term of Mayor, if it does pass, for four years, and the Town Clerk, it should also be the Board of Representatives, too, otherwise, it is very inconsistent, so I would be against that. It should be all the same.

MR. BLAIS: I would just like to point out that Mrs. Goldstein's amendment would eliminate elective terms for the Board of Representatives.

PRESIDENT SANTY: No, no, that wasn't the Motion, Mr. Blais.

MRS. GOLDSTEIN: It wouldn't eliminate elective terms. Mrs. Hawe moved that the terms of office of the Mayor, Town Clerk and Constables, and Board of Representatives shall be four years. I just wish to amend that Motion to read the terms of office of the Mayor, Town Clerk and Constables shall be four years. The Board of Representatives shall remain at two.

MR. BLAIS: However, in the wording that you gave, Sandra, it did not include the wording that the Board of Representatives shall be two years.

MRS. GOLDSTEIN: Then I stand corrected, Mr. Blais, because that is certainly my intent.

MR. LIVINGSTON: I would agree that the Board of Representatives should remain as two years, but I disagree with changing the Mayor, the Constables, and the Town Clerk to four years; and my reasonings for disagreement is that these leading City officials should be kept close to the scrutiny of the people. And to give them a four-year term, it would do just the opposite of that. I understand the argument of giving a mayor four years.....

MR. BOCCUZZI: You've got to speak to the amendment.

PRESIDENT SANTY: We are just speaking to Mrs. Goldstein's amendment. Mrs. Hawe has an amendment, a motion, on the floor, but we are only addressing Mrs. Goldstein's amendment now, Mr. Livingston.

MR. LIVINGSTON: Here amendment is for two years?

PRESIDENT SANTY: No, her amendment is for four for the Mayor, Town and City Clerk, and the Constables, and two years for the Board of Representatives.

MR. LIVINGSTON: I am speaking against her amendment.

MR. BOCCUZZI: Madam President, Mrs. Hawe made the amendment for four years, made the motion for four years for everyone. Mrs. Goldstein amended it for two years; on the floor, it is four and two. She amended the Board of Reps for two years. Now, what is coming up for a vote now is Mrs. Goldstein's amendment, so therefore Mr. Livingston should be talking just to the two years for the Board of Reps.

MR. LIVINGSTON: I didn't understand her motion to be that way. She mentioned the Town Clerk, the Mayor, and the Constables. That was in Mrs. Goldstein's motion.

PRESIDENT SANTY: Are you through speaking now, Mr. Livingston?

MR. LIVINGSTON: No, I'm not sure now.

PRESIDENT SANTY: Mrs. Hawe's Motion is to increase the Mayor, Town and City Clerk, and Constables and Board of Representatives to four years. It was amended by Mrs. Goldstein to keep the Mayor, Town and City Clerk, and Constables to four years, and the Board of Representatives to two years.

MR. LIVINGSTON: Now what can I speak to, Madam President?

PRESIDENT SANTY: You can speak to Mrs. Goldstein's amendment which is the same as Mrs. Hawe's except the Board of Reps is being changed to two years instead of four.

MR. LIVINGSTON: Well, that was what I was speaking to....which would not allow the leading officials of our City to have four years to work out their programs and then we come back and elect someone else for another four years, or maybe the same person. Leading officials of a municipality of the size of our City, I strongly feel should be kept to the present two year terms. Thank you.

MRS. GUROIAN: This particular issue, I think, came to a vote with the Commission more often than any other issue. Over and over again it was hashed, rehashed. Some of the arguments that were made were in the vein of what Mr. Livingston said, that for the purpose of accountability, it would be better to have the elected offices come before the electorate every two years, especially the Board of Representatives. Further than that, I think I spent several hours one night sitting there trying to figure how the Board of Representatives would end up running without the top of the ticket if, in fact, it wasn't uniform. So you ought to give that a thought, too. Because if the Mayor and the rest of the top of the ticket were made four years, and the Board of Representatives kept two years, the Board members would be running without a top of the ticket and that persuaded a lot of members of the Commission that that was not a good thing to do, so it was finally decided to keep everybody at two years; and the more I thought about it, the more I agreed; #1, it should be uniform; #2, if it is uniform and it is two years, then that would give more power to the public to hold the elected officials more accountable especially since this particular charter gives more clout to each of the bodies still remaining in City government, and demand, in a way, that the constituents be able to hold them accountable for their actions. So, #1, I would urge that you make it uniform because I don't think anybody here wants to run by themselves on the ticket; and #2, keep it at two years rather than four years.

MRS. CONTI: I wish to speak in opposition to Mrs. Goldstein's motion. If you change the term of the Mayor and the Board of Representatives, you are losing your balance of power between your Executive and your Legislative bodies. I think that it should be the same. If you make the Mayor four years, and then you keep the Board at two years, what you are doing is leaving the balance of power with the Executive Branch of government, which would be very unwise and I would be opposed to it.

MRS. MAIHOCK: I agree with Mr. Livingston's rationale that the best accountability is realized under a two-year term system. Probably the greatest example of true democracy was Mayor Clapes' slugging it out verbally with contenders at each election, and he was able to emerge victoriously, so I don't believe a two-year term would prevent a good mayor from being re-elected. If, on the contrary, we should have an inept mayor, a period of stagnation of four years, I feel could irreparably damage the vibrant, progressive acceleration that our City now enjoys.

MRS. McINERNEY: I Move the Question. Seconded. Carried, with a few Nays.

PRESIDENT SANTY: We will Move the Question. We will vote on the Motion of Mrs. Goldstein to amend that the terms of office for the Mayor, the Town Clerk and the Constables shall be four years, and the members of the Board of Representatives two years. Has everyone voted? The Motion has been DEFEATED: 9 Affirmative, 23 Negative, 1 Abstention.

We are now moving to the Main Motion of Mrs. Hawe to change the terms of office of the Mayor, Town Clerk, Constables, and the Board of Representatives, to four years. Discussion?

MR. ZELINSKI: I would just like to state that I would be against the term of office of the Mayor and the Town Clerk for four years. I think by keeping it as it is, two years, gives more accountability to the people, and if a Mayor or Town Clerk is doing a good job, every two years the voting public will see fit to re-elect them, and if not, they don't have to wait an extra two years before they give it to someone who is not doing an adequate job.

MRS. GOLDSTEIN: ^{Although} I really am opposed to increasing the term of the Board to four years, I know that those of us who are opposed, will have another crack to vote on that, I am in favor of Mrs. Hawe's motion because I think the greatest way of holding the mayor accountable, is to give the mayor a chance to start and have a middle ground and an end ground to determining his, or hopefully her, kinds of programs. And I really believe that to limit the mayor's term as it has been limited for two years, and to listen to several past mayors say before they even begin their program, before they even begin or get into the budget process, the term is over, or they are thinking of re-election, is a true hindrance to efficient government. And even though it includes increasing the Board of Representatives terms to four years, I am going to support that motion.

MR. STORK: In the interests of saving time, I would endorse Mr. Zelinski's comments.

MRS. MCINERNEY: Yes, I would agree with the comments that were made by Mrs. Goldstein.

MR. WIDER: I read and heard some complaints, even from the Mayor, concerning this two years, but I don't think we should be electing people who don't know how to come in the City with programs. I don't think he should come in and have to take a year to get his program to work. I think he should know the program before we elect him, and I feel that two years is plenty long enough to get a man to mess up the City. Thank you.

MR. TARZIA: Along the lines of Mr. Wider, I also think two years is long enough for the Board of Representatives to mess up the fiscal condition of the City, and therefore, I am opposed to the four-year term.

MRS. GUROIAN: I couldn't say what has been said better, except to add that Rep. Goldstein probably has not spoken to the mayors after they were in office. Every mayor while he is in office wants four-year terms, but when you speak to him when he gets out of office, he says in four years they could really ruin the City; two years is better; so be that as it may, I'll take their advice and stick with the two years.

MRS. CONTI: I'm speaking against I believe it is Mrs. Hawe's original motion to increase the term of everybody to four years. Quite frankly, this, that we often hear, about one year to learn the job and another year to run for re-election, quite frankly, I don't buy that. I think while we're in office, we should be concentrating on doing the job we were elected to do. If we do that and we prove ourselves, we'll be re-elected. I don't think we should spend our last year in office worrying about being re-elected again. Thank you.

MR. BONNER: I would agree with Mrs. Hawe and Mrs. Goldstein that the four years is of importance to the Mayor to have, although I believe the Representatives should be two years, but I would go along with the four years if the Mayor had four years. Thank you.

MS. SUMMERVILLE: I agree with Mr. Wider. I don't think that it takes four years to decide - the people who are voting made their choice - I happen to think the existing powers that the Mayor has, according to the Charter, can be enforced, and they are not being enforced. I have a feel that if we elect to go this route, that four years will be business as usual, not for two years, but for four years, and I am opposed to that.

MR. GAIPA: I am having trouble with the supposed differences in the City of Stamford. At the Federal level, we have a four-year term for President. At the State level, we have a four-year term for Governor. Many, many, many cities in this country have four-year terms for Mayor. I don't know what the difference is in Stamford that we need a two-year term for some strange reason. We have checks-and-balances built into the Charter that are of the same type as in the Federal government and in the State government. I can't see why we can't have a four-year term for Mayor so we can attract the high calibre person that maybe we have been lacking over the last 30 or 40 years in the City of Stamford in the position of Mayor.

MRS. SAXE: I support the four-year term concept for the Mayor also; and if, for some reason, those of you who don't think that the Charter should be a strong mayoral type of government, then I would like to interject when we finish this, that we vote to put in the Charter, a gentleman who can be a Chief Administrative Officer. Thank you.

MR. WIEDERLIGHT: I was really astounded to hear so much of the negatives a few minutes ago about supposedly "messing up the City". To me, the City is not messed up. To me, this is a beautiful City and I think we have done a lot in hard times, as both Board of Representatives members, and quite frankly, as the Administration. I think a four-year term would give some continuity in planning to the entire City. Things just get started after a year-and-a-half or two years. There can be no long range planning with a two-year term of office, either on the part of the Mayor, or in fact on the entire Board of Representatives. Four years would give ample time to put long-range plans into effect; and I think that the negativism that was expressed about what has happened in the past is totally unwarranted.

MR. DeLUCA: Yes, I have to agree with some of the comments made by my good friend, Mike Wiederlight. I am sitting here, listening to all the negative comments. On the ground of being egotistical, I believe that on the six years that I have been on the Board of Representatives, the eight years that Lou Clapes has been the Mayor of Stamford, we have come a long way. Our City has made much progress. Just look around at the corporations, the use of corporate executives in City government, and to sit here and say that the Board of Representatives has messed up the fiscal responsibility of the City, that the Mayor has messed up the City, is utterly ridiculous. Maybe some of you people here this evening who had these comments to make, shouldn't be here yourselves if you figure in two years, you have messed up the City. Therefore, you should be removed from office. I plan on voting against the four-year term because I feel two years should be sufficient, but not for some of the reasons that people have echoed here this evening that in ^{two} years if a person messes up, or some of the comments were that the present Administration, the present Board has messed up the City. I think they are utterly ridiculous.

MR. BOCCUZZI: I'll take a chance at Moving the Question. Seconded. CARRIED.

PRESIDENT SANTY: Left on the list yet to speak are three first-time and two second-time. The question has been moved.

We will now vote on Mrs. Hawe's Motion to increase the terms of office of the Mayor, Town & City Clerk, and Constables, and Board of Representatives to four years. Has everyone voted? The Motion is DEFEATED: 18 Negative, 15 Affirmative. Any other changes on Page 7, Mr. Livingston? Shall we continue? We have a long night ahead of us. Just to remind you, we are only on page 8.

MR. LIVINGSTON: And if you were to look at the list of changes that we received from the Charter Revision Commission, you will see that this is Item 1 on that list, Reduction of the Board of Representatives from 40 members to 25 members, with 5 elected at large.

PG. 8. MRS. HAWE: I would like to make a Motion on Section 1-80-1 to change the recommendation to read as follows: "The following named officers shall be elected by the qualified voters of Stamford: A Mayor, twenty Members of the Board of Representatives, Town and City Clerk, nine members of the Board of Education, two Registrars of Voters, and seven Constables."

PRESIDENT SANTY: Thank you, Mrs. Hawe. You are still eliminating the Board of Finance in your Motion?

MRS. HAWE: My Motion? Yes.

PRESIDENT SANTY: There are several seconds to that. We are now discussing Mrs. Hawe's Motion.

MR. DeLUCA: I just wanted to say I support Rep. Hawe's recommendations regarding a twenty-member Board of Representatives and not the twenty-five.

PRESIDENT SANTY: Mrs. Hawe, I'm sorry, that's your Motion and you can address it, now that it is Seconded. For explanation.

MRS. HAWE: I just briefly would like to say I feel very strongly in district representation, but I do feel that one Representative from a district is good. I don't think there is anything magical about the number 40, or even about the number 20, or even the number 10, but I think that 20 is a good compromise. I think reducing the size of our Board at this point in time is a good step and I would urge approval of it.

MR. WIDER: I would like to amend that motion to read 40 members of the Board of Representatives, a Town Clerk, six members of the Board of Finance, and they are all for a two-year term, Madam Chairman. Seconded.

PRESIDENT SANTY: Mr. Wider, your Motion was...the term of office isn't even in here - do you want to add that, or do you just want to....

MR. WIDER: Well, we already voted on that, so it would just be...

PRESIDENT SANTY: Well, then, what you're doing is just reinstating the original.

MR. WIDER: Yes, just reinstating the original.

PRESIDENT SANTY: We now have an amendment to the Motion, and we are addressing that. There are several Seconds, and it is on Section 1-80-1, just to go back to the original Charter which is 40 members of this Board, and 6 members of the Board of Finance. That is what we are speaking to now.

MR. BOCCUZZI: Point of Information, Madam President. Supposing you agree with Mr. Wider with the exception of Board of Finance? How do we get back? There are two things on the floor now. I don't want to get caught like we did..

PRESIDENT SANTY: You vote No to that, and then you could make another amendment to eliminate the Board of Finance.

MR. BOCCUZZI: In other words, if we were to defeat Mr. Wider's amendment, you will accept another amendment from the floor before we vote on the Main Motion which was Mrs. Hawe's.

MRS. GUROIAN: A Point of Order, Madam Chairman. When I was recognized, I was going to ask for a Division of the Question which would achieve the same purpose, and if you would so honor my request, I would like to request that the Question be divided into its integral parts: first, the Board of Representatives, and then the Board of Finance; and if there is any question about the rest of it, a Motion could be made then for the rest of it, but I would like it divided. If there is a Second?

PRESIDENT SANTY: Yes, I can accept that as a proper Motion on the floor, to your amendment, Mr. Wider, and to Mrs. Hawe's Motion that we will divide it in half. The first item that we will take since it is the sentence...do you accept that, Mr. Wider?

MR. WIDER: I'm afraid that I made a Motion to reinstate the 40 members of the Board, and the six members of the Board of Finance. That was my motion.

PRESIDENT SANTY: Yes, that's right, Mr. Wider. What we are doing, for clarification, is dividing, is dividing it. First, we'll vote for the Board of Representatives with 40 members, and then we'll vote for the Board of Finance, in two parts. Two different sections for clarification. What we have before us now is an amendment that there be 40 members of the Board of Representatives, that is the item that we are addressing now. I am going down the original list of speakers, and if you don't want to speak to that, you can wait and speak to the second part when it comes up.

Mrs. McInerney, we'll go back to you. We are now speaking to 40 members of the Board of Reps. The Commission has recommended 25. Mrs. Hawe's Motion was 20, but the Motion on the floor is 40 members. We are just addressing that.

MRS. McINERNEY: Yes, I would like to speak against Mr. Wider's Motion to retain the Board to 40 members. I feel very strongly that if a reduction is made, the individual neighborhood concept and representation will be retained. I feel that a smaller Board will allow better operational and legislative efficiency throughout the City. I would not support his Motion at the present time. I feel that sometimes it becomes cumbersome as it is, and I certainly, if I can speak to the Board of Finance at the same time, may I do that?

PRESIDENT SANTY: No, the Motion on the floor is that at this point we speak only to the size of the Board of Representatives.

MRS. McINERNEY; Then I would urge that the Board reject Mr. Wider's Motion.

MRS. GOLDSTEIN: I am not in favor of Mr. Wider's Motion to retain the Board at 40 members. I think there are many reasons why the Board should be cut, and not the least of which is efficiency. I certainly believe that the grass-roots kind of representation that we have, which is very important, can be retained with 20 members. I think that the new Board, when it is instituted, if we so vote, and if the populace so votes, will be able to organize itself in a very efficient manner to 20 people and I think the business of the City will be taken care of very expeditiously.

MR. ZELINSKI: Yes, Madam President, I would like to make a Motion at this time to change the number of Board of Representatives members to 30, and my rationale on that would be that we are discussing a rather drastic change, if we are considering the 20, may I remind my colleagues that we are talking about cutting our legislative body by 50%. Rather, I would like to see a compromise worked out by reducing it to 30 and see how this works out; and if it does work out well, then another Charter Revision Commission can be formed before the 10 years, as has been done in the past, and we can vote to reduce it even further, if it works, and if the public wants it to work. Otherwise, I think we are acting too much in haste to make a drastic change by reducing it in half, as in some districts there may be situations because of the distance involved and the number of constituencies, that two Representatives are needed. In some cases, there may be....

MRS. GUROLAN: Point of Order, was that Motion Seconded?

PRESIDENT SANTY: Was it Seconded? No, it was not. In fact, Mr. Zelinski, if it were Seconded, I was going to ask you to withdraw it because we do have two Motions.

MR. ZELINSKI: You can't make more than two?

PRESIDENT SANTY: We do have two on the floor now, and we have divided it. However, as there is no Second, I could not entertain your Motion in any case.

MRS. GUROLAN: I think up until five minutes ago, I had mixed emotions about how I was going to vote on this issue, but I am going to go back to my original feeling and I am going to vote for the 40-member Board. No. 1, because I am for the elimination of the Board of Finance, and there would be enough of a disruption in the structure of government, at this particular time. New Charter Revision Commissions can be set up next year, the year after, the year after that, if in fact the feeling is so acute for the reduction for the reduction of the Board of Representatives. Having said that, I will also admit that the sentiment out in the public is very, very strong for a reduction of the number of Representatives on the Board. I think, partially based on the argument that was presented here, that it will be more efficient, I don't buy that, because I don't consider the Board of Education more efficient than we are, and they are only nine people and they are in worse trouble than we're in, insofar as time goes, because they meet all the time. We meet only once a month, so I don't buy it on efficiency, but I am going to vote for the 40-member Board simply because I think the elimination of the Board of Finance is enough of a change of structure, and because I envy those Representatives on the Board who think that they can handle a whole district alone. I know, myself, that if I didn't have Betty handling most of the District work, I couldn't possibly serve on the Board and do my District justice. Perhaps all Districts are not the same, but in my particular District, it needs two people to handle the work of the District. Two people to go to meetings when meetings conflict, two people to answer phone calls, two people to do the running around in the District, and for those reasons, I am voting for the 40-member Board.

MR. CONTI: I would have to say I am in favor of the 40-member Board. If you take numbers, you have 5,000 people for each District at the present, and it takes more than one persons to handle 5,000 constituents. Now we have had this form of government ever since the Town of Stamford and the City of Stamford have gotten together, which was '49 or '51, and it has worked well. It has been cumbersome at times, but there have been many minds changed by this, as you would say, cumbersomeness and it has worked out well. Now the State Legislature has almost four times as many people as we do on their body and yet they perform intelligently and efficiently, and I believe, sincerely, that if we cut the membership of the Board down to twenty, we're going to start losing a lot of the efficiency that we do have at the present, the constituency is not going to get fair representation, and if it worked well when the City was comprised of 50,000 people, we now have over 100,000 people, I still think we need the 40 members. Now, we have 40 true and good members on this Board, who work hard and intelligently, and they are unpaid members. Now, if we start cutting the Board down to 20, the next Charter Revision may decide to make it 10; then they make it a paid Board, and we have gone completely away from the manner in which we are now operating. I still believe that 40, even though it may be a bit cumbersome at times, is most efficient, and the fairest to the constituency.

The thinking of cutting the Board has come a lot from the media. Now we don't have radio representation as we did at one time, where the public could listen in and actually find out what was going on. All they can get today is what they get in a short radio report, or what they read in the newspaper; and just because the ADVOCATE decided that we should be a smaller Board is no reason why we should go along with that. I still believe, honestly and sincerely, that the best Board we could possibly have would be 40 members. Thank you.

MS. SUMMERVILLE: Let me say right off the bat, I don't think the ADVOCATE has made my decision. I thought it over myself. I am against a 40-member Board of Representatives because I truly feel, and I support Mrs. Goldstein's Motion, that the 5,000 constituents that I supposedly, or whoever would be in the District that I now serve, would not be given the same justice but better justice moreso because of accountability of one person and not two persons now, that they are already getting it. I don't see the consistency in how they are talking. Here we have a Mayor who is elected City-wide to represent the people of Stamford - accountability, responsibility. We have a Board of Finance, six members, elected City-wide, represent the same constituents and more than we do, fiscally. Right? We have a Board of Education, not 40, say what you might of them, but they also give their time and are working efficiently, supposedly like we are as 40 members, and I could go on, and on, and on. I don't think personalities should get involved. I am a non-paid City Representatives who is committed to representing constituents, and I think the bottom line of this whole thing is your commitment as an unpaid citizen of the City of Stamford. Anyone knows when you talk dollars, you get what you pay for, if there is no commitment. Sometimes we have jobs that we do not like, but because the dollar is right, we do what we have to do. There is no difference in people, but I think the bottom line in this whole thing is commitment. From experience, I can speak only from experience. I don't think that I represent just the Sixth District. That is not my commitment on this Board. I represent the City of Stamford on a legislative level. I am not just in one little hut where I have my own little castle in the 6th District and am only concerned about what goes in the 6th District. I am representing the same amount of constituents that the Mayor and all other elected officials represent. If I came into this Legislative Body with a different concept, I've been going on the wrong premises all along. No one told me that I was just representing just

MS. SUMMERVILLE (continuing)....this one District, and that's your turf, and that's your territory, and that's where you stay, and that's who you represent. Out of respect, if I should get a call from another District, a constituent in another District, out of respect, I'd call that Representative because I think they should be held accountable, but if they do not perform, I think it is my duty, as an elected official, to see that that constituent from whatever District he may be in, is served the best I can on this particular Legislative Body. And I could go on and on tonight as to how I feel about my commitment. I don't think 20 members want to make this Board inefficient. I don't see the City go lacking for anything. I don't see constituents going to be hurt. I don't see where they are going to be lacking of anything, and I speak, I can't stress it enough, to say that I speak from experience. I, too, have to learn, but I do know what the commitment is, and once we start thinking about the commitment of the District, and you start thinking we are committed to all the constituents in the City of Stamford and not just one District. Thank you.

MR. WHITE: I am very much for retaining the 40-member Board for numbers of reasons. First of all, we are the only Board in town that gives neighborhood representation. There is no other elective office in town wherein somebody in a neighborhood can go to somebody and in fact say, hey, they are doing this to our neighborhood. Now you can talk about at-large members and some boards and commissions, that works fine; and it's all very well and good to say well, when you are elected to office, you represent the entire town. That's true. However, I have found, in my experience, there is nothing like (unclear) somebody's sense as to what's going on if, in fact, you start messing up his living space; and the point is that when you are a member of a Board of Representatives with neighborhood representation, it seems to me it is really an added spur to move out and do what you are supposed to do. And you'd be surprised to find how easy it is to define, to define, in fact, the greater good, and therefore, perfectly willing to mess up someone else's neighborhood on the grounds that it is going to be good for the City in general; but in fact, when it comes to your own neighborhood, you'd be surprised how the quality of life intrudes, and you start thinking along those lines. And I think that 40 members is much better representation than 20 members because if you notice, both parties tend, or try to get, Representatives on the ticket from both ends of the District; that is to say, we've got four small voting districts, but they're not quite neighborhoods, they are extended neighborhoods, so to speak. When you've got two Representatives, the chances are you get them, more or less, if not exactly opposite ends of that voting District, at least from different parts of that District, so you really do get neighborhood representation.

And when you talk about 40 members, look, I've heard this drum-beat now for I don't know how long, about 40 members inefficient, efficient, efficient, inefficient, and so on. The 40-member Board, in my opinion, has saved this town from going down the drain. The inefficiency here in Stamford comes from the other boards and commissions that come up with these cockaminy schemes and ideas about what's good for Stamford without neighborhood representation, or the various bureaucrats in Stamford here do what they damn well please in violation of all procedure, or in fact, they refuse to carry out the ordinances that have in fact been passed. The big problem here in Stamford, you know, that you continue to run into, they say the ordinances do not allow me to do that, when in fact the ordinance does allow them to do that. But they fly....they are very inventive in finding ways as to why they shouldn't enforce the law. I mean, that is what is really messing Stamford up. When you start, in fact, to revise the Charter - and I really wouldn't mind so much in doing away with the 40-member Board if they had started in other areas that were really critical, like the Land Use boards, for example; you know, the critical situation

MR. WHITE (continuing).... here in Stamford are the Land Use boards; that's what determines the quality of life. Have I driven all my fellow members off the floor?

PRESIDENT SANTY: No, Mr. White, you haven't, but let's not get into Land Use boards. Let's stick right to the 40-member Board, that's the Motion on the floor.

MR. WHITE: All right, my point is, though, that there are a lot of other areas in this Charter that need fixing up, before you start attacking the 40-member Board. The point is, Madam President, that the people who have been railing against the 40-member Boards, have not been the general public. Maybe the general public might have been taken into consideration to a certain extent, but the ones that have been railing against a 40-member Board, that I have noticed, have been people who are actually pretty annoyed over the fact that a 40-member Board has thrown a roadblock into their schemes as to what is good for Stamford. I mean, just reflect the last few years. How many zoning decisions have we over-turned? How many Planning Board decisions have we over-turned? Or upheld? Almost always in favor of the neighborhoods. Moreover, you talk in terms of the 40-member Board, you know one of our problems is that some of the powers that be out there are always telling us that we are not efficient, that we are too unwieldy; well, that really means, that's code language many times, as far as I am concerned, Madam President, for the fact that they can't wield us! You can't buy 40 members. You can't control 40 members; but 20 members, if you only get 5 in your pocket, you know 1/5 or 1/4, whatever, you're home. I very much believe that the 40-member Board ought to be retained. I really and truly do. It is the only way you would get true neighborhood representation, and I am really very much in favor of Mr. Wider's proposal.

PRESIDENT SANTY: May I remind the members, we have four speakers left on this question. We have 155 pages left to go. It is ten after ten. I know you all want to speak and that is all right, but if someone has expressed your sentiments, please just say I agree with so-and-so.

MRS. MAIHOCK: I would also favor retaining the 40-member Board of Representatives. Mr. White, you certainly told it as it is. We have been very fortunate on our Board to have a number of Representatives who have given almost full-time service to search out facts and information for various agenda items. Can we always be assured of such dedication? We have also had a number of Representatives who have been re-elected over the years to guide new Representatives. Also, a 40-member Board of Representatives inspires the likelihood of quorums. We seem to always be wondering if we have a quorum. I think with 40, we have been able to maintain quorums to the wee hours of the morning. A 40-member Board also gives maximum representation, and it also gives maximum service to our constituents and I think it should be retained.

MRS. CONTI: I am speaking in favor of retaining the 40-member Board. Actually, with 40 members, you're always guaranteed a more broad-based representation. Twenty members may not have a good homogenous group. However, I agree with many of the things that Mr. White has said. Many of the things that the other Representatives have said. I become very distressed when I hear this talk of more efficient government. If it is efficiency we want, we can throw the Charter out the window and bring in a dictator because there is no

MRS. CONTI (continuing)....more efficient form of government than dictatorship, and I don't think that is what we want. Thank you.

MR. LIVINGSTON: Yes, I agree with Mrs. Conti. The most efficient governments on this earth have been our Fascist governments that came out of Europe and South America. And the only argument I have heard against our 40-member Board is the lack of efficiency, but since when has a democracy been an efficient form of government. I, myself, am going to be supportive of the 40-member Board.

MR. WIDER: I didn't make any remarks at the outset of my Motion. I was denied that opportunity, but in defense of my Motion....

PRESIDENT SANTY: You were not denied the opportunity, Mr. Wider.

MR. WIDER: But in the meantime, I happen to be one of the Representatives who represented a District singly, and I know what a strain it is. No one knows better what a strain it is for one Representative to represent a district. That's why I am in favor of having two men, even though one of the men may not be as efficient, you could always call on him.

MR. BLAIS: I am not going to make my position on this specific matter right now, but I do want to clear up a couple of things that have been said, and some of which scare me. The arguments that I have heard really scare me. You know, you don't have to be a dictatorship to have efficiency, but you do have to have the resources and wherewithall. I notice that there is a movement in the document that we were given, to change the size of the Board of Representatives, but that doesn't address our efficiency. Lack of efficiency, if that is, in fact, true, I firmly believe stems from lack of adequate resources and staff. We have no accountants on our staff. We have no lawyers on our staff. These are the type of implements and resources that make a legislative body efficient. What we are here to decide, I believe, with this document, is whether this City is to retain the locality-type representation that has been cherished in the past; or whether we are going to make a move away from that into larger districts, probably larger breadth of representation, and moving into semi-at-large situation. This scares me simply because of the workload. I've been on the Board..this is my second term on the Board, and I know there is a lot of workload in this. We have not had in this Charter adequate provisions to allocate the resources necessary to streamline and make the Board more efficient, if that is what is needed. Why do we not start to compensate volunteer members who are putting in quite a bit of time, and now you are asking the same volunteers, some of whom are struggling under time constrictions already, to double that time? These are the types of things that I think we should be considering tonight. Thank you.

MR. WIEDERLIGHT: I'd like to reflect back, to congratulate Ms. Summerville, for her fine little remarks. We have to really remember that we don't actually represent only our own little province or our own little District, or our own little corner of the world, but we vote on issues for the entire City of Stamford and the entire well-being of Stamford. And I don't look upon the violation of another Representative's space, as it was put, as being a ho-hum matter; yet the violation of my neighborhood's space as being a very important matter. They are all equal and I try to give them all equal weight.

MR. WIEDERLIGHT (continuing)....I have a lot of trouble dealing with the comparison and analogy of efficiency and a 20-member Board with the Fascist government and a dictatorship. I really think that is going very far afield, because you can't show many efficient forms of government in democracy that are not Fascist and dictatorships. If anybody believes that this 40-member Board is efficient and hardworking, all members are equally hardworking and well-meaning, I can tell you another fairy tale. Of course, it's not so, and the record proves it. I think a 20-member Board will lead to more competition for the one spot per District, which will lead to a more qualified and capable individual, and that is all that will be needed to represent that District. Thank you.

MRS. PERILLO: I thought you didn't see me. I had my hand up a long time ago, but that's O.K. I happen to be in the position where I deal with the public every day, and they are not just the people from the Ninth District. They are from throughout the entire City of Stamford. Their wishes are very strong that the Board be cut, and I am in favor of it.

MR. ZELINSKI: I think the question we are addressing at this moment is probably the most difficult questions in all the suggestions in the Charter that we are going to be voting on this evening. It is not an easy question to address. There have been some good points raised both for keeping the 40 members and also reducing it to 20. I personally would like to see a compromise, as I said, to have 30, but unfortunately, that was not meant to be. I feel that over-all as no one individual person is perfect, neither can 40, neither can 20, neither can 10; I think we all do the best that we can. We have our shortcomings. We may not be in agreement, but we all try to honestly represent the constituency to which we are elected. Granted there are issues that come up that do not affect our district that we do vote on, and of course does have an effect on the whole City, but first and foremost we have an obligation to our own individual District because these are the people who have elected us to this position. These are the people who either write us, or telephone us with their problems, with their complaints, and this is where our obligation lies in the first place. And I feel that over-all, after seriously considering both sides, I've come to the final conclusion that it would be a disservice and the only losers would be the electors of the City of Stamford because if we do end up reducing the Board of Representatives by 50% to 20 members, we are opening up the door to a position where one person, one Representative that is represent a District, first, may not be available to all of his constituents because of possibly business commitments, or vacations, or what-have you, also the various meetings, even as we on this 40-member Board, we have numerous sub-committees and there are times when we know between the Steering Committee and the full meeting of the Board of Representatives, leaves us only approximately five, or actually four days in which to have all these sub-committees meet; and needless to say, on more than one occasion, each of us has had to decide or make a decision on which particular committee we would have to go to, even though we might have interests or concerns in our District for two separate meetings. So, over-all, I think it would not be wise, at this point, to reduce it. I think that the losers would be the voters of the City of Stamford. I have personally not experienced any outcry from my District, nor speaking to members from other Districts, have they mentioned any great outcry for a smaller Board. I really feel if there was a case where the voters, and not interest groups, that would like to see the Board reduced, they certainly would have expressed that at the public hearing which I attended which was sponsored by the Charter Revision Commission; and consequently, as I

MR. ZELINSKI (continuing)....said, I think we should really think very seriously tonight before we do something that possibly down the road may have a serious, bad consequence for our City. Thank you.

PRESIDENT SANTY: We have four speakers left to speak for the first time.

MR. DZIEZYC: I am in favor of retaining the forty-member Board. They talk about efficient government, or inefficient government, that we run. Stamford enjoys a bond rating of AAA, the highest ever. That is the highest you can go. That means we run an efficient government. How many other cities have Triple A ratings? Most of them are bankrupt, they have less members than we have. They always, the press and the media, stress that the other cities have many 9, or 6 members, and most of them are bankrupt. We do not want this to happen in Stamford, so I am in favor of the 40-member Board.

MR. GAIPA: Again, I can't understand why Stamford is so unique and singular. The last figure I saw, that only New York City and Chicago had bigger boards than Stamford; and I don't understand why we have to be in a category of New York City and Chicago, and not with the rest of the cities and towns in the United States. Even if we cut the Board to twenty, as the Motion proposes, we will still have one of the largest Boards in the entire country. And I really have to ask each Representative to ask himself or herself down deep, is it the reason stated to vote for 40, or is it just self-preservation?

PRESIDENT SANTY: I want to remind the members that the Motion on the floor is divided, and we are voting for a 40-member Board. Then we are going to determine the fate of the Board of Finance, and then we are going back to Mrs. Hawe's original Motion for a 20-member Board.

MR. DeLUCA: I Move the Question. Seconded.

MRS. GUROIAN: Madam Chairman, Point of Order. I don't see how, if you vote for a 40-member Board, you can then vote for a 20-member Board.

PRESIDENT SANTY: But we have divided the Motion, Mrs. Guroian, and we are voting on a 40-member Board now.

MRS. GUROIAN: Yes, you divided the Motion to separate Board of Representatives from Board of Finance, but once you vote for a 40-member Board, how could you then again take a vote for a 20-member Board.

PRESIDENT SANTY: Because that was the Main Motion. We divided the amendment, not the Main Motion. The Motion has been made to Move the Question, and it was Seconded. All in favor, say AYE. Opposed? CARRIED.

The question now is on approval of a 40-member Board, Mr. Wider's Motion. Has everyone voted? Opposed?

MS. SUMMERVILLE: Point of Information, Madam President. Why are we voting on that.....

PRESIDENT SANTY: Because that is the Motion. APPROVED with 21 Affirmative, 12 Negative. The other part of that Motion is to reinstate the six members of the Board of Finance which was eliminated by the Charter Revision Commission.

PRESIDENT SANTY (continuing)....We are voting on the Board of Finance. The Motion was made and Seconded. Debate?

MR. TARZIA: I think the Board of Finance should be reinstated. You know, we have been arguing here as to the size of the Board of Reps., and the Mayor's term of office, etc., etc. The problem that we have here is that we really have no checks-and-balances in this Charter. Therefore, the only way you are going to have it is to have a Board of Finance. In a way, it gives you some type of checks-and-balance, and therefore because the Charter lacks the checks-and-balance that I think it should have, I feel we should all support a Board of Finance.

MR. ZELINSKI: I am against reinstating the Board of Finance. I think that the Charter Revision Commission did a very wise thing in eliminating the Board of Finance. I think it was simply a duplication, a lot of the work that is presently being done by the Board of Representatives, especially when it comes to budget time, making the department heads come twice, and wasting manhours to attend the Board of Finance members asking questions, and then the Board of Representatives. I think that we would have more accountability to the voting public to know that the one and only place where the power is in the City of Stamford should be the elected legislative body. There are very few communities, out of 169 cities and towns in our State of Connecticut, that do have Boards of Finance at all. And I feel at this particular time when we are trying to streamline things especially I would encourage my colleagues who are in favor of reducing the size of the Board of Representatives for more efficiency, I certainly would like to see them vote to reduce the Board of Finance.

PRESIDENT SANTY: What we doing here is voting on a recommendation to the Charter Revision Commission that they reinstate the six members of the Board of Finance. That is what we are voting on now. We have already approved a 40-member Board of Representatives, which eliminates Mrs. Hawe's motion. Mrs. Guroian next to speak on the Board of Finance.

MRS. GUORIAN: I'll pass if you'll put my name on later.

MRS. GOLDSTEIN: So will I, but I would like my name later.

PRESIDENT SANTY: There are not too many speakers. Mrs. Maihock next.

MRS. MAIHOCK: I believe the Board of Finance should be retained for this reason. Fiscal matters are of the greatest importance to our City. It is very advantageous to have one elected body whose sole responsibility would be to address fiscal matters apart from the Board of Representatives. This gives a certain balance to the decision. Also if we are worried about the duplication of hearings, it seems that that could easily be corrected by scheduling one hearing at which all of the pertinent persons should appear to hear the presentation. Thank you.

MS. SUMMERVILLE: Move the Question. Seconded.

PRESIDENT SANTY: There are five speakers left. All in favor of Moving the Question, please say AYE. Opposed? We will have to use the machine. Has everyone voted? The Motion to Move the Question is DEFEATED: 7 Affirmative; 23 Negative, and 3 Non-Voting. We will continue discussion. Mrs. Guroian is next. Do you want to speak now, or do you want me to put you

PRESIDENT SANTY (continuing)...further down the list. All right.

MS. SUMMERVILLE: What is all this furthering on the list? I ask for a ruling. What is all this furthering on the list?

PRESIDENT SANTY: They asked to speak on it, by request. Mr. Wiederlight is next.

MR. WIEDERLIGHT: I Move the Question.

MS. SUMMERVILLE: I don't care, what is all that furthering down the list? You could do that all night.

MR. BOCCUZZI: In all due respect, I know you wish to honor all the wishes of all the Representatives, but you are going to get this keep happening where people are going to keep Moving the Question. You are going to get Move the Question down the list, and you are going to keep moving a person down the list to speak later. I think the person has got to speak when they get the opportunity to speak. That is why I voted against Moving the Question before because you had said you would put a couple further down the list, but now when their names come up, then want to go down further on the list again; now, you can't expect the Board to go along with this.

PRESIDENT SANTY: Mr. Wiederlight, do you still wish to make your Motion to Move the Question, or do you withdraw it?

MR. WIEDERLIGHT: I'll withdraw it.

PRESIDENT SANTY: Next to speak is Mrs. Goldstein. There are four names left.

MRS. GOLDSTEIN: I'll take my turn to speak. I think it is grossly unfair to ask to move down twice or three times in a row. At any rate, I really believe that it is necessary to retain the Board of Finance. I especially believe it is necessary to retain the Board of Finance in light of the way the Board voted in relation to the Board of Reps. I agree wholeheartedly with Mr. Tarzia when he said that the Board of Finance is a very necessary part of the checks-and-balances in this City. And they certainly are. To a large degree, not totally, but to a large degree, they are insulated from the kinds of pressures that we, on the Board of Representatives, get. And I think that by virtue of their four-year term, that is a very, very positive thing. I also believe that part of the reason for our bond rating being Triple A stems from having a Board of Finance; and having a Board of Finance that examines only fiscal issues. I am not worried about the duplication of having department heads come before the Board of Finance and then coming before the Board of Reps. Sometimes, in that duplication of coming before Boards twice, and sometimes three times because they often to have to go before the Mayor, you get department heads who really clarify what they want, sometimes withdraw what they want, sometimes amplify what they want, and quite frankly, it's part of their job. I think it would be a great mistake, and a great hurt for this City if the Board of Finance is removed.

MR. CONTI: For the save of brevity, I will say I agree with Mrs. Goldstein, Mr. Tarzia, and Mrs. Maihock. They have put it quite well and I am in favor of retaining the Board of Finance for the checks-and-balances systems; and I can add only one other thing: you can't beat success. We have proven that it works well and I would to see it continue that way.

MR. DZIEZYC: I am also in favor of retaining the six-member Board of Finance. The Commission even stated they recognized that the Board of Finance is a small group of officials elected City-wide to deal exclusively with Fiscal matters, provided certain benefits to our current form of government. And then the next thing, they say we should eliminate it. We have six members that are dedicated. We would lose these six public servants. They spend many hours devoting their free time over-looking the financial health of the City and I am for retaining this Board.

MR. FLOUNDERS: I would like to agree with my colleagues who are supporting the Board of Finance, retaining the Board of Finance. I think it would be a serious, one of the most serious mistakes we could make, if we eliminated the Board of Finance at this point. The Board of Representatives must turn its attention to many different matters, far too many matters to concentrate its attention on fiscal matters. We do need a group, hopefully a ^{rather} specialized group to concentrate its attention only on fiscal matters. I think is an area where specialization is absolutely essential. So without repeating a lot of what has been said, I think that we absolutely should retain the Board of Finance. I think we would live to regret it if we just eliminated them out-of-hand.

MR. GAIPA: I also support the maintenance of the Board of Finance. I think that it is a paradox that at this time when I feel, and many others feel, that we have six excellent people with a great deal of talent and experience on the present Board of Finance, they want to get rid of it. It just doesn't make sense to me. We're operating a large budget of over \$140,000,000.00 a year, plus millions upon millions of dollars that are liabilities in the pension area, somebody has to be there to make policy, that knows what is going on, and I don't see that anyplace else in the present City government.

MRS. GUROIAN: I'm sorry if it upset some of the members that I passed, but I didn't want to speak twice on the issue. I wanted to speak only once and that was the reason, but in the future, I will refrain from putting my name at the end. First, I would like to address myself to the Triple A argument that has been made. The ratings, according to A, Triple A, and double A, and so forth, are based on ability to pay. It is not based on structure of government. This City is blessed by virtue of the fact that it is one of the wealthiest cities; per capita income is one of the highest in the United States. Of course, it is going to have the ability to pay. That doesn't mean that other things can't happen to take away that ability to pay. But to argue that the structure of government has something to do with your rating is a fallacy. It is based on the ability to pay. The argument that Mrs. Maihock said about the dual attendance of hearings has been tried before. It does not work. As a matter of fact, when it was proposed, only one member of the Fiscal Committee showed up at the Board of Finance meeting to hear some of the hearings; and the rest of the members, they don't even show up for their own Fiscal Committee hearings, leave alone show up at another Board's fiscal hearings.

MRS. GUROIAN (continuing)....At that particular time, the Fiscal Committee of the Board of Representatives held their hearings behind closed doors, and when I tried to sit in on it, they locked the door behind me, as Mr. Boccuzzi well remembers. And so does Mr. Rybnick. Behind locked doors, they held those hearings.

And it was my contention at that time, that the directors of the Board, knowing that the same person did not hear what they said before both Boards, changed their stories. They came before the Board of Finance and gave one story; and came before the Fiscal Committee of the Board of Reps and gave another story. That stopped with the Right-to-Know Law, the year after I had my sit-in at the Fiscal Committee meetings, at which time they threw me out. Every time I attended, they threw me out and locked the door behind me. Year after that, it stopped. Dual hearings don't work.

PRESIDENT SANTY: Will you please speak to the Motion.

MRS. GUROIAN: I am speaking to the motion. Dual hearings don't work, that's what I am saying. This myth of a special expertise of the members of the Board of Finance is exactly that: a myth! There are some members of the Board of Finance who are well-versed in fiscal matters, but there are other members who served on the Board of Representatives, as well as being elevated to the Board of Finance, and I don't think many of them learned ^{very} much more having been elevated, than they knew when they were down in this Body. Those who come in with special expertise and no experience in government are at a handicap because municipal financing is a lot different than financing in the corporate world. It is an altogether different field, and sometimes having been versed fully in the corporate field, they don't adapt themselves too well to municipal financing where politics plays a great role.

The argument about checks-and-balances, well, I was one of the first people who proposed that the Board of Finance be eliminated, and I proposed it for several reasons, because at one time I was a big supporter of the Board of Finance, but in recent years, it has become very politicized; and it becomes a forum by which some people, rather than look out for the benefit of the City, look out for their future political career and give it more attention than what should be done for the best benefit of the City.

As far as I was concerned, once having convinced myself that the Board of Finance was a duplication of effort, lengthened the budget process considerably, and defused responsibility so that no one Body felt responsible for the passage of the budgets and passage of fiscal appropriations, could easily blame another Body; and because I felt City Departments, purposefully, and Mayors, purposefully, knowing that it had to pass by two Boards, inflated their budgets hoping that they would end up with a little bit more than they actually needed, and not knowing exactly where each one of the Boards would cut; and so I felt that the elimination of the Board of Finance would correct that, and that the people proposing their budgets might be more responsible if they knew it would only have to pass one Board; and I felt also that insofarand I agree that there should be checks-and-balances; so when I made my decision that I would support the elimination of the Board of Finance, I also put it contingent upon the fact that the Right of Referendum and Initiative be given to the public, because I feel that is where the final say belongs. It does not belong in the Legislative Body, or in the Board of Finance, or in the Mayoralty. It belongs with the People because those are the taxpayers who foot the bills.

MRS. GUROIAN (continuing)...And I tied in Referendum and Initiative with the elimination of the Board of Finance, in the hopes that the final check would be given to the people themselves. And for these reasons, I am supporting the elimination of the Board of Finance. Some of these arguments were the very arguments that were debated at the Commission meetings over and over again.

MRS. McINERNEY: Move the Question. Seconded.

PRESIDENT SANTY: All in favor of Moving the Question, please say AYE. Opposed? CARRIED. We are going to Move the Question.

We are voting on keeping the six members of the Board of Finance, page 8, Section 1-80-1 Elective Officers. If you favor keeping this Board, vote Yes. If you opposed to the Board of Finance and you agree with the Commission's proposal, vote No. Has everyone voted? Mr. Dudley is now in attendance. We have 34 members present. Recorded as being present at this time. The Motion has PASSED: 30 Affirmative, 4 Negative. We are recommending to the Commission that the Board of Finance be reinstated.

PG. 9. We are going to Page 9 now, Mr. Livingston, please.

MR. LIVINGSTON: Right, Madam President, and I...

PG. 8. MR. BLAIS: I have an amendment on Page 8, Section 1-70-4. I think it is the second, the third line, "following the 1980 Census and every ten years thereafter, a Reapportionment Commission shall be appointed by the Board of Representatives within sixty (60) days after the Federal Census figures are made available to the municipality..," I would like to change that to 180 days.

PRESIDENT SANTY: You are changing that to 180 days from 60 days? Right. Is there a Second to that Motion? For lack of a Second...

MR. LIVINGSTON: Point of Information. When a member does something like that, would it not be proper to at least allow him to explain?

PRESIDENT SANTY: The Motion is not on the floor without a Second.

MR. BLAIS: I withdraw the amendment because it just came to my attention, although I was trying to give the Reapportionment Committees more time to work with, it is against State law, so therefore the amendment is not proper.

PRESIDENT SANTY: This came up in 1978, Mr. Blais, and that is probably why many of the members did not Second your Motion. You are withdrawing that, then. Do you have any other amendments, any changes? All right. Mr. Livingston, we are now on Page 9.

MRS. GERSHMAN: Excuse me, Madam President, Point of Information. Do we still have Mrs. Hawe's Motion on the floor?

PRESIDENT SANTY: It was defeated because we approved a 40-member Board by a large majority.

MR. LIVINGSTON: Madam President, again, if we look at the significant changes proposed by the Charter Revision Commission, you'll see that we have taken care of #1 and #2 on their list.

PG. 9. Now we will proceed to Page 9.

MR. FRANCHINA: A Point of Information, I guess, but does that mean that seeing as we voted to keep the Board of Finance, that means all the deletions on Board of Finance is not deleted:

PRESIDENT SANTY: Right. When we send our recommendations to the Commission, we are going to make the remarks that it is up to them to change the language, if they agree with us, back to what it was, but they don't have to, if they agree with our concept; then they have to change the language.

MR. FRANCHINA: I understand what you are saying, but I don't understand in the sense, oh, I see, we are making recommendations....

PRESIDENT SANTY: This is going back to the Commission, who analyzes it, either takes our suggestions, and it comes back to us for final adoption. Naturally, since we reinstated the Board of Finance, in all the areas where the Board of Finance is mentioned, that the Commission is going to have to do work and change the language. Can we go on now to Page 9?

MR. ZELINSKI: At this time, Madam President, I would like to make a Motion to reinstate on Page 9, Section 1-80-4 Election of Board of Representatives, inasmuch as we did retain the 40-member Board.

PRESIDENT SANTY: Mr. Zelinski, as we said, we reinstated the 40 members. It is up to the Commission to do this language. We mentioned this in the beginning. Our recommendation is 40 members, so wherever there is election of 40 members, they are going to have to agree with this.

MR. ZELINSKI: Also, then the second paragraph in that Section, then we don't have to....all right, that sounds great.

MRS. PERILLO: This has to do with the Board of Finance that we just reinstated. The Charter Revision Commission took a lot of the powers and gave them to the Commissioner of Finance, so that means a lot of changes. What do we know what to take out? A lot of the powers of the Board of Finance have gone to strengthen the Commissioner of Finance, and we just voted to reinstate the Board of Finance.

PRESIDENT SANTY: Well, when we get to the Commissioner of Finance, we will have to consider it at that time, but there is nothing on Page 9 ^{that} couldn't be changed. There is no Motion on the floor.

MR. BLAIS: I would like to discuss a change that is enumerated on page 5, but I will just discuss the content first. No, I mean page 9. Under the Election of the Board of Representatives, Section (b) pertains to the at-large members proposed for the Board of Representatives. I would consider changing that to the Board of Finance, an amendment.

PRESIDENT SANTY: Mr. Blais, that is a change. What we have done here is we have kept the 40-member Board of Reps, that is our recommendation; and we have kept the Board of Finance. We are sending our recommendations back to the Commission. They have to take those that we have suggested and change the language of the Charter. What are you recommending now? You are making a Motion?

MR. BLAIS: I am recommending a change from the present Charter, or keeping... I am recommending a method of electing the members of the Board of Finance, O.K.? It is in the (b) section that was meant for the at-large Board of Reps.

PRESIDENT SANTY: But that is not the Board of Finance. I think you have to go to the Board of Finance, Mr. Blais. That Section dealing with the Board of Finance.

MR. BLAIS: There is no ^{other} Section dealing with the Board of Finance election, since it's been deleted.

PRESIDENT SANTY: Yes, there is, Mr. Blais, that's clarified now.

MRS. MAIHOCK: On page 9, I just wondered should we not officially state that we are deleting those three paragraphs following the reinstated paragraph?

PRESIDENT SANTY: Mrs. Maihock, we discussed for an hour before we started the meeting, the mechanism by which we would proceed, and the Chair agreed and the members ^{were} agreed that this is the recommendation to the Commission. Our recommendation is 40 members. It is going back to the Commission. Obviously we cannot have 25 because our recommendation is 40, so they have to take it for what we recommend, and change the language of the proposed Charter. It is coming back to us. But this is what we decided in the beginning and I think if we just stick to that as we go along; and with our recommendations, we will write a note to the Commission, I am sure they will change the language. They know all the changes, as Mrs. Guroian pointed out, more in detail than we could find tonight. We now have 153 pages to go.

MRS. GOLDSTEIN: Madam Chairman, perhaps it would be in order for you to include a letter that states the intent of the Board in those major changes of Board of Finance and Board of Representatives all language and attendant powers, you know, the powers that once adhered to the office, be retained as was before, unless otherwise indicated by a separate vote.

PRESIDENT SANTY: I was planning on sending a letter with our recommendations which Mr. Cacace sent to us originally which he liked. Mr. Livingston, I think we are moving on to Page 10.

PG. 10. MR. LIVINGSTON: Unless there are amendments being made by the floor, we can move to Page 11.

PRESIDENT SANTY: Mr. Blais, I think your question ^{is election of} on the Board of Finance, I would say that that would automatically go back in, with the covering letter of our intent.

MR. BLAIS: However, if you wanted to change the election of the Board of Finance from the old procedure, that is what I am addressing, O.K.? And my Motion would be to take the Section...well, it would read like this, on Page 10: "Except as otherwise provided in Section 113, at any biennial election of the municipal officers, any political party may' nominate not more than four candidates for the six at-large seats. Voters shall vote for no more than four candidates and the six candidates receiving the highest - excuse me, voters shall vote for no more than four candidates.....

PRESIDENT SANTY: Mr. Blais, could you put that in writing and give it to me to repeat because I think there is a little confusion. All right, first of all.....repeat your motion again and I'll see if there is a Second.

MR. BLAIS: Do we have a Second for the concept, anyways?

PRESIDENT SANTY: Do we have a Second for Mr. Blais' Motion? No, there is no Second.

MR. BLAIS: Then there is no sense.

PRESIDENT SANTY: Motion is lost. Mr. Livingston, we are now on Page 11.

PG. 11. MR. LIVINGSTON: Page 11, and if I am correct, Madam President, I believe that that would represent Item 4 on our significant change proposals. No, it doesn't? Well, then it doesn't.

PRESIDENT SANTY: One moment. Ms. DeGaetani?

MS. DeGAETANI: I would like to propose an amendment to the next-to-the-last line of this, on page 11, the line starts '...of this section shall be repealed or amended by the council except by vote of electors." I would move to change the word "council" to "Board of Representatives". That is on page 11, the second to the last line.

PRESIDENT SANTY: There is a Motion made and Seconded to change the word "council" in the last sentence to "Board of Representatives." Any discussion?

MR. BLAIS: I looked at that when I reviewed the Proposed Charter. I read these last two lines and was very, very afraid because we have a loose Referendum and Initiative in this Proposed Charter. That doesn't particularly bother me, but you have to realize that with a loose Referendum power, you've also written in here, you've written any changes in granite until we can call another election, or call an election for two years, so that you could have the voters, or a small part of the voters, get through a change in the City government that we would have to live with for two years and not be able to change at all, and it could be very devastating to the City.

MRS. CONTI: I would like to propose an amendment on Page 11 also. It will be in the first sentence. I would like to delete....

PRESIDENT SANTY: Can we consider Ms. DeGaetani's amendment first, Mrs. Conti? We have an amendment on the floor.

MRS. CONTI: Certainly, fine. Before you leave Page 11, I would like to propose an amendment.

MR. ZELINSKI: Move the Question. Seconded.

PRESIDENT SANTY: We will move right to a machine vote on Ms. DeGaetani's Motion. In favor, vote Yes. Opposed? Has everyone voted? APPROVED: 28 Affirmative, 1 Abstention, and 1 Not-Voting.

MRS. CONTI: Thank you, Madam President, I would like to propose an amendment in the first sentence on Page 11. I would like to delete the words "on matters other than taxation and budget" so that the sentence will then read "The electors of Stamford shall have the power to propose ordinances to the Board of Representatives." (Seconded by several.)

Mrs. Goldstein: I am opposed to that Motion, as I am opposed to the entire Section, and I hope that at some point we will address that.

MRS. CONTI: May I speak to that? I am in favor of this because the most important thing to the voters of Stamford is some control over the taxes that are imposed upon them. And in many cases, there is no control exercised by their elected Representatives, and I feel that if they feel that strongly about it, they should have the option of voting on it.

MR. BLAIS: Again, this change would also leave in the terminology that could hamstring the City for up to two years. You're talking now about allowing referendums on budget matters and taxation matters; and a pervasive minority group could really hamstring the City for two years and I would urge all of the Board members to repeal this whole Section.

MR. ZELINSKI: I am in agreement with Rep. Betty Conti's Motion. I did attend, in fact I have attended in the past most of the joint public hearings of our Board of Finance and Fiscal Committee and repeatedly I heard the cry of the taxpayers of the City of Stamford as far as cutting the budget and so forth, and I think that this would really allow the power to be in the hands of the people. And, on the contrary, I think it would be a majority of the electorate of the City of Stamford to initiate something like this if they feel strongly about it, and the majority of course would be the ones to determine the final outcome.

PRESIDENT SANTY: I want to remind you that we are just speaking to Mrs. Conti's Motion; there are going to be other Motions, I understand, to eliminate the whole Section, but right now, it is just Mrs. Conti's Motion.

MR. WIDER: I would like to amend her Motion to delete the whole Section.

PRESIDENT SANTY: That can come later, Mr. Wider. Why don't you just address this, at this time?

MR. DZIEZYC: This will give the voters a chance to put a lid on both spending and taxation. We must have the right of Referendum incorporated into the Charter, and I agree with Betty Conti, we must put the lid on spending because the City officials are us, the Board of Representatives, and the Mayor are spending too much money and the taxpayers are disgusted.

MR. BONNER: I concur with the amendment by Betty Conti. I think this does now give the voters a real chance. They can either concur with the spending or they can object to it. I, therefore, will vote for this amendment.

MR. TARZIA: It seems that a lot of people shake at the idea of having the voters have the right to decide their fate, having the right to decide how much their bills should be. I'm not afraid of the voter. I think the voter is quite an intelligent individual, and therefore, I think the voter has the right and should have that right to decide.

MR. DeLUCA: And I think it's right that the voters elect the members of the Board of Representatives who represent them at the meetings, and hopefully we do a job for them on voting on the budgets, and if we don't do a good job, then they can remove us from office at the end of two years. It's not a question of whether the voter is intelligent, or not intelligent. It's just like saying for every budget that the national government votes for, we should have a referendum. I think we are being carried away with ourselves, and I would urge rejection of this amendment.

PRESIDENT SANTY: We will move right to a machine vote on Mrs. Conti's motion. Has everyone voted? DEFEATED with 12 affirmative, 20 negative, and 2 not voting.

MR. DONAHUE: Because I believe in Representative Government, and I believe that Representative government works, and because we talked a lot about the accountability of Representatives, accountability of the Mayor, and the Board of Finance, et cetera, tonight, I do believe that both Sections 1-90-2 Power of Initiative and 1-90-3 Power of Referendum, should be removed from the Charter, and I so Move. Seconded.

PAGES 11/12. PRESIDENT SANTY: You are Moving for the complete removal of Section 1-90-2 on Page 11, and Section 1-90-3 on Page 12. First to speak is Mr. Boccuzzi and then Mr. White. There are several Seconds.

MR. BOCQUZZI: I didn't have my hand up for that. I was going to Move the Question.

MR. WHITE: Yes, this particular item, Madam President, would have the effect along with the item on Page 12, which is the obverse of that, of doing precisely what the Charter Revision Commission allegedly wants to do, and that is to increase our power; because this would very much restrict our power, and after all, I can see it coming down the pike now, this is participatory democracy which sounds very good; unfortunately, it doesn't work all that well in situations such as Stamford. I can just see the people who would use this. The people who have the, shall we say, the practice, the time, the expertise, to put this together, and we'll be seeing all sorts of referendums demanded, and all sorts of initiatives suggested; and if, by chance, one should go through, just take a look at that last sentence. You will then be locked in what proves to be a lousy

MR. WHITE (continuing)....law; we will be locked into it until we had another, first an Initiative and then a Referendum to appeal it. In other words, we would be tying our own hands. Put it this way, I would this would have the effect of enormously reducing the junior powers of this Board. I would, therefore, urge, Madam President, that this one be removed from the Charter.

MR. TARZIA: I beg to disagree with Mr. White. You know, when we compare local government with the State or with the Federal Government, we are making a mistake here. We consider ourselves part of the old Town Government system. In a town like Stamford, although it is not small, still the voters should have that right at least by Charter to call whether it is the Board of Representatives or the Board of Finance or the Mayor, for that matter, to task on anything they approved, and I believe that this power of Initiative, although some people here are afraid that it is going to be used and abused. I don't think it will be. I think it is meant to be there in case it is needed. Hopefully, it will never be used.

MR. BONNER: We have discussed the possibility of having checks-and-balances. Now this is one of the finest checks-and-balances that we can have. Now this is not to say that this will be used continually. If any of you have worked on petitions, you know that it is difficult to get a petition up. We need to get 20% of the electorate. This is not easy to do. If an issue important enough, then they will be able to obtain the necessary signatures, but again, this may never be used, but it is a check-and-balance of the best kind and I believe that it should remain in the Charter.

MS. RINALDI: Move the Question. Seconded. CARRIED with two No votes.

MR. LIVINGSTON: I believe that what we are doing now would be Item #15 on our Significant Changes and Proposals.

ACTING PRESIDENT BARBARA McINERNEY: Yes, Mr. Livingston. In order to clarify this clearly as we vote, I think we should vote each Section at a time, so I would call for a vote to delete Section 1-90-2 first, the power of Initiative. Please use your machine in voting. We are voting to delete Section 1-90-2 Power of Initiative. APPROVED: 20 Yes, 12 No, and 1 Non-Voting.

The next Motion before us then would be the Motion to delete Section 1-90-3 Power of Referendum. We'll go right to a machine vote. Clear the machine, please. We'll first take a vote on Moving that item also. Seconded. All those in favor of Moving, please say AYE. Opposed? CARRIED.

The Motion before us now is to delete 1-90-3 Power of Referendum. Use the machine, please. Has everyone voted? APPROVED: 22 Yes, 12 No. Power of Referendum, Section 1-90-3 Power of Referendum has been removed from the Proposed Charter.

MRS. SAXE: Point of Information, Barbara. Could you please explain what we actually did? I mean as far as I'm concerned, we didn't do anything, mainly because Section 7-9 of the Statutes gives us this power. What we've done by putting this in our Charter is to make everything not ambiguous to the people that are serving the City.

ACTING PRESIDENT BARBARA McINERNEY: Thank you, Mrs. Saxe, for your remarks. For the record, please indicate that Mr. Franchina has asked permission to leave the meeting, and we now down one member, which makes 34. (HMM-end Tape 4)

42.

MINUTES OF SPECIAL MEETING FOR CHARTER REVISION JUNE 14, 1983
(Tape 5 - AK)

42.

MR. WIDER: Madam Chairman, I can't speak for this. I have to speak against it, I'm sorry. Even though we don't get any pay and we do need some way to get money, the fact is that we can't open that door for others to come. Thank you.

PRESIDENT SANTY: Thank you.

MR. DUDLEY: Move the question.

PRESIDENT SANTY: A Motion has been made and Seconded to Move the questions. All in favor of Moving the question, please say aye. Opposed? We're Moving the question. We're going right to a machine vote on Mr. Blais' Motion as...

MR. BLAIS: Point of personal privilege, Mrs. President.

PRESIDENT SANTY: Yes, Mr. Blais.

MR. BLAIS: I really don't mind proposing something I think is right that may even be unpopular, but some of the comments especially relating to my thought processes, I do take it a little personal when they do it on a personal basis.

MRS. GUROIAN: I apologize to the erstwhile member of the Board of Representatives if he'll accept my apology?

PRESIDENT SANTY: Fine, I think if we leave out personalities on our thoughts, and just stick to the issues and the Motions. Has everyone voted? The Motion is LOST 3 affirmative, 28 negative and 2 not-voting.

MR. LIVINGSTON: Page 16, page 17.

MR. BOCCUZZI: It says, "in an official paper." Didn't we just back, didn't we vote against...how did we come-out with that vote with official paper there? Would that affect that particular...

MRS. McINERNEY: No, not at all.

PRESIDENT SANTY: No.

MR. ZELINSKI: Yes, thank you. A very important amendment I'd like to make. On page 17, section 2-20-7. Codification of Ordinances, I would like to make a Motion to delete the last sentence. Otherwise, we are going to be in a very precarious situation because they are not codified now and that would void all the ordinances we've passed for the last years prior to the last printing of the Code of Ordinances. So, I Move the deletion of the last sentence.

PRESIDENT SANTY: You are Moving deletion starting with, "Failure to comply...?"

MR. ZELINSKI: Correct.

PRESIDENT SANTY: Is there a Second to that Motion? The Motion is not on the Floor for lack of a Second. Continue, Mr. Livingston.

MR. LIVINGSTON: Page 19, page 20.

MR. DeLUCA: On page 20, section 3-20-7 Labor Relations: I'd like to amend this whereby we would delete the first sentence, and replace it with the following: "The labor negotiator, a five-year contract position, shall be appointed by the Mayor and confirmed by the Board of Representatives pursuant to the provisions of Section 5-80-2."

PRESIDENT SANTY: Several Seconds to that Motion. Mr. DeLuca, do you want to speak to that?

MR. DeLUCA: Yes.

PRESIDENT SANTY: Thank you. It's so much easier if you make amendments if you put them in writing and hand them to the Chair.

MR. WIEDERLIGHT: Could you repeat that Motion, please, Madam President?

PRESIDENT SANTY: Yes, I will. Page 20, Section 3-20-7 Labor Relations: Delete the first sentence, and replace it with the, "The labor negotiator, a five-year contract position, shall be appointed by the Mayor and confirmed by the Board of Representatives pursuant to the provisions of Section 5-80-2."

MR. DeLUCA: I feel that this is an important position in the same vain as the Director of Health, Director of Traffic, Police and Fire Chief, and should be a five-year position and should be confirmed by the Board of Representatives. This is a position whereby contracts negotiated and it's a highly important position which involves millions of dollars as to how a contract is negotiated, and to just leave this here as a life-time and indefinite position, I think is wrong. It's in the same level as the other ones I just mentioned. Therefore, it should be a five-year position subject to our approval. I would hope that the members here this evening would go along with that recommendation.

MR. LIVINGSTON: Yes, sometimes I guess we do have to give Mr. DeLuca credit. Gabe, I really think you came up with the correct thing. So many times we complain that somehow or other we are not able to have the kind of input we feel that we should have with our labor negotiator. Perhaps, this will give us some of the leverage that's needed. Thank you.

PRESIDENT SANTY: Thank you.

MRS. GOLDSTEIN: Thank you. I agree that it ought to be a five-year term and a contractual term. I think it's a very good suggestion.

PRESIDENT SANTY: Thank you, Mrs. Goldstein.

MRS. HAWE: Thank you. I'd like to ask Mr. DeLuca a question regarding the second sentence. Does he intend to keep the second sentence in where it says, "All issues regarding labor relations shall be referred to this agency,...?" Should that be changed, too, if we delete the reference to the agency?

MR. DeLUCA: Yes, I believe it would be.

PRESIDENT SANTY: Do you want to make that part of your Motion then to delete the whole section?

MR. DeLUCA: Delete the whole section, please.

44. MINUTES OF SPECIAL MEETING FOR CHARTER REVISION JUNE 14, 1983

44.

PRESIDENT SANTY: And replace it with that. O.K. That's accepted.

MR. DeLUCA: Let's leave the last part that he still will be responsible to the Mayor. Leave that part in it.

PRESIDENT SANTY: All issues regarding labor relations shall be referred to this agency?

MR. DeLUCA: No.

PRESIDENT SANTY: All issues regarding labor relations shall be directly responsible to the Mayor.

MR. DeLUCA: To the Mayor, right.

PRESIDENT SANTY: I have the Motion; you finish it. We'll continue with debate while Mr. DeLuca writes it. Mr. DeLuca, I'll send you back your Motion.

MR. DeLUCA: Let's change the word "agency" to "negotiator."

PRESIDENT SANTY: Just change it on that Motion and I will...

MR. WIDER: I was wondering how our approval would affect his ability to deal with the union contracts? You may have a problem because the same people that approve him will have to vote on the contract that he negotiated. I'm afraid we're treading on some dangerous territory.

PRESIDENT SANTY: Any other speakers to Mr. DeLuca's Motion?

MR. GAIPA: I have a question to anyone. What is his present term of office now?

PRESIDENT SANTY: He does serve at the pleasure of the Mayor, but there is a contract. I'm not sure how many years it is. Does anybody on the Labor Liaison Committee know how long his contract is? Is it a five-year contract?

MRS. McINERNEY: No, I'm not sure how long his contract is but he has presently served under contract to the City for 10 years. No, he is not civil service.

PRESIDENT SANTY: There are no further speakers. Mr. DeLuca, are you ready, and I will repeat the Motion and we will move right to a machine vote. Just repeat the Motion in total. I would ask all the members to come forward because we are going to be voting right after this Motion.

MR. DeLUCA: We're going to delete the first sentence and replace it with, "The labor negotiator, a five-year contract position, shall be appointed by the Mayor and confirmed by the Board of Representatives pursuant to the provisions of Section 5-80-2, and all issues regarding labor relations shall be referred to the labor negotiator, who shall be directly responsible to the Mayor."

PRESIDENT SANTY: That's the Motion we're voting on. Use your machine for a vote. Has everyone voted? We're voting on the Motion as stated by Mr. DeLuca. The vote has not been announced. Mr. Wiederlight, are you a....

MR. WIEDERLIGHT: Affirmative.

PRESIDENT SANTY: Mr. Wiederlight is an affirmative. Mr. Stork? Mr. Stork is an affirmative. The Motion has PASSED 29 affirmative, and 4 not-voting. Mr. Blais has left the meeting. We now have 33 members.

MS. SUMMERVILLE: Point of information, Madam President.

PRESIDENT SANTY: Yes, Ms. Summerville.

MS. SUMMERVILLE: For the record, Mr. Blais has not been excused because he did not address the Chair. I do not want to take any responsibility of announcing Mr. Blais has left to other Representatives. There is a procedure we use here. There is a rule, and we must follow all the rules.

PRESIDENT SANTY: Is it a fact that Mr. Blais has permanently left the meeting? You know that for a fact. We'll take that. We ask that all the members to please notify the Chair or the Clerk. Mr. Blais has left the meeting. We now have 32 members present. Mr. Livingston, are we going to move to page 21?

MR. LIVINGSTON: Yes, Madam President. There are no changes on page 21 or...

PRESIDENT SANTY: Mr. Bonner, I'm sorry.

MR. BONNER: This is a minor one but it's in three, page 20, 3-20-5. "On December first, following each biennial election," that's the way it reads presently.

PRESIDENT SANTY: Mr. Bonner, what page are you on?

MR. BONNER: This was on page 20, section 3-20-5. I would make a Motion that this read, "On December first," and then add in parenthesis, "or the following Monday if December first is on a Sunday." It's a minor item.

PRESIDENT SANTY: If you read the whole thing, Mr. Bonner, it says, "If December first falls on a Saturday or Sunday..."

MR. BONNER: I withdraw. Thank you.

PRESIDENT SANTY: We're moving right ahead to 21.

MR. LIVINGSTON: There are no changes on page 21 except the "he" and the "also." On page 22, there are no changes. However, there are changes on page 23.

PRESIDENT SANTY: No remarks on that one. We're moving right along.

MR. LIVINGSTON: Page 24, there have been changes and deletions.

PRESIDENT SANTY: Mrs. Maihock, back to 23.

MRS. MAIHOCK: I make a Motion that on page 23, under Sec. 5-80-2(a) that it states, "The Commissioner of Finance, Commissioner of Public Works, and the Corporation Counsel shall serve under contractual arrangements."

PRESIDENT SANTY: You are inserting instead of "pleasure" to "contractual?"

MRS. MAIHOCK: Yes, rather, "at the pleasure of the Mayor, they shall serve under contractual agreements."

PRESIDENT SANTY: Is there a Second to that Motion? Several Seconds. Any discussion?

MRS. MAIHOCK: I believe that what is needed is continuity in such positions as the Public Works Commissioner, Finance Commissioner and the Corporation Counsel's office, therefore, I feel these positions should be contractual and not changed with every Mayoral election.

MR. DeLUCA: I don't quite understand the Motion because this Section 8 talks about the Mayor may remove department heads as follows. If we are going to use the term "contractual," I don't see any bearing when we are talking about removing.

PRESIDENT SANTY: I think, Mrs. Maihock, you mean Section 5-80-2.

MRS. MAIHOCK: That's what I said.

PRESIDENT SANTY: No, you didn't. You said "a." "a" is removing it. You want to consider it under 5-80-2, the Mayor shall appoint? How do you want to word that? What is your Motion? Will the Second remove the Second until Mrs. Maihock changes her Motion? O.K. Mrs. Maihock, do you want to re-phrase your Motion, please?

MRS. MAIHOCK: The Mayor shall appoint the Heads of all the Departments of the City with the exception of the Commissioner of Finance, Commissioner of Public Works and the Corporation Counsel which positions shall be contractual.

MRS. CONTI: Yes, what Mrs. Maihock is saying is actually consistent with the change that is made later on, on page 25, with regard to a Director of Public Works which shall be a five-year contract. So that, if we are going to accept the later one, perhaps this area should be changed to be consistent with what does come a little bit later.

MR. TARZIA: Thank you, Madam Chairman. While I'm sure Rep. Maihock is well intention in her Motion, I really find it difficult to agree with it, primarily, because you're talking about the Mayor's Cabinet, and there you should have people that are subject to appointment and removal by the Mayor. How can you hold the Mayor responsible during his two-years or four-years; in this case, we are talking about a two-year term, if his own Cabinet is a contractual Cabinet? Thank you.

PRESIDENT SANTY: Thank you, Mr. Tarzia.

MRS. GOLDSTEIN: Mr. Tarzia said it. I couldn't agree more.

MR. LIVINGSTON: Through you, Madam President, and respectfully to Mrs. Maihock, would you ask her what would happen if for some reason, the Mayor resigned, how would it affect these people who are left on contract hypothetically?

MRS. MAIHOCK: That's the point of the whole matter. I think if we have very efficient public servants, we do not want to limit them to the term of a Mayor, and I feel that it is in the best interest of the City that there is a continuity here that we may retain good people. This constant shuffling of new people in these very significant positions, I think tends to slow down the business of City government until everybody is reorganized again.

MRS. MAIHOCK: (continuing) I do agree with Mr. Tarzia that it certainly will affect the Cabinet relations of the Mayor, but I think what we have to look at is the overall continuity of the City. I think everybody agrees that it takes a while to get all those people adjusted to the new regime, and then you may change the entire process of the City with each administration which may not be for the betterment of the City.

PRESIDENT SANTY: There are six speakers.

MRS. SAXE: Thank you. If we are going to have the Mayor for his pleasure and dismiss with his pleasure, then I feel that the Board of Representatives should not have the right to pass upon their nominations for any reason. Thank you.

MR. FLOUNDERS: Thank you. Mr. Tarzia said it and touched on it, but I just would like to say it again perhaps in a different way. We talk about accountability. There is no way in the world to make a Mayor, a chief executive officer, accountable for his actions, and for the policies which he brings to the City. If he has no control over his Cabinet, over his Department Heads, we don't have a Mayor after tonight's session with a four-year term, we have a Mayor with a two-year term. So, a Mayor with a two-year term comes in and he has a group of Cabinet officers that have three years to go, four years to go or whatever, he has absolutely no control; none, and he cannot be held accountable for those things which he can't control, and God knows if he can't control his Cabinet, he can't control all the departments in the City and if he can't control all the departments in the City, there is no way on earth to hold the man accountable so the whole thing is pointless.

We take away all the flexibility; we take away all the executive powers; we take away every potential power that the Mayor has to do things the right way, or to make mistakes. We can't do that. That's all I have to say.

PRESIDENT SANTY: Thank you, Mr. Flounders.

MRS. MCINERNEY: I agree with the previous speakers and after watching some of the people who have sat or who have been appointed to Cabinet positions, I doubt very much that any of them would accept a five-year contract with the City. I think that they probably reach burnout after six months, and we're lucky to have them for the two years that they've committed to. I agree with Mr. Flounders and Mr. Tarzia that the Mayor has to choose those people who he will work closest with, his Cabinet members, and they must be people that he can talk with and rely on and make him and his administration accountable to the taxpayers. Although I feel it's a well intentioned Motion, I don't think it's very pragmatic at this point.

PRESIDENT SANTY: Thank you, Mrs. McInerney.

MR. BOCCUZZI: I would like to agree with Mr. Flounders. I think he said what has to be said. The Mayor has to surround himself with people that he has to be able to work with. I think the Mayor's Cabinet makes the Mayor. If you are going to have somebody sitting there with a five-year contract, and a new Mayor comes in and you got a hold-over, I can very well see what Mr. Flounders said would happen. A person could theoretically be in there for two years without anybody in the Cabinet being of his appointment. I don't think it's a very good idea to have a two year Mayor and a five year Public Works Commissioner. You don't have to agree with the Public Works Commissioner; it's a good person to fight with.

MR. DeLUCA: I Move the question.

PRESIDENT SANTY: A Motion made and Seconded to Move the question. All in favor of Moving the question, please say aye. Opposed? We're going to Move the question on Mrs. Maihock's Motion under Section 5-80-2 that the Commissioner of Finance, the Commissioner of Public Works and Corporation Counsel positions would be under contract. Has everyone voted? The Motion has LOST 2 affirmative, 28 negative, 1 abstaining and 1 not-voting.

MRS. GOLDSTEIN: I would then like to Move that we reinstate the Commissioner of Public Works under letter (a) of Sec. 5-80-2.

PRESIDENT SANTY: There are several Seconds. Any discussion? No discussion. We'll move right to a machine vote on Mrs. Goldstein's motion to reinstate Commissioner of Public Works which the Commission eliminated. Please use your machine for a vote. The motion has PASSED 25 affirmative, 2 negative, 1 abstaining and 4 not-voting.

MR. LIVINGSTON: On page 24.

PRESIDENT SANTY: Mrs. Saxe, you're still on page 23?

MRS. SAXE: I'm on page 23, the last three sentences of Sec. 5-80-2. I would like very much to take out of there, "That the Board of Representatives would have the right to pass on the nominations by the Mayor for any of his Commissioners."

PRESIDENT SANTY: Are you eliminating the last four sentences? Is that what you are doing, Mrs. Saxe? I'd like that in writing, if possible, Mrs. Saxe. Read your motion again.

MRS. SAXE: Just a minute; I will write it.

PRESIDENT SANTY: It's quarter to 12, and I'm asking the members to look ahead to what we are doing and have your motions ready. We have a long night ahead of us. The point is that this has to be in their hands by the 22nd. Today is Tuesday. Next Tuesday we have our ballgame. Mr. DeLuca, we can divert a little bit? Do you all know about our baseball game next Tuesday? Mr. DeLuca, while we're waiting for Mrs. Saxe, do you want to elaborate?

MR. DeLUCA: Yes. On Tuesday, June 21, a week from this evening, hopefully by this time next week, we'll be the winners of our big game, and celebrating with soda pop and other refreshments. The price may be between \$ 3.00 to \$ 5.00 a head. We plan on having hot dogs and soda...

PRESIDENT SANTY: Would you tell us where it is going to be?

MR. DeLUCA: At Troy Field which is right behind the Terry Connors Rink and it will begin at 6 o'clock or shortly thereafter. I would recommend, I realize that most of us are in good shape, but we do a little exercise in between now and then, then we'll really be in top-notch shape. I look forward to seeing everybody.

PRESIDENT SANTY: I want to urge all 40 of us, if possible, to show up. We're going to have a cheer section; we're going to have managers, coaches. Even if you don't want to play on the field, we can all help. Let's show that we're all out there and working for the same thing. Who are we defeating, Gabe? Who are we fighting against?

MR. DeLUCA: The Mayor and his Cabinet.

PRESIDENT SANTY: Gabe, can you answer that question?

MR. DeLUCA: No, we'll have to supply our own gloves. Hopefully, 10 or 12 of us have gloves. Bring any gloves. The Board of Recreation will supply the bats and balls.

PRESIDENT SANTY: Commissioner Marra mentioned to me that they have several women on their team, and he hopes that we have women representatives, too. No tickets. See Gabe. Ms. Summerville has a commercial.

MS. SUMMERVILLE: Let the record show that I asked to be excused from the Mayor's game. I am not boycotting his game. I am going to be at Mr. Wider's; Mr. Wider is being honored that night at Agudath Sholom, 301 Strawberry Hill, for those who would like to come. I would also like to make an announce since we're having commercials. I would like to give the Advocate fair play. On your desks, you see a notice from Robin Topping for those who are interested. All 40 members, please respond. Thank you.

PRESIDENT SANTY: Those are words of wisdom from our Clerk. Mrs. Saxe's motion: "The Board of Representatives shall not pass on the appointments by the Mayor on the appointments of his Cabinet Commissioners." Sec. 5-80-2. Is there a Second to that motion? There is a Second. Any discussion? Mrs. Saxe, would you like to address that?

MRS. SAXE: Yes, I would. It was well put by the member of SACIA that came before us during the Public Hearing, and it said, "The approval for the Mayor's appointments may be acceptable for a few policy-making positions, but regarding the Board of Representatives approval of all the department heads, could easily lead back to a political system which is not an asset for Stamford." I think if the Mayor has to be accountable, he has to be accountable for the gentlemen that he picks, and for their performance. It is not our place to step in and to try and help him in any fashion at all. Our job is to be policy-makers, and not people that interfere with the day-to-day workings of the City. Thank you.

PRESIDENT SANTY: Any other discussion?

MRS. CONTI: I'm just curious as to exactly where Mrs. Saxe wants to put that amendment.

PRESIDENT SANTY: She says in Sec. 5-80-2. But where are you putting these sentences, Mrs. Saxe? Third line from the top, "nominations to the Board of Representatives..."

MRS. SAXE: "at its regular meeting, and pending action by the Board, each nominee shall perform duties and exercise the powers of the office for which he or she is nominated." And it says, "In the event that the Board of Representatives rejects a nomination, the Mayor shall submit a new nomination to the Board of Representatives at its regular meeting; provided that the Mayor may not submit the name more than two (2) times."

My suggestion is that that should be eliminated and that we should have no right at all to pass upon that. Thank you.

PRESIDENT SANTY: Fine, thank you. Any other speakers?

MRS. GUROIAN: I'm going to vote against this motion because I think the intent is good, but in actuality, when the Mayor makes appointments of contractual heads of departments, and heads of departments who when appointed, will go beyond the Mayor's tenure of office, say the two years, in effect, he is not appointing people who will serve only himself. He's appointing people who will serve beyond his tenure in the event that he not get re-elected, and because of that reason, I think the Mayor alone shouldn't have the right to say who shall serve beyond his tenure. I think that needs approval of the members of another body as well. If, in fact, he were appointing only for the two years that he is serving, then I would agree with what was said; what was proposed, but because he's appointing beyond his term, I think it needs another body to approve.

MR. DeLUCA: Move the question.

PRESIDENT SANTY: A motion has been made and Seconded to move the question. All in favor of moving the question, please say aye. Opposed? We'll move right to a machine vote on Mrs. Saxe's motion. Please use your machine. Has everyone voted? ...3 not voting.

Mr. Tarzia has left the meeting. We have 31 members present.

MR. LIVINGSTON: On page 24, there seems to be numerous changes on this page.

PRESIDENT SANTY: Mrs. Guroian, do you have amendments on page 24?

MRS. GUROIAN: It was pointed out to me that in (e), the reference to part 6, subsection 8, refers to something that doesn't exist anymore and should be removed. It has no meaning.

PRESIDENT SANTY: What is your motion, Mrs. Guroian.

MRS. GUROIAN: I move that we delete the words, "in Part 6, subsection 8."

PRESIDENT SANTY: Is there a Second to that motion? Seconded. Any discussion? We're going to move right to a machine vote. We are voting on page 24, sec. (e), "in Part 6, subsection 8," which is no longer applicable to this. Any discussions?

MR. DONAHUE: Just as a point of clarification, what would the remainder state? It may cause a problem here. Just to remove it causes a bit of a problem here.

PRESIDENT SANTY: Mrs. Guroian, would you like to speak to that?

MRS. GUROIAN: I would move that it say, "for cause shown as prescribed in this Charter," rather than, "in Part 6, subsection 8." So move.

PRESIDENT SANTY: Repeat your motion again. Repeat what you want written here.

MRS. GUROIAN: I want it to read, "All Department Heads may be removed by the Mayor for cause shown as prescribed in this Charter and by the procedure as outlined in and with all the rights delineated in that section."

PRESIDENT SANTY: Several Seconds. No discussion. We'll move right to a machine vote. The motion has PASSED 28 affirmative, 1 abstaining and 2 not-voting.

MRS. GOLDSTEIN: In Section (b) at the top of the page, I would like to move that we delete, "and the Director of Public Works."

PRESIDENT SANTY: You're deleting, "and the Director of Public Works?"

MRS. GOLDSTEIN: Yes.

PRESIDENT SANTY: Is there a Second to that motion?

MRS. GOLDSTEIN: That's in keeping...perhaps we don't even need a Second vote. I'm not certain now. Let me just go back to the other.

PRESIDENT SANTY: Let Mrs. Goldstein have the time to go back. I think we voted on that previously, Mrs. Goldstein. We're hoping that the Commission will change the language with our recommendations.

MRS. GOLDSTEIN: No, what we voted on only said that the Mayor may remove the Commissioner of Public Works as he could remove any member of his Cabinet. This Section (b) we would have to vote on again because Section (b) makes the Director of Public Works appointed for a five-year term as the Chief of Police and the Fire Chief are. I really believe it takes a separate motion and I so move that we delete from that, "and the Director of Public Works."

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Any discussion? No discussion. We'll move right to a machine vote. Has everyone voted? The motion has PASSED 21 affirmative, 6 negative and 4 not-voting.

MRS. GERSHMAN: Thank you. I'd like to offer an amendment to Section (b) at the top of the page. Now that the Director of Public Works is no longer included, I would like to amend the five-year term to ten years; reading, "The Chief of the Police Department and the Chief of the Fire Department shall be appointed by the Mayor and confirmed by the Board of Representatives for a term 10 years, etc."

PRESIDENT SANTY: Thank you, Mrs. Gershman. Is there a Second to that motion? Ms. DeGaetani Seconded it. Any discussion?

MRS. GERSHMAN: I'd like to speak to the motion. I feel that this would take away any chance of politicizing these two very important jobs, and I believe that in this case, the Chief of the size of these two departments, should be given a ten-year tenure.

PRESIDENT SANTY: Any other discussion?

MR. WIDER: Madam Chairman, while I appreciate the feeling of people organizing, and getting use to the size of the department, I am hoping that we can continue to still come up through the ranks and then we will have that organization, and I am afraid that we are dealing with a little bit of time. I think five years is adequate for us to know what a man is going to do, and if he doesn't do a job, we can at least get him out before he goes too far.

PRESIDENT SANTY: Thank you, Mr. Wider.

MR. LIVINGSTON: I will move the question.

PRESIDENT SANTY: There's a motion made to move the question. Is there a Second? Seconded.

MS. SUMMERVILLE: Point of information.

PRESIDENT SANTY: Yes, Ms. Summerville.

MS. SUMMERVILLE: Is Mr. Wider's intent when he is saying "man," he means a person? I'd like to hear the motion.

PRESIDENT SANTY: All in favor of moving the question, please say aye. Opposed? We're going to move the question. It's on Mrs. Gershman's amendment to increase that to 10 years. Please use your machine. Has everyone voted? The motion has PASSED 3 yes, 24 no, and 4 not-voting. Before we continue... SORRY, THE MOTION LOST, 3 affirmative, 24 negative and 4 not-voting.

Before we go any further, we only have four more minutes to wish Mr. Gaipa a happy birthday. His birthday is on the 14th. In four minutes, it will be Mr. Livingston's birthday. Happy birthday to you. They are both spending their birthdays with us.

MR. LIVINGSTON: We're on page 25 and page 26, there are a couple of changes at the bottom, a deletion. Page 27, has been deleted completely by the Charter Revision Commission. 28 also.

PRESIDENT SANTY: Mr. Wider, you have a question on what page?

MR. WIDER: On 27. Does that mean that the Deputy of the Public Works Commission position is being eliminated?

PRESIDENT SANTY: No.

MR. WIDER: They wrote it off.

PRESIDENT SANTY: Mrs. Hawe, did I miss your hand? We're going back to page 26. Mrs. Hawe, do you want to make your amendment now?

MRS. HAWE: At the bottom of page 26, I'd like to add a section to be known as 5-80-13. Should I read it and someone Second it?

PRESIDENT SANTY: Make the motion, yes, and get a Second to it.

MRS. HAWE: The new section will read, "Nothing in the above section shall be construed to prevent the Board of Representatives from enacting any ordinance governing the demolition of hazardous buildings."

PRESIDENT SANTY: Is there a Second? Several Seconds. Mrs. Hawe, would you like to address that?

MRS. HAWE: Yes.

MRS. HAWES: I think, probably, to explain it best, if I just might read one paragraph from the Corporation Counsel who has asked that this be included in the Charter as revised, and he says, "That Public Act 82-269 effective June 2, 1982, in re-affirming that the State building code was to be the building code for all Connecticut towns and municipalities, further provided that nothing in the Public Act was to be construed as preventing any municipality from adopting an ordinance governing the demolition of hazardous buildings." Some town have already adopted such an ordinance and Stamford is now considering one. To avoid any questions of conflict between perspective demolition ordinance and existing or proposed revisions to the Charter, Mr. Fraser suggested that the Commission considers the addition of this new section. In otherwords, this new demolition ordinance that we have discussed, Mr. Fraser feels that this addition to the Charter will prevent any kind of a conflict between the State law and that new provision. I urge the Board members to include this; to vote in favor of this. I'll give you the wording.

PRESIDENT SANTY: Thank you. It is Seconded. Any discussion? No discussion. We're going to move right to a machine vote on Mrs. Hawe's motion. Has everyone voted? The motion has PASSED 26 affirmative, 1 negative and 3 not-voting.

MR. FLOUNDERS: We restored all the references to the Commission of Public Works and eliminated that job as a five-year contract job except on page 25, we just ignored it altogether, and I think that that is something that we should address.

PRESIDENT SANTY: Would you like to make a motion, Mr. Flounders?

MR. FLOUNDERS: I'd like to move that on this page we go back to the original language.

PRESIDENT SANTY: Thank you. There's a motion made and Seconded. Any discussion? Seconded. On page 25.

MRS. GUROIAN: The references to the sections have to be changed. That has to be deleted.

PRESIDENT SANTY: The whole section would have to be deleted.

MRS. GUROIAN: It says, "pursuant to the provisions of Sec. 401," it's no longer in existance so you have to take 401 out of it. Am I right?

PRESIDENT SANTY: Do you accept that, Mr. Flounders?

MR. FLOUNDERS: I'm trying to establish section 401.

MR. DONAHUE: I believe that we stated in the beginning, and I believe it is the intention of the Chair, to write a letter to the Charter Revision Commission stating what our intentions were here tonight, and that I don't believe at this time, that we should be voting on these individual items. We have already changed the intent of the Charter Revision Commission, and we can make that perfectly clear to them. I believe the methodology of what they have to do next is totally up to them. They can agree with the Board or deny what this Board wants to do, but it's up to them to work the mechanics of it.

MRS. GUROIAN: I accept that and withdraw my motion.

PRESIDENT SANTY: Do you accept that, Mr. Flounders?

MR. FLOUNDERS: I agree with that, but we have not necessarily been consistent; in some cases, we have changed, and in some cases, we haven't.

PRESIDENT SANTY: We're just hoping, and I'm sure the efficient Commission will take into consideration our recommendations. Remember, they are coming back to us at the end of July for final approval. Mr. Livingston, I think we're on page 27?

MR. LIVINGSTON: 28, which has been deleted. Page 29, there are no changes. Page 30, page 31, page 32.

MR. WIEDERLIGHT: Madam President, I have a change on page 32.

PRESIDENT SANTY: Mr. Wiederlight, we'll go back to page 32.

MR. WIEDERLIGHT: I would like to propose, make a motion on section 5-80-33 Jurisdiction. This is under the Fire Department, and the first sentence shall read as follows, and it changes at the very end of the sentence. It will read, "The services of the Fire Department under the control of the Chief shall be limited to the City fire service district except in the case of an emergency," and I'd like to add the following, "or in establishing minimum standards of training for members of ambulance providers within the City of Stamford." Should I repeat that?

PRESIDENT SANTY: Yes, you should repeat that motion, and then we'll wait for a Second, and hand it to me. By the way, Mr. Dziezyc and Mr. Rybnick have left. We have 29 members present. We better go a little bit more quickly.

MR. WIEDERLIGHT: "Or in establishing minimum standards of training for members of ambulance providers within the City of Stamford."

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Would you like to speak to that, Mr. Wiederlight?

MR. WIEDERLIGHT: Yes, I would. This would give the Chief of the Fire Department the authority and power to establish minimum standards of training for all of the City of Stamford ambulance providers. At the present time, some of the ambulance providers in some districts are trained to a higher level than other districts, and it is a right and an obligation of all the people of the City of Stamford to have the same amount of medical care available to them, and I think that adding this and giving the Chief of the Fire Department the power and authority to make sure that these people get the services that they demand.

PRESIDENT SANTY: Thank you, Mr. Wiederlight. Any discussion?

MRS. GERSHMAN: Thank you. I agree that this is indeed a worthy thought, and I think that Mr. Wiederlight's purpose is quite commendable. I think that again, this is more or a departmental problem and should not really be in the Charter. I think that if we are trying to keep a tight Charter, this is an unnecessary adjunct to it.

PRESIDENT SANTY: Thank you. No other speakers?

MR. WIEDERLIGHT: I would like to address Mrs. Gershman's remark because it is a valid remark. Unfortunately, as the Charter stands right now, Mrs. Gershman, there is no authority by anybody to deem that a particular fire department's ambulance is trained up to any particular level of medical expertise. This will make it more uniform within the City. Thank you.

PRESIDENT SANTY: Thank you.

MRS. GOLDSTEIN: I agree totally with the concept that Mr. Wiederlight wants to promote here. I just would like it read again because I don't know that the addition really says what you want to say. Maybe it does but I am just not hearing it.

PRESIDENT SANTY: Section 5-80-33, add to the first sentence where it goes, "The services of the Fire Department under the control of the Chief shall be limited to the City Fire Service District, except in the case of an emergency or in establishing minimum standards of training for members of ambulance providers within the City of Stamford." I think it's clear. No other speakers, we are going to move right to a machine vote. Please use your machine. The motion PASSED 21 affirmative, 6 negative and 4 not-voting.

MR. LIVINGSTON: Page 33, there are changes at the bottom. Page 34, again there are deletions at the bottom of that page. Page 35. Page 36, there are no changes. Page 37, there are deletions.

PRESIDENT SANTY: If you can't keep up, just raise your hand. We have a lot to do. Mrs. Hawe, you won't be in trouble.

MRS. HAWE: Page 33, under Qualifications and Term of the Health Director. I want to reinstate it to say, "The Director of Health shall be a physician licensed in Connecticut, or in some other state having equal standards...."

PRESIDENT SANTY: Actually, you are going back to the original wording?

MRS. HAWE: Yes, I guess so. Yes.

PRESIDENT SANTY: You are going back to the original wording. Is there a Second to that motion? Several Seconds. Any discussion?

MRS. GOLDSTEIN: The only reason we have discussion, I agree with the intent of what Mrs. Hawe wants to do, but I believe that we had a motion that would tighten-up the procedure; make it stricter than the State Statutes, but yet not as restrictive as what we have. Such a suggestion was on our desk, I believe.

MRS. HAWE: Yes, the suggestion on our desk says, "That a bare minimum it would be desirable to have a physician with a Master's Degree in public health plus experience."

MRS. GOLDSTEIN: I think that part of our problem in terms of attracting future Health Directors will be the combination of requirements that are stated in the Charter. I believe that we ought to choose something other than what we have, but yet not as lax as the State statutes so I'm open to any changing.

PRESIDENT SANTY: The motion on the Floor is to restore the original qualifications.

MRS. GERSHMAN: Yes, thank you. I think that I would support the ...not Mrs. Hawe's amendment. I would support...

PRESIDENT SANTY: You're speaking against the amendment?

MRS. GERSHMAN: I am speaking against the amendment. Right. I think that the State statutes while they are loose, I think that they do cover it all, and I think that the qualifications that we want for a Health Director, should be under the provenience of the Health Commission, and should be the requirements in his job description. It should not be Charter ordained.

MRS. GERSHMAN: (continuing) There are public health departments in the State that are headed by nurses, not doctors, with Master's Degrees and public health experience.

MRS. HAWES: I want to withdraw the motion because what I really... I don't want to restore it to the original wording.

PRESIDENT SANTY: Mrs. McInerney, do you withdraw your Second? O.K., fine. No motion on the Floor.

MRS. GOLDSTEIN: To prevent us from having been incredibly restrictive, or the very loose State statutes, I would like to move that we substitute, "The Director of the Health shall be either a physician licensed in Connecticut or in some other state having equal standards, or an individual, a degreed individual in one of the medical fields with a Master's in public health." That would conform to the letter we received.

PRESIDENT SANTY: Is there a Second to that motion? Several Seconds. Any discussion. No discussion. Mrs. Goldstein, would you put that in writing and give that to me? We're voting on Mrs. Goldstein's motion. Please use your machine. Has everyone voted? The motion PASSED 18 affirmative, 10 negative and 3 not-voting.

MR. LIVINGSTON: Madam President, that takes us to page 38.

MR. WHITE: Wait a second. Thank you, Madam President. This calls for a combination of the Park Department and Recreation, Board of Recreation, does it not; it calls for the amalgamation of these two... on 35?

PRESIDENT SANTY: Mr. White, we are on page 38. What page are you on?

MR. WHITE: No, I wasn't. I went back to page 35.

PRESIDENT SANTY: Mr. Wiederlight is leaving. There are 28 members. You want to go back to 35, Mr. White.

MR. WHITE. Yes, if possible, Madam President? If not...

PRESIDENT SANTY: It's possible.

MR. WHITE: My only point is, is that I disagree very much with the amalgamation of these two departments. I think they ought to be separate because they're intrinsically separate in terms of...

PRESIDENT SANTY: Do you want to make a motion, Mr. White and wait for a Second and then you can speak to it?

MR. WHITE: I move that the separation of the Park Department and the Board of Recreation, the Recreation Department, be returned to what it was originally in the Charter.

PRESIDENT SANTY: Thank you. Is there a Second to that motion? Seconded. Mr. White, would you like to speak to that now?

MR. WHITE: Yes. I think that the consolidation of these two departments is quite unfortunate. I understand a desirous for efficiency but I think what is going to happen is that you are going to lose your green spaces, frankly. I think that once you bring these two together, I think that what is going to happen,

MR. WHITE: (continuing) Madam President, is that sooner or later, you are going to have the Recreation Department become superior, even if only for a short period of time. You are going to have active recreation that would be dominant, and I think what is going to happen is that you are going to lose your green spaces. I think all it would have to do is become dominant for a year or so. Once the macadam parking lots go down; once the trees come down, the green grass comes up, the flower-beds come up; once the stadiums and so on are constructed, they stay there. They never change. It's very much like, and I've used this analogy, like Isreal and their Arab neighbors. Isreal has won five wars in the last 30 years. All it has to do is lose the 6th war in the 35th year, and she is finished. I'm very much afraid that's what is going to happen to our green spaces, if, in fact, we have a marriage of these two departments. Thank you.

PRESIDENT SANTY: Thank you.

MR. DeLUCA: I think this is something that is way overdue as far as consolidating the two agencies together. This is something that has been happening throughout the country, and Stamford happens to be one of the few communities where they are separated. To say that by consolidating the two, one is going rule superior or the other, means we're not placing any faith or confidence in the people that are going to be running the commission. Right now, I firmly believe, that the way the operation goes now, we have a lot of inefficiency; we have duplication of services. People don't know who to go to as far as getting the grass cut on the field, or who maintains what field.

On Cove Island, the Parks Department picks-up the blue barrels, the Recreation Department picks-up the green barrels as far as trash. You go in other areas, the Parks Department cuts one side of the field; the Board of Recreation cuts the other side of the field. As far as having macadam parking lots, etc., I think the Environmental Protection Board and other agencies, the private citizens and the public in Stamford would, more or less, see to it that this would not happen. In fact, we're thinking along the lines of a green-belt in Stamford. As I said, this is something that is long overdue and it would be definitely as step in the right direction to consolidate the two.

PRESIDENT SANTY: Thank you, Mr. DeLuca.

MS. SUMMERVILLE: I agree with Mr. DeLuca. I don't think that by consolidating these two particular departments, that we are going to lose any green space. I can almost guarantee you that the cherry blossoms are going to be in Mill River. We are going to continue to have Cummings Park; we're going to continue to have the Cove. I think if this City does nothing else with this Charter, by putting these two commissions together, we have made one giant step for mankind. Thank you.

PRESIDENT SANTY: Thank you.

MRS. HAWE: I would like to urge my fellow Board members to keep this in the Charter, this consolidation of these two departments. I really feel that there are so many problems inherent with the separation of the Parks and Recreation Department, and I don't think that by consolidating them, one or the other of these functions is going to suffer.

Just as a brief example that I heard, and this is really ridiculous, it involves the life-guard stands down at the beach. The life-guards are under the jurisdiction of the Recreation Department. However, if one of the life-guards stands break, the life-guard has to report it to the Parks Department because the Parks Department is the department that fixes the life-guard stands even though the life-guards are

58. MINUTES OF SPECIAL MEETING FOR CHARTER REVISION JUNE 14, 1983 58.

MRS. HAWES: (continuing) under the jurisdiction of the Recreation Department. Things like this are really causing a lot of inefficiencies and over-lapping. I would urge the Board members to consider this consolidation of these two departments. I really think it would be in the City's best interest. Thank you.

PRESIDENT SANTY: Thank you.

MRS. McINERNEY: Move the question.

PRESIDENT SANTY: Mrs. McInerney is moving the question. Seconded. All in favor of moving the question, please say aye. Opposed? We're going to move the question which is on the motion made by Mr. White to separate the Parks and Recreation Departments; to go back to the original concept of the Charter. Not to separate them. The Commission has recommend separation. Has everyone voted?

MR. LIVINGSTON: Would you clarify that one more time?

PRESIDENT SANTY: We are voting on Mr. White's motion to separate the Parks and Recreation Departments. The Commission wants us to consolidate them; we're separating them. The motion has LOST 1 affirmative, 24 negative, and 6 abstaining.

MR. LIVINGSTON: Page 39. Page 40 has been deleted. Page 41 has been deleted. Page 42 has been deleted. Parts of page 43 have been deleted.

PRESIDENT SANTY: We now have 27 members present. Mr. Gaipa has left. Mr. Dixon is leaving. We have 27 members. We are now on page 43, Mr. Livingston?

MS. DeGAETANI: On page 43, in the new material on the Commission of Finance, the third sentence, it says, "The Commissioner shall serve at the pleasure of the Mayor and may be removed by the Mayor without cause shown." I think that sentence should be deleted. It is covered by the provisions of Sec. 5-80-2 which has already been mentioned in the second sentence.

PRESIDENT SANTY: There's a Second to that motion. Your motion is to remove the sentence, "The Commissioner shall serve at the pleasure of the Mayor and may be removed by the Mayor without cause shown." Any discussion?

MR. WIDER: ... go back to some of these items.

PRESIDENT SANTY: Mr. Wider, we have a motion on the Floor. That's what we are addressing. Any discussion on Ms. DeGaetani's motion? We're going right to a machine vote on Ms. DeGaetani's motion to remove that sentence on page 43. Has everyone voted? The motion has PASSED 19 affirmative, 1 negative and 11 not-voting.

MR. WIDER: On page 40, Examinations; Eligibility List, this is completely crossed-off. I think this was put in the Charter for a reason, and I'm really concerned to see that it was crossed-off.

PRESIDENT SANTY: Do you want to make a motion, Mr. Wider, to reinstate that?

MR. WIDER: I certainly would because that was the most effective thing we had in Civil service.

PRESIDENT SANTY: Is there a Second to that motion. Several Seconds. Any discussion?

MR. LIVINGSTON: Point of information. I'd like for Mr. Wider to give some explanation.

PRESIDENT SANTY: He is going to speak now.

MR. WIDER: Madam Chairman, all you have to do is read what they have crossed-off, and you will see why we had to go to Court. The firemen had to go to Court because of this impartial. We had put in the Charter where all examinations would be impartial. That shouldn't have been cut-out. It's very important. I was in talking with the Personnel Commission this morning and was reminded of these things. So, I don't think it should be cut out. It should be left in there.

PRESIDENT SANTY: Your motion is made and Seconded.

MRS GOLDSTEIN; I think Mr. Wider is a 100% correct. I think that this is so intrinsic to the Civil service system that it should remain in the Charter. It bears saying again.

PRESIDENT SANTY: Thank you.

MRS. PERILLO: Move the question.

PRESIDENT SANTY: There are no other speakers. We'll move right to a machine vote on reinstating 5-80-73, page 40. Please use your machine for a vote to reinstate that whole section that was deleted. Has everyone voted? The motion has PASSED 16 affirmative, 4 negative and 11 non-voting. Mr. Livingston, what page are we on now.

MR. LIVINGSTON: I believe we're on page 47.

MRS. HAWE: I would like to make a motion concerning Sec. 5-80-85.

PRESIDENT SANTY: It's got to be off the machine who left. The ones who recently left were Mr. Dixon, Mr. Gaipa. Ms. Summerville will assist you there.

MS. SUMMERVILLE: I will assist her over the mike this time, but when we announce it, it means action. Do what you have to do over there; push the button. Whatever you have to do, are you ready to do it? We'll wait for you, alright. Mr. Gaipa left. Mr. Dixon left. Mr. Tarzia left. Mr. Franchina left. Mr. Rybnick left. It's not a waste of time. It's a matter of correct information being kept on an important item as the Charter. Are you ready, Helen? Mr. Wiederlight has gone. Thank you, Mr. DeLuca, for giving us that information.

MRS. HAWE: Page 47 and it is regarding Sec. 5-80-85. Should I wait for a Second and speak on it?

PRESIDENT SANTY: What are you doing now?

MRS. HAWE: I want to change Sec. 5-80-85. There are a few problems.

PRESIDENT SANTY: Make the motion and then we'll get a Second to the motion.

MRS. HAWES: I want to change that section, some changes in it. I think I should read the new section that I want to put in that place. Much of it is the same.

PRESIDENT SANTY: Make the whole motion. Read the whole motion. Sec. 5-80-85 Appeals.

MRS. HAWES: It would read as follows: "Within five days after the conditional award of a bid, any unsuccessful bidder may appeal such conditional award by filing written objections and the reasons for such objections with the Mayor. The Mayor, the President of the Board of Representatives, The Chairman of the Board of Finance, the Commissioner of Finance, as a Board of Contract Appeals, shall proceed within a reasonable time to hear such appeal and sustain or deny it. In the event the appeal is sustained by the Board, it shall order the rejection of any and all bids and the readvertising of the subject matter of the conditional bid award which shall thereupon be deemed rescinded. If I get a Second, I'll explain.

PRESIDENT SANTY: There's a Second to that.

MRS. HAWES: There's two reasons why I'm moving that this be changed, and one of them is that if ^{you} look at the first line where it says, "Within five days, any unsuccessful bidder." Up there it speaks about the unsuccessful bidder, and down below, five lines from the bottom of that section, the line that starts the, "Board of Contract Appeals, shall immediately proceed to review such acceptance," so in otherwords, down below, they are talking about reviewing the acceptance of a bid, and on the first line, they are talking about unsuccessful bidders. What the Board of Contract Appeals is, is, if someone has not been awarded a bid, it gives them a vehicle by which to challenge it, and that would clear up that ambiguity. The other thing which the Corporation Counsel's office is advising that we change is the words, "acceptance of a bid" on the first line there and to change it to, "the conditional award of a bid," and it seems that if you write into the Charter, "The acceptance of a bid," there could be some legal problems with it. In otherwords, if someone was actually awarded a bid, and then an unsuccessful bidder challenged and won his appeal, the person who was given the bid could take the City to Court, but if you put the wording, "the conditional award of a bid," it only makes it conditional until such time as the appeal is settled.

PRESIDENT SANTY: I would like to interject at this time.

MR. BOCCUZZI: Mrs. Hawes, I agree with you, but is there anything in what you said giving the amount of time that that so called Appeal Board has to act? In otherwords, the unsuccessful bidder has five days, correct?

MRS. HAWES: Right.

MR. BOCCUZZI: How many days does that Board that you are talking about have to make a decision?

PRESIDENT SANTY: Can I answer that question because I serve on that Board?

MR. BOCCUZZI: What I'm driving at is that I wouldn't like to see a contract if there's a discrepancy or an unsuccessful bidder has an appeal; I wouldn't like to go for 30, 60, or 90 days.

PRESIDENT SANTY: What happens on the Board, Mr. Boccuzzi, and I have been on many of these appeals, is the decision is made that day. The Board goes in and makes their decision.

MR. BOCCUZZI: Within the five days?

PRESIDENT SANTY: As soon as the appeal is made and an appeal is heard by the Appeals Board, a decision is made at that meeting in private session, they come back.

MR. BOCCUZZI: That's what I mean. He got five days to make his appeal, but when does the Board hear it?

PRESIDENT SANTY: They make the decision on the day that they hear it. Yes.

MR. BOCCUZZI: Within the five days?

PRESIDENT SANTY: Yes. It's when the Appeals Board can set-up a meeting. When they can have the meeting, and usually I would say that it's withing two weeks. We have one pending now for the next couple of weeks. It's not within the five days. They can appeal and as soon as the group can get together; that's the dead-line at this purpose when you can get the Mayor, the President of the Board, and the Chairman of the Board of Finance, and another member there.

MRS. HAWE: That wasn't part of my motion but I'm sure you could amend it.

MR. BOCCUZZI: Could we amend that to say, "within 30 days after the appeal is received?"

PRESIDENT SANTY: Would you like to inject "30 days" there? Two weeks, 30 days, what do you think, Marie?

MRS. HAWE: I don't know. I've never sat-in on any of these and don't know really the workings of it, but that would seem reasonable to me, 30 days.

PRESIDENT SANTY: I know it's within the 30-day period.

MR. BOCCUZZI: I wouldn't like it to be drawn out.

PRESIDENT SANTY: It never has on the Boards that I've served on, but you can put the 30-day limit then? We'll add that. Is there a Second to add the 30-day limit?

MRS. HAWE: Where it says the, "Board of Contract Appeals, shall proceed within a reasonable time," we'll say, "shall proceed within 30 days."

PRESIDENT SANTY: Shall proceed within 30 days. There's a Second to that. Any other discussion?

MRS. GUROIAN: I would like it repeated again because I didn't quite get all of it.

PRESIDENT SANTY: Fine. We're on page 47, Section 5-80-85. Mrs. Hawe, do you want to repeat that motion?

MRS. HAWE: I'd like to change that section to read as follows, and there are several changes in it so I'll just read the whole thing. "Within five days after the conditional award of a bid, any unsuccessful bidder may appeal such conditional award by filing written objections and the reasons for such objections with the Mayor. The Mayor, the President of the Board of Representatives, the Chairman of the Board of Finance, the Commissioner of Finance, as a Board of Contract Appeals shall proceed within 30 days to hear such appeal and sustain or deny it. In the event the appeal is sustained by the Board, it shall order the rejection of any and all bids and the readvertising of the subject matter of the conditional bid award which shall thereupon be deemed rescinded."

PRESIDENT SANTY: That is the motion. Any other discussion?

MRS. GUROIAN: Can she just repeat the last sentence?

PRESIDENT SANTY: The last sentence, Mrs. Hawe.

MRS. HAWE: "In the event the appeal is sustained by the Board, it shall order the rejection of any and all bids and the readvertising of the subject matter of the conditional bid award which shall thereupon be deemed rescinded."

MRS. CONTI: I would like to ask what is the difference between the language, "conditional award" and "acceptance" and why are we changing from acceptance to conditional award?

PRESIDENT SANTY: I think Mrs. Hawe stressed that. Do you want to repeat that, Mrs. Hawe?

MRS. HAWE: According to Corporation Counsel, the word, "acceptance" has vested legal implications. In other words, if the word "acceptance" is written in the Charter, and someone is awarded a bid and then an unsuccessful bidder appeals through this Board of Contract Appeals, and his appeal is sustained, then the person who is given the bid, with this word, "acceptance" in there, can take the City to Court. However, if the word, "conditional award of a bid" is put in there, the City is safer on legal ground until such time as this Board of Contract Appeals makes its decision; as long as this word, "conditional" is in there, it doesn't tie the City in.

PRESIDENT SANTY: Thank you. Mrs. Guroian, do you have any further debate?

MRS. GUROIAN: If I followed it correctly, she's eliminating all reference to a Board of Representatives having any representation on this Body?

PRESIDENT SANTY: No, the President of this Board is always a member of this Body which is currently the procedure.

MRS. GUROIAN: O.K.

MR. DeLUCA: Move the question.

PRESIDENT SANTY: A motion has been made. A Second to move the question. Seconded. All in favor of moving the question, please say aye. Opposed? We'll move right to a machine vote on Mrs. Hawe's motion. Has everyone voted? The motion has PASSED 23 affirmative, 2 abstentions, and 1 not-voting.

MR. LIVINGSTON: Madam President, we're on page 48, 49, page 50 has been deleted. Page 51 has been deleted, page 52 has been deleted, page 53 has been deleted, page 54 has been deleted, parts of page 55 has been deleted, a small portion of page 56 has been deleted.

MR. DeLUCA: Page 56, Sec. 5, that's the only section we have. I'd like to delete the words, "the Majority leader, the Minority leader and the Standing Committee Chairpersons of said Board." This would be in keeping with our own Board of Representative rules as far as who can request an opinion from the Corporation Counsel. That's my motion.

PRESIDENT SANTY: The motion is to eliminate, "the Majority leader, the Minority Leader and the Standing Committee Chairpersons of said Board." We're on page 56, second sentence, section 5-80-113. Is there a Second to that motion? Seconded. Any discussion?

MRS. GOLDSTEIN: I don't agree even though it is our practice to follow all of these matters through the President of the Board, I do think that it's a good protection to have just in case there are any other members who want to get an opinion through. I think it's a good protection. I think we ought to keep it in. We put it in about four years ago, Madam President, I'm sure you remember, just for that reason, and I really think it should be retained. It's just common practice and courtesy to funnel it through the Chair.

PRESIDENT SANTY: Any other speakers? We'll move right to a machine vote, and it's on the motion made by Mr. DeLuca to delete, "the Majority leader, the Minority leader and the Standing Committee Chairpersons of said Board." Has everyone voted? The motion LOST 2 affirmative, 22 negative, 1 abstaining and 1 not-voting.

MR. DUDLEY: I happen to miss one page. I apologize. Page 55, under section 5-80-111 Qualifications: "No person shall be eligible for the Office of Corporation Counsel," and I would like to reinstate, "unless that person is a member in good standing of the Connecticut Bar and has been in active practice of his profession in Connecticut for at least five years."

PRESIDENT SANTY: There's a motion made and Seconded to reinstate those words that were eliminated by the Commission. Any discussion?

MRS. GERSHMAN: Thank you. I don't see why we have to have, "in Connecticut." I'd like to delete the words, "in Connecticut."

PRESIDENT SANTY: Mr. Dudley, you may speak to your motion. You're speaking against Mr. Dudley's motion.

MR. DUDLEY: My rationale behind that is #1, someone can be a member of the Connecticut Bar, and could be out-of-state as well. Could be a member of another Bar as well. I would like to see somebody from the City, but being realistic about it, it opens up a wider area covering the State of Connecticut and I think that someone should be well-versed in the City politics and the way the City operates in the City of Stamford, and somebody from out-of-state would not have that knowledge, and I think they should have the knowledge of the State of Connecticut.

PRESIDENT SANTY: Thank you.

MRS. MCINERNEY: Yes, I think that Jim is right. The Corporation Counsel often has to go and defend both the Charter and have a good knowledge of the Connecticut State laws, and I would like to see this retained or approved as suggested by Mr. Dudley.

PRESIDENT SANTY: Thank you.

MR. WHITE: I would disagree. I would think that many times you would want to get a Corporation Counsel (inaudible) to someone who is not necessarily an active professionalist, an active practice of his profession here in Stamford. In fact, I'd like to see Corporation Counsels appointed, quite frankly, who are not in practice here in Stamford, and possibly not in practice here in Connecticut. I think one of the great problems here in Corporation Counsels may be that, unfortunately, don't forget, they're part-time people; they go back to their profession here in Stamford, an awful lot of conflicts-of-interest involved. There are an awful lot of questions in terms of where their true loyalties may lie. I don't have to pursue this, but I think we understand such. I think one of the real problems here in Stamford with the Corporation Counsel is two-fold: #1, we do not have full-time Corporation Counsels, and we do not have them under contract. I'd like to see about 10 Corporation Counsels under five-year contracts working full-time for the City, paid anywhere, say from \$75,000 to \$100,000 a year, and then you would really have a law department that would start pressing the interest of the community full-time without having to worry whether or not their practice is going to be hurt because they're jacking-up some develop~~er~~ around town here. I think this may be, perhaps, a step in the right direction where we can start looking outside of people who are in active practice here in town, and in Connecticut. I would be in favor^{of} continuing this deletion, in fact, I would be in favor of really redoing this whole section at some future date.

I think the problem is now that we have a Law Department that is organized along a one-horse basis. We talk about the fact that we are a big town, unfortunately, that we're a big city, unfortunately, but some how or other, we are attempted to get along with a law department that is organized really on a one-horse basis that we use everytime it goes into court.

PRESIDENT SANTY: Thank you, Mr. White.

MR. DeLUCA: I pass.

MRS. MCINERNEY: Yes, I don't believe the motion was that the person would have been in active practice of his profession in Stamford, Connecticut for at least five-years. I must be a little bit confused. I thought the motion was in Connecticut, not Stamford, Connecticut. The other point is we couldn't hire a lawyer who practices in New York unless he also was allowed to practice in the State of Connecticut. He would not be able to defend the City. I, personally, would like to see somebody who has the expertise and the knowledge of practicing within the State for at least five years.

PRESIDENT SANTY: Thank you. Any other speakers?

MR. DUDLEY: If I may just clarify, I would like to change exactly what I said for clarification purposes. "No person shall be eligible for the Office of Corporation Counsel unless that person is a member in good standing of the Connecticut Bar and has been active in their practice in Connecticut for at least five years."

MRS. GERSHMAN: I, too, would like to clarify my statement; we live too close to New York. Many lawyers are licensed to practice in Connecticut, but they do also practice in New York. The good, sound citizens of Stamford, but not practicing in Connecticut which is too close to New York.

PRESIDENT SANTY: There being no further speakers, we'll move right to a machine vote on Mr. Dudley's motion. Please use your machine. Has everyone voted? The motion is DEFEATED 10 affirmative, 15 negative and 1 not-voting.

MRS. SAXE: I would like to move that we put the Labor Negotiator under the aegis of the Law Department. Thank you.

PRESIDENT SANTY: You're on page 55. Where are you adding that, Mrs. Saxe?

MRS. SAXE: If we have to add an additional number, it would be 5-80-115.

PRESIDENT SANTY: You are on page 56?

MRS. SAXE: That is right.

PRESIDENT SANTY: There is a motion made and repeat that motion once more,

MRS. SAXE: I move that we put the Labor Negotiator under the aegis of the Law Department.

PRESIDENT SANTY: Is there a Second to the motion? Mrs. Conti Seconded it. Mrs. Saxe, do you want to elaborate on that?

MRS. SAXE: Yes, I would like to elaborate on it. I would like to say that since he has to represent the municipality in many actions and proceedings, he should have the right and the counsel in constant use and at constant hand of the Law Department. I don't think he should be on another floor. I don't think he should have his own department. I think he should be part of the Law Department. Thank you.

PRESIDENT SANTY: Any other discussion?

MR. DONAHUE: ... In fact, what we are doing is reconsidering an action that we have already taken. I don't believe this motion is in order at this time.

PRESIDENT SANTY: That's right, Mr. Donahue. The Chair would have to agree with your ruling, and since I have appointed Mr. Donahue as Parliamentarian, you would have to move for reconsideration of what we have already done, Mrs. Saxe.

MRS. SAXE: Then I so move for a reconsideration. Seconded.

PRESIDENT SANTY: What side did you vote on? Were you on the prevailing side? It won; did you vote yes?

MRS. SAXE: I don't remember.

PRESIDENT SANTY: You don't remember. We'll have to go back and check the voting machine.

MS. SUMMERVILLE: Could we call a Teller?

PRESIDENT SANTY: Yes.

MS. SUMMERVILLE: They're going home, Madam President.

PRESIDENT SANTY: No, we have Mr. Stork. Mr. Stork, do you want to come up here and assist us, please? Is there another Teller? Who is the assistant Teller of the Democrats, Mr. Boccuzzi?

MR. STORK: Mr. Wiederlight and Mr. Blais.

PRESIDENT SANTY: They both have left. I would suggest that we come back to that. We will go ahead. For reconsideration, we will have to make sure you're on the prevailing side. She would have to be a yes vote.

MR. LIVINGSTON: Leaving page 58, that takes us to page 59.

PRESIDENT SANTY: We were just on page 56. We're on 57. Mrs. Maihock, do you have a question? We're on 59. We didn't go to 59 yet, Mrs. Maihock. We're on 57. Anything on 57?

MR. LIVINGSTON: If there is nothing on page 58, we will go to page 59.

PRESIDENT SANTY: Mrs. Maihock, do you have an amendment?

MRS. MAIHOCK: I'm making an amendment that the Assessor shall make a reasonable charge for the copies of the Grand List.

PRESIDENT SANTY: What section is that going to be under? Please give the page and the section.

MRS. MAIHOCK: It comes on page 59, at the top of the page, the first paragraph; the last section of the first paragraph.

PRESIDENT SANTY: "and a reasonable charge to be made for additional copies?"

MRS. MAIHOCK: Yes.

PRESIDENT SANTY: "Instead of one free copy," you're changing the wording?

MRS. MAIHOCK: Yes.

PRESIDENT SANTY: Just read me what the wording is.

MRS. MAIHOCK: "The Assessor shall make a reasonable charge for the copies of the Grand List."

PRESIDENT SANTY: You're eliminating, "one free copy." You're eliminating the free copy to charge for. Is there a Second to that motion? Is there a Second? No Second. The motion is not on the Floor.

MR. LIVINGSTON: We are on page 56. We are on page 60.

PRESIDENT SANTY: Before we go any further, I'm sorry, Mrs. Saxe, your motion is not on the Floor. You were not on the prevailing side.

MR. LIVINGSTON: Page 60 refers to a Transportation Department. Page 61. There's no comments. Page 62.

PRESIDENT SANTY: We're moving right along, Mr. Livingston.

PRESIDENT SANTY: We're on page 62.

MR. LIVINGSTON: Page 63

PRESIDENT SANTY: Page 63.

MR. LIVINGSTON: Page 64.

PRESIDENT SANTY: Page 64.

MR. LIVINGSTON: Page 65.

PRESIDENT SANTY: Page 65. I want you to understand that these are our recommendations. These are still coming back to us. There are several on page 65.

MR. WHITE: Thank you, Madam President. This is on page 63. It has to do with the Zoning Board and Planning Board, correct?

PRESIDENT SANTY: You are on page 65?

MR. WHITE: I'm on page 63. This is the Planning Board.

PRESIDENT SANTY: There's very little change on that from the original Charter.

MR. WHITE: Right. I understand, Madam President, why they didn't wish to change the present land use apparatus. They wish, in fact, to keep the question of the right of appeal to the Board of Representatives for land use decisions which they consider very, very important, and of the home rule act, if, in fact, they change it, we would lose that privilege, according to them.

But, there's a question of the Building Inspector and the Zoning Enforcement Officer. I really wish that those two jobs would be, in fact, separated.

PRESIDENT SANTY: Do you want to make a motion, Mr. White? What page and what section?

MR. WHITE: I don't want to wish to make a motion, Madam President. What I wish to do is to make a recommendation by this Board that, in fact, they seek a legal opinion as to whether or not, the Zoning Inspector's office and the Building Inspector's office can, in fact, be separated without violating this question of home rule and the question of appeal to the Board of Representatives? My point is, Madam President, that they salt the opinions of various lawyers here in town, various lawyers out of town; all these law firms in a day to day practice.

PRESIDENT SANTY: Mr. White, I agree with you. Would you please put that in writing when you get through?

MRS. McINERNEY: Madam President, a point of information. Mrs. Hawe and I are co-sponsoring a letter that was written tonight on the same subject.

MR. WHITE: My point is this, Madam President, I don't wish them necessarily to go to lawyers here in practice. What I'm asking to do is that, in fact, they go off to the Yale Law School, and, in fact, ask the lawyers there, experts in the Yale School on land use law, a municipal law, and on State constitutional law, and get an opinion from them if, in fact, it would violate land use, it would violate the home rule act. My point is that you are going to get an entirely

MR. WHITE: (continuing) different opinion, and probably a much more academic and learned opinion. Thank you.

PRESIDENT SANTY: Thank you. Mr. White, would you just jot that down for me. This is a recommendation that goes along with our proposal? Is this what you are suggesting?

MR. WHITE: That's correct.

PRESIDENT SANTY: We'll have to accept that as a motion. And there is a Second. We're discussing that.

MRS. CONTI: Thank you, Madam President. This is more or less a point of inquiry. Have the State Statutes been changed? I know in the past that the State Statutes required that the Building Inspector and the Zoning Enforcement Officer be the same individual, and unless that has been changed, we can't really do anything about it.

PRESIDENT SANTY: Mr. White, are you knowledgeable on that? I have no idea that it has been changed.

MR. WHITE: I believe it was changed; yes, I believe it was changed. In fact, I think some municipalities in the area have, in fact, taken that step to separate the two if I am not mistaken, but we can find out in terms of inquiry. Yale University is extremely knowledgeable along these lines.

MRS. GUROIAN: I recognize what Dennie White is saying, and I share some of his concerns especially about that particular issue, but I also would like to remind the Board that substantial recommendations have been made to the Commission. The Commission has something like one week in which to make all those changes if they should so deem.

The question of the changes in land use, I think that many of us feel more than that one issue that he has brought up should be done. It would be my feeling that rather than burden this Commission with making all the changes that we're proposing or whatever part of them that they chose to change, and also investigating this particular issue in the short time that they are allowed by law, is virtually an impossibility. It would be my feeling that perhaps the next Board should appoint a Charter Revision Commission just for the land use portion of the Charter, and then they would have more time to go into it extensively.

PRESIDENT SANTY: Mr. White, your motion was made and Seconded. Are you directing that letter to the Commission with our recommendations? In the beginning of this session, we decided that along with our recommendations, would go some rationale behind our thinking. Is this what you want us to do? To go on further? Remember, it is going back to the Commission for their approval, and they can review our recommendations and it is coming back to us for final approval.

MR. WHITE: I'm in something of a quandary, Madam President. I don't want to delay this or drag this out. My point was really more in the line of a letter on the part of this Board to the Commission, in fact, to perhaps use another resource, other than lawyers in private practice, to investigate this whole question.

PRESIDENT SANTY: That's very simple; then what we will send to this recommendation, we will include in that letter, it gets approval of lawyers or some evaluation from lawyers outside of the community.

MR. WHITE: Such as Yale University Law School; an academic background where they have no direct commitment.

MRS. MCINERNEY: I would like some clarification, Madam President. Just to refresh my memory, this packet is due back to the Commission by June 22nd, am I correct, Madam President?

PRESIDENT SANTY: Yes, Mrs. McInerney.

MRS. MCINERNEY: We have to have our recommendations on this report back by next week, the 22nd, next Wednesday.

PRESIDENT SANTY: It has to be in their hands on the 22nd.

MRS. MCINERNEY: I assume we will be here very late this evening since we're only on page 63.

PRESIDENT SANTY: Mr. White, we can send a letter with a recommendation. That's what we said we would do in the beginning. Let's go on further. That's just a recommendation, we don't have to vote on that.

MRS. SAXE: Thank you, Madam President. I move that we remove the Public Works Commission, the Health Commission, the Public Welfare Commission, the Parks and Recreation Commission, and the Sewer Commission from the Charter. Thank you.

PRESIDENT SANTY: Is there a Second to that motion? We're on page 63(b). Is there a Second to that motion? Sorry, for lack of a Second, there is no motion on the Floor.

MRS. CONTI: Are we on 65 yet?

PRESIDENT SANTY: I think we are. Mr. Livingston, where did we leave off?

MR. LIVINGSTON: We left off on page 65.

PRESIDENT SANTY: We're on 65 now.

MRS. CONTI: I wish to address a point here. Under Section 6-00-9 Meetings and Expenses: I wish to delete the very last sentence in the very last paragraph on that page which reads, "However, subject to appropriation, the members of the Board of Representatives may be reimbursed for out-of-pocket expenses." I would like to delete that.

PRESIDENT SANTY: Is there a Second to that motion. Seconded. Would you like to address that?

MRS. CONTI: Yes, I would. We all ran for office knowing that there was no reimbursement, no payment for our services, and to change courses in the middle of the stream, so to speak, would not be fair.

MRS. CONTI: (continuing) Also, if we should be reimbursed, then every other Board and Commission member serving anywhere should also be reimbursed.

PRESIDENT SANTY: Thank you, Mrs. Conti. Mrs. Gershman, you have another motion, do you not?

MR. FLOUNDERS: Thank you, Madam President. I would like to move on page 62.

PRESIDENT SANTY: We have a motion on the Floor. Can we complete this first, Mr. Flounders?

MR. FLOUNDERS: Sorry.

PRESIDENT SANTY: We have a motion. Does anyone want to address Mrs. Conti's motion?

MRS. GOLDSTEIN: I disagree with Mrs. Conti. I do believe that subject to appropriation that the members of the Board to be reimbursed for out-of-pocket expenses. I really thought that they should be paid but because the size of the Board wasn't decreased, I am not going to move that now, but I hope that we at least keep the expenses for the 40 members.

PRESIDENT SANTY: Thank you.

MS. SUMMERVILLE: I don't know if this is the right order but I would like to amend the motion to state the out-of-pocket money to not exceed \$1,000.00.

PRESIDENT SANTY: No, that's not proper at this time because the motion is to delete the whole section.

MS. SUMMERVILLE: When the proper time comes.

PRESIDENT SANTY: You can be next. Any other discussion? No, we're going to move right to Mrs. Conti's motion which is to delete that sentence, "However, subject to appropriation, the members of the Board of Representatives may be reimbursed..." If you agree with her motion to delete it, you vote yes. Has everyone voted? The recommendation has PASSED 13 affirmative, 11 negative, and 2 not-voting. Ms. Summerville, you wanted to make a motion? We've deleted that so it is out; it's not proper at this time.

MS. SUMMERVILLE: Point of information.

PRESIDENT SANTY: Yes.

MS. SUMMERVILLE: Madam President, I see now that Mrs. Gershman wants to go back, which she has a right. Mr. Flounders wants to go back. Through the Chair to Mr. Livingston, I think Robert's proper ruling would be that you repeat the page twice, if there are no persons wishing to speak on that page, Madam Chairman, that you rule that we do not deviate and keep going back because we will be here all night if we keep going back.

PRESIDENT SANTY: This is the last time we are going to do it. Mrs. Gershman is first. Mr. Livingston will repeat the page, I'll repeat the page and then we're going ahead.

MRS. GERSHMAN: Mine is on page 64. I would like to put a cap on how many years any one person can spend on a Board or a Commission, and to that end, under Section 6-00-3 (b) which is at the top of the page, at the end of it where they talk about how the Mayor shall make nominations and how they should be appointed, I'd like to add, "No member of a Board or Commission shall serve on the same Body for more than two consecutive terms if the term of appointment is five years, or three consecutive terms if the term of appointment is three years."

PRESIDENT SANTY: Mrs. Gershman, I think you are on Section 6-00-4. Is there a Second to that motion? Seconded. Discussion? Mrs. Gershman, may I have that in writing. No discussion.

MR. DONAHUE: I believe early this evening, we've already discussed something very similar to this motion. It was elected officers; I realize that. That's why I said it was similar to the issue, and I think the points that were raised then are also important when deciding on this, and I do not believe this should be accepted by this Board.

PRESIDENT SANTY: Mrs. Gershman has put that under Section 6-00-3, under (a). Actually, it would be at the bottom of page 63, Mrs. Gershman. Further discussion?

MR. WIDER: Madam Chairman, I refuse to accept the idea. We're going to discourage people from participating in the government if they serve more than two terms. I feel that instead of discouraging them, we should encourage them; instead of asking them to get out if they are doing a fairly decent job, I would say that we should encourage them to participate. I don't think we can legislate the times when a person can be dedicated to serving.

PRESIDENT SANTY: Mr. Livingston, do you want to speak to this?

MR. LIVINGSTON: I agree with Mr. Wider. It is up to the voters to terminate participation on Boards.

PRESIDENT SANTY: Thank you. There are no other speakers. We'll move right to the question on Mrs. Gershman's amendment. Does anyone want it read? No, we'll go right to a vote. Has everyone voted? The motion LOST 5 affirmative, 19 negative and 2 not-voting.

MR. FLOUNDERS: Thank you, Madam President. Going back to page 62, I'd like to move that we eliminate the deletion of the Public Works...that we delete the Public Works Commission which is out of there. This in my judgement will only serve to reduce the accountability of the Public Works Department. It's counter-productive, and it will politicize it. The Parks and Recreation Commission and the Stamford Golf Authority are the combinations of former Boards and former Commissions. But I see no reason for a Public Works Commission and I move that we delete it.

PRESIDENT SANTY: Is there a Second to that motion. Seconded. Do you want to speak to that, Mrs. Maihock?

MRS. MAIHOCK: I agree with Mr. Flounders. I think that it is an unnecessary creation. The Board of Representatives through its control of the City's purse-strings can indirectly provide oversight and encourage efficient, accountable management. Also, a competent Public Works Commissioner should be able to administer his department efficiently, and effectively. It could happen that the Public Works Commission would not have equivalent expertise since this department deals with engineering and technical matters, and it could be counter-productive to the performance of the Public Works Commissioner.

PRESIDENT SANTY: Thank you, Mrs. Maihock.

MR. DONAHUE: I think the real issue here is the issue of continuity that has been raised so often in the past, and one of my main feelings about a Public Works Commission is that when we change Commissioners once every two years, or thereabouts, that something be left behind to make sure the projects started are completed, or even projects started are begun, in some respects, so I believe this should stay in the Charter.

PRESIDENT SANTY: Thank you.

MR. BOCCUZZI: This happens to be one of the recommendations that I made to the Charter Revision Commission. I just feel that the way the budgets are set-up now in the City, we no longer control what actually happens, in not only the Public Works Department, but any department where you have the situation where you have groups within the department, and you have a different amount of groups under one salary line per se or whatever.

I think it's the second largest expenditure in the City of Stamford. I think that a Commission overseeing the operations of the Public Works Department serves more than just looking at the Public Works Commissioner. It also serves notice on department heads within the Public Works Department that they have a job to do. It also, at leasts, gives the people who work through the Public Works Department someplace to go if they have some sort of a grievance. All around, it is a good thing for the City. You're protecting one of the larger departments with a group of people. You have continuity from one Public Works Commissioner to another. You have the possibility of bringing the morale of the people that work in the Public Works Department up. You don't have one individual in the Public Works Department, and this is no reflection on any one person, who is in a place of authority to be able to do anything or prevent anyone from within the Department, from getting a promotion. I think it's a good check on what is going on in the Public Works Department. It is nothing against the Commissioner of Public Works. It's good for the whole Department. There are a lot of department heads and what-not in the Public Works Department that feel that due to their status, they could do things to the people who work under them, and the people who work for them have no comeback.

PRESIDENT SANTY: Thank you, Mr. Boccuzzi. Any other speakers?

MRS. SAXE: Thank you, Madam President. I think to have a Public Works Commission or any of the other Commissions is a reduction of the power of the Mayor, and this Charter is supposedly structured to give the City a Mayor with power; we are taking it away from him.

I also feel that the department heads are visible to the rest of us, and, therefore, they have to be accountable. If we put people that are not professionals on these Commissions and ask them to do the day-to-day work of the department, it takes away the accountability, and I think we are foolish; it's a bad business move, and I think the Mayor and his way of appointing should be held responsible as the Commission should be held responsible for the departments that they are asked to manage. We should not be putting ourselves in a position of second guessing them or an out. Thank you.

MRS. GUROIAN: I think the Public Works Commission, if I remember the discussion by the Charter Revision Commission, was put in after they decided to make the Public Works Commissioner, Director of Public Works, under contract. Because he was a professional under contract, they felt as though there should be a Commission as an overseeing body. Since we have now decided that we revert back to the Commissioner of Public Works as a political appointee, directly in the Mayor's Cabinet, I don't see the purpose for a Public Works Commission any more. It just doesn't make sense. You argued against a contract position so that the Commissioner of Public Works would be part of the Mayor's Cabinet, part of his team, etc., etc., and then instead of the Mayor, you put a Commission over him. To me it just doesn't make sense; one or the other. Either have him a contract person with a Commission or have him a public appointee beholding to the Mayor without the Commission.

PRESIDENT SANTY: Any other speakers?, We'll move right to the question. There is no other speaker. We'll move right to the question. The question is on the motion by Mr. Flounders to eliminate the Public Works Commission on page 62. Please use your machines; to eliminate the Public Works Commission from Appointive Boards and Commissions. Has everyone voted? The motion has PASSED 17 affirmative, 8 negative and 1 not-voting. Mr. Livingston, what page are we on now?

MR. LIVINGSTON: We're on page 65 now, Madam President.

PRESIDENT SANTY: You have a change on 65?

MR. STORK: No, I wish to make another motion. I'd like to move for adjournment until 7:30 tomorrow night, Madam President.

PRESIDENT SANTY: There's a Second to adjourn to tomorrow night. Do you realize that there are many people here that won't be here tomorrow night, Mr. Stork?

MS. SUMMERVILLE: I'd like to amend the motion.

PRESIDENT SANTY: Yes, Ms. Summerville.

MS. SUMMERVILLE: I'd like to amend it to 6 o'clock in the morning so the second shift could come in. The ones that went home early are sleeping already.

PRESIDENT SANTY: The motion is made to adjourn to 7:30 tomorrow. It's not debatable. You better consider that carefully when you vote this.

Ms. Summerville, you want to amend it to make it 6 o'clock tomorrow morning?

MS. SUMMERVILLE: Yes.

PRESIDENT SANTY: The motion is on the Floor to make it 6 a.m. tomorrow morning. No Second to that amendment. The motion is not on the Floor. We're voting on Mr. Stork's motion to adjourn to 7:30 tomorrow night bearing in mind, that there are many people that won't be able to come here tomorrow night. Use the machine. Has everyone voted? The motion has LOST 11 affirmative, 11 negative and 4 not-voting. Mrs. Goldstein, you have an amendment on what page?

MRS. GOLDSTEIN: On page 65, this is a recommendation for the Commission to act on.. I would like them to strenghten the powers of the Health and Welfare Commissions. I would leave it as loose at that because when I mentioned this to several commission...

PRESIDENT SANTY: Mrs. Goldstein, proceed with the motion on page 65.

MRS. GOLDSTEIN: I move that the Commission strengthens the powers of the Health and Welfare Commissions.

MRS. GUROIAN: I don't see that on page 65.

MRS. GOLDSTEIN: I'm adding it.

PRESIDENT SANTY: You're adding a new section?

MRS. GOLDSTEIN: No, I'm adding it as a recommendation. I don't know where else to put it quite frankly. It should really be wherever they discuss the Health Department; wherever they discuss the Welfare Department, but since this is a whole section on Commissions, I think that the sentiment could be here.

PRESIDENT SANTY: Mrs. Perillo said that it would be on page 94.

MRS. GOLDSTEIN: What about the Welfare Commission?

MRS. PERILLO: The next page.

MRS. GOLDSTEIN: O.K., we'll wait until then.

PRESIDENT SANTY: Mr. Livingston, what page are we on now?

MR. LIVINGSTON: We'll be moving off 65 if there are no more amendments. Page 66, page 66. Page 67, page 67 which has been deleted.

PRESIDENT SANTY: One moment. Before we go any further, Mr. DeLuca is leaving and Mr. Flounders is leaving.

MR. LIVINGSTON: Do we still have a quorum, Madam President?

PRESIDENT SANTY: We're leaving off on page 66, Mr. Livingston?

MR. LIVINGSTON: I had announced page 67 two times. That is where we are.

PRESIDENT SANTY: We're still on page 67, and the problem is that we are losing people. I think we are down to just barely 21. I think at this point, I would accept a motion from the Floor that we recess for three minutes while Leadership meets. I think it's very important at this time.

MRS. MCINERNEY: So moved, Madam President for a three minute recess.

PRESIDENT SANTY: I please ask Leadership to come to the front of the Board.

MS. SUMMERVILLE: I'd like to tell the sergeant at arms to make sure that all 21 stay while we are meeting.

PRESIDENT SANTY: Would you please stay. Would you stay three minutes while Leadership meets? Please ask the members to stay. We're trying to decide on a date.

PRESIDENT SANTY: Will the meeting please come to order. I want to make sure we have 21 members present. Would everyone please take their seats and I would ask Mr. Stork to count heads, hands and feet. We are on page 67. A lot of the proposals that came before us tonight were lengthly, debated proposals. We are on page 67 now. Mr. Wider, I know you have some changes on page 67.

MR. STORK: Madam President, I count 24.

ADJOURNMENT:

MRS. MCINERNEY: Madam President, I'd like to make a motion at this time, to adjourn the meeting to Friday night at 6:00 p.m. to finish the balance of the work.

PRESIDENT SANTY: A motion has been made to adjourn this meeting until Friday, at 6:00 p.m., and the motion has been Seconded. Do we have any problem with that as being a Special Call of the Meeting as Parliamentary? Do you think another Special Call has to be initiated? We have a quorum present. It's in order.

MRS. GUROIAN: I can't come from New York by 6 o'clock.

PRESIDENT SANTY: A motion has been made and Seconded. We can defeat it, and then, Mrs. Guroian, you can make another, if you would like, and make it a later time. All in favor of adjourning until 6:00 p.m. on Friday, please use your machine. If this is defeated, Mrs. Guroian, you can make another motion. I remind you that the meeting is in session, and there is no smoking. The motion is LOST. Mrs. Guroian, would you like to make a motion?

MRS. GUROIAN: I move that we adjourn to 7 o'clock on Friday.

PRESIDENT SANTY: A motion has been made by Mrs. Guroian and Seconded to adjourn until 7:00 p.m. on Friday, the 17th. As soon as the machine is cleared, we'll use the machine.

MR. WIDER: Madam Chairman, may I ask a question?

PRESIDENT: It's not debatable. We're going to vote as soon as the machine is ready.

MR. WIDER: I'm not debating the question. I just want to know what is going to be the line of communication; people have already left here?

PRESIDENT SANTY: We're going to send out a notice tomorrow morning. Please vote on Mrs. Guroian's motion; 7:00 p.m. on Friday. Has everyone voted? Please vote. The motion has PASSED 15 affirmative, 14 negative, 1 abstaining, and 6 not-voting. The meeting is adjourned until 7:00 p.m. this Friday, and a notice will go out to all the members in the morning.
(ak)

THE MEETING IS ADJOURNED AT 1:45 A.M., with the clean-up squad remaining a while. and will be continued on FRIDAY, JUNE 17, 1983 at 7:00 P.M.

By

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

APPROVED:

JLS:AK:HM
Encls.

Jeanne Lois Santy
Jeanne-Lois Santy, President
17th Board of Representatives