

MINUTES OF REGULAR BOARD MEETING

WEDNESDAY, NOVEMBER 7, 1984

18th Board of Representatives

Stamford, Connecticut

A regular monthly meeting of the 18th Board of Representatives of the City of Stamford was held on WEDNESDAY, NOVEMBER 7, 1984, in the Legislative Chambers of the Board in the Municipal Office Building, Second Floor, 429 Atlantic Street, Stamford, Connecticut.

The meeting was called to order at 8:35 P.M. by President Sandra Goldstein, after both political parties had met in caucus.

INVOCATION was given by Deacon Handy Dixon, a member of the Board of Representatives:

"Let us pray. Our Father and our God, we are truly thankful for this day where in it, there are many good blessings, together with the opportunity to meet again and collectively work for the good and welfare of this, our City. As we proceed in good faith and with good intentions, we recognize our shortcomings, Oh, Lord, and therefore seek your presence and directions that we may be better able to create an atmosphere of peace and love, and be better able to labor through these hours unselfishly for our City and our fellow man. We ask your continued blessings on this Board and all its members. And, if you will, dear God, help us to make Stamford a city of love and a decent place in which to live. These and other blessings we ask with the forgiveness for our wrongdoings. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Goldstein.

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were 33 members Present and 7 Absent at the taking of the Roll. Absent were Reps. Schlechtweg, Santy (excused), Hogan (resigned), Signore (excused), Owens, Deluca (excused), and Skovgaard (excused). After Claire Fishman was sworn in to replace John Hogan, the attendance was 34 Present and 6 Absent.

The CHAIR declared a QUORUM.

MACHINE TEST VOTE: The President conducted a test of the voting machine. It was found to be in good working order with the exception of one voting position which will be corrected after a new circuit board is obtained.

PAGES: Ms. Dawn Finn
Ms. Kerry McGarry

The President thanked the Pages for coming this evening and assisting the Board.

MOMENTS OF SILENCE:

For the late MRS. MAE ROHACIK, who was the sister of Jerry Rybnick, and was a lifelong resident of Stamford. Submitted by Rep. Jachimczyk.

For the late GRACE DOHERTY of Forest Lawn Ave. Submitted by Rep. James Dudley.

For the late MRS. CHARLOTTE JONES, who lived at 28 Perry St. Submitted by Rep. Jeremiah Livingston.

For the late MRS. ALICE QUIRK, who was the mother of Rep. Mary Jane Signore. Submitted by Rep. Barbara McInerney.

For the late MRS. MARY ANNE CONAN, a wonderful wife, mother, friend, and citizen of the City of Stamford. Submitted by Rep. Burke.

For the late WILLIAM LOWE, who resided on Hundley Court. He was a local musician, a former member of the Stamford Special Police, and a very interested and active citizen. Submitted by Rep. Betty Conti.

For the late JEROME EHRENZWEIG, who formerly lived in Strawberry Hill Avenue, and died at the Hospice Center in Branford. He served in the Air Force in World War II. Submitted by Rep. David Blum.

RESIGNATION OF JOHN J. HOGAN, JR., 12th District (Democrat):

PRESIDENT GOLDSTEIN said she received a letter dated Oct. 23, 1984, which she wished to read to the Board:

"Dear Madam President:

"It is with a great deal of regret that I submit this communication to you as my formal resignation from the Board of Representatives of the City of Stamford as a Representative of the 12th City District. I find it necessary to take this step because of personal reasons and family obligations. In addition, I will no longer reside in the 12th District. I would like to thank all of the residents of the 12th City District for granting me the opportunity to serve and represent them as their voice on this Board for many years. I have done my best. I hope it was good enough. To my colleagues on the Board and to all past members with whom I have been privileged to serve, let me say a humble thank you. Although we may have differed on many issues and actions, I feel that we were always united in striving to make a good Stamford and even better Stamford. I shall miss you all. (Cont'd.)

(continuation of John J. Hogan's letter of resignation):

"In exercising my prerogative to place before the Board the name of my successor, I found no easy task. It consumed a great deal of time and thought, and I can honestly say that many of the people who expressed a desire to serve, did possess the qualifications desired. I feel I have selected the person who will best represent the whole people of the 12th District and the City. In view of the foregoing, I would like to place before the members of the Board, the name of Claire Fishman of 43 Arlington Road. She comes before the Board with an excellent educational background, varied employment experience, and is politically active in the Democratic Party, serving on the City Committee. Most important of all, I believe that she will work not only in the best interests of the people of the District, but for the benefits of the residents of Stamford.

"Once again, let me thank each and every member, past and present, for all their considerations and advice during my term on the Board. I shall be forever grateful for the opportunity to serve with such outstanding and devoted people. God bless you all. Signed John Hogan."

PRESIDENT GOLDSTEIN said she has served now with John Hogan for five years. She was surprised and saddened by his letter. He served the City with distinction and intelligence. He was Vice-Chairman on the Fiscal Committee. He was Parliamentarian during her presidency for three years, and was President Santy's Parliamentarian for two years. She will truly miss him.

MR. WIDER said he, too, will miss Mr. Hogan. He served with him on the Labor Council, and then on the Board of Representatives.

MR. BLUM said Mr. Hogan served the District with dignity and gave it a lot of time at all hours so the constituents were served by both Mr. Hogan and himself. Mr. Hogan has been a lifelong resident of Stamford and Mr. Blum knew him before he came on the Board. He appointed Mr. Hogan to replace Michael Morgan who had held that seat. Mr. Blum intends to nominate Mrs. Fishman to the vacancy, after other members have had their say.

MR. BOCCUZZI said it has been a pleasure to work with Hogan. He is the type of person who would listen, and even if he disagreed with you, he respected you. He, too, will miss Mr. Hogan. He is sorry to have him leave Stamford.

MR. LIVINGSTON said Mr. Blum said it so well. He did not know Mr. Hogan before, but because of Mr. Livingston's high regard for Mr. Blum, he welcomed Mr. Hogan to this Board. He feels very proud that despite differences all Board members may have with each other, that Mr. Blum has made the same comments tonight that he did five years ago. That District has been well-represented because of those two fine gentlemen's efforts.

MRS. MCINERNEY recalls the hours that Mr. Hogan spent researching our ordinances and spent several days in the library. The City has lost a person who had the time and ability to give of himself. She wishes him health and happiness in Bridgeport.

MRS. MAIHOCK said she is sad that Mr. Hogan has resigned. Many times he came to Board meetings when he was not in the best of health. She wishes him well in his new phase of life. His contributions are appreciated.

MR. DUDLEY said his sentiments have pretty much already been echoed throughout the room tonight. Other than that, the City will miss Mr. Hogan. He was always available for anyone's help on this Board, as well as in his District. It was a pleasure having known him. He is not gone. He will always be around. Mr. Dudley's good wishes go to Mr. Hogan.

PRESIDENT GOLDSTEIN said the next Order of Business, pursuant to Charter Section 201, entitled "Vacancy", is that the Board elect a successor to serve for the remainder of the term of John Hogan. She will entertain nominations.

MR. BLUM placed in nomination the name of CLAIRE FISHMAN, a worthy lady, who now serves with him on the Democratic City Committee. She lives at 43 Arlington Road. She has excellent educational credentials. Her work experience is in teaching worldwide. Her political experience is wide.

PRESIDENT GOLDSTEIN asked if there were any other nominations, and there being none, nominations were declared closed on motion of Rep. Lathon Wider. Seconded by several. By voice vote, the motion carried unanimously. The President instructed the Clerk to cast one ballot on behalf of Mrs. Fishman.

ELECTION OF CLAIRE FISHMAN TO 12th DISTRICT SEAT ON THE BOARD.

PRESIDENT GOLDSTEIN administered the Oath of Office to Claire Fishman, after which Rep. Fishman took her seat on the floor of the Board.

The President requested that Rep. Donald Donahue act as Parliamentarian this evening.

PRESIDENT GOLDSTEIN announced that ^{on} Thursday, November 19, 1984, there will be a meeting at Cloonan School regarding UNACCEPTED CITY STREETS. Everyone has been sent a notice of this. Many Representatives have, in their respective Districts, streets which are unaccepted and pose great problems. Corporation Counsel, Public Works Commissioner, the Mayor, Board members, the Board of Finance, will be in attendance. The meeting will begin at 7:30 P.M. This meeting is a public meeting and everyone can attend.

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Sandra Goldstein

MR. BOCCUZZI Moved to Waive the Reading of the Steering Committee Report. Seconded. Carried by voice vote.

STEERING COMMITTEE REPORT

The Steering Committee met on Wednesday, October 17, 1984, in Conference Room II in the Board of Education Administration Building located on Hillandale Avenue. The meeting was called to order at 7:35 p.m., at which time a quorum was present, by Chairwoman Sandra Goldstein.

PRESENT AT THE MEETING:

Sandra Goldstein, Chairwoman	Cadie Vos	Thomas Burke
Annie M. Summerville	David Blum	John Mallozzi
John J. Boccuzzi	Donald Donahue	Audrey Maihock
Scott Morris	Barbara McInerney	Dennis White
Gerald Rybnick	Handy Dixon	Len Gambino, WSTC
David Martin	Robert Skovgaard	Dave Bauder, Advocate
John Schlechtweg	Maria Nakian	Sherry Dorfman
Robert DeLuca	Alfred Perillo	Anne Kachaluba
Lathon Wider	Ruth Powers	

1. APPOINTMENTS

ORDERED ON THE AGENDA were five of the seven names appearing on the Tentative Steering Agenda and one name appearing on the Addenda to the Steering Agenda. ORDERED ON THE PENDING AGENDA were the names of Sanchia Spadow and Gordon Micunis, both for the Coliseum Authority.

2. FISCAL COMMITTEE

ORDERED ON THE AGENDA were all eight items appearing on the Tentative Steering Agenda and three items appearing on the Addenda to the Tentative Steering Agenda.

3. LEGISLATIVE AND RULES COMMITTEE

ORDERED ON THE AGENDA were five of the six items appearing on the Tentative Steering Agenda. ORDERED HELD IN STEERING was the item for publication, proposed ordinance amending Ord. No. 483 Concerning the reduction and control of noise, deleting Sec. 5.5a; deleting 5.5e; amending Sec. 10 Penalties and new Sec. 13.

4. PERSONNEL COMMITTEE

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

5. PLANNING AND ZONING COMMITTEE

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

STEERING COMMITTEE REPORT (continued)

6. PUBLIC WORKS AND SEWER COMMITTEE

ORDERED ON THE AGENDA were three of the four items appearing on the Tentative Steering Agenda. ORDERED ON THE PENDING AGENDA was the item concerning the deterioration of property of Chester Falzetti, 19 DuBois Street, due to City's job being done improperly when sewers installed in area.

7. HEALTH AND PROTECTION COMMITTEE

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

8. PARKS AND RECREATION COMMITTEE

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

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

No items appeared on the Tentative Steering Agenda.

10. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Suspension of the Rules was approved to add an item on the Agenda and that item being the Status Report on Broodmoor Housing.

11. URBAN RENEWAL COMMITTEE

No items appeared on the Tentative Steering Agenda.

12. ENVIRONMENTAL PROTECTION COMMITTEE

No items appeared on the Tentative Steering Agenda.

13. TRANSPORTATION COMMITTEE

Suspension of the Rules was approved to add an item on the Agenda and that item being the Matter of the proposed rate increases in parking costs at the Bell and Bedford Street garages.

14. HOUSE COMMITTEE

No items appeared on the Tentative Steering Agenda.

15. CHARTER REVISION AND ORDINANCE COMMITTEE

No items appeared on the Tentative Steering Agenda.

16. COLISEUM AUTHORITY LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

STEERING COMMITTEE REPORT (continued)17. LABOR CONTRACT LIAISON COMMITTEE

ORDERED moved to this Committee was an item appearing on the Tentative Steering Agenda under Resolutions and that item was the Sense-of-the-Board Resolution Concerning the binding arbitration of Municipal Employee Contracts.

18. RESOLUTIONS

ORDERED removed and to be placed under the Labor Contract Liaison Committee was the Sense-of-the Board Resolution Concerning the binding arbitration of Municipal Employee Contracts.

ADJOURNMENT

There being no further business to come before the Steering Committee, upon a motion made, seconded, and approved, the meeting was adjourned at 8:20 p.m.

SANDRA GOLDSTEIN, CHAIRWOMAN
STEERING COMMITTEE

SG:ak

APPOINTMENTS COMMITTEE

MR. DIXON said the Appointments Committee met on Thursday, Nov. 1, 1984, at 7:30 P.M. in the Conference Room of the Board of Education Administration Building. Committee members present were Reps. Summerville, Boccuzzi, Schlechtweg, M. Perillo, and Handy Dixon.

Mr. Dixon Moved to the Consent Agenda Items #3, 4, and 5.

HUMAN RIGHTS COMMISSIONTerm Expires

(1) <u>MR. MIGUEL GARCIA</u> (D)	Reappointment	Dec. 1, 1987
27 Northhill Street		

MR. DIXON Moved for Suspension of Rules to take Miguel Garcia out of committee since the Committee did not have a quorum during his interview. Seconded. Carried, voice vote.

MR. DIXON said this is a reappointment to the Human Rights Commission for Mr. Garcia. He was confirmed by the Board at the July meeting to finish out an unexpired term which will expire Dec. 1, 1984. The Appointments Committee proceeded unofficially to interview Mr. Garcia without a quorum being present, and they were impressed with his knowledge, background, and desire to continue serving the City in that capacity. Mr. Dixon Moved for Mr. Garcia's confirmation. Seconded.

APPROVED on voice vote. Mr. Garcia is confirmed.

APPOINTMENTS COMMITTEE (continued)

MR. DIXON said on Item #2, Mr. DeLuca was first appointed to the Golf Authority and confirmed in April, 1981 to a term which expired Jan. 1, 1983. He was reappointed by Mayor Clapes in March, 1983 and was Held in Committee while a study of the financial situation of the Golf Authority was conducted. At the Nov. 16, 1983 Board meeting, Mr. DeLuca's appointment was denied on the strength of a motion and recommendation by the Appointments Committee. This name has been re-submitted by Mayor Serrani to fill the same term which will expire Jan. 1, 1986. The Appointments Committee, having re-evaluated the whole situation regarding this appointment, has reconsidered its entire view of the whole matter and has voted unanimously for Mr. DeLuca's approval at this time, and he so Moves. Seconded.

MRS. McINERNEY said her reason for taking this off the Consent Agenda was somewhat explained by Mr. Dixon. She understood the gentleman was denied in 1983 and she would like it clear in her mind. At that point, it was her understanding that the Committee rejected him as an appointee because he felt the Golf Authority should not give some capital monies back to the City. She would like an explanation what the reason was so she could be clear on this aspect.

MR. BOCCUZZI said going back, as members will recall, we looked into the finances of the Golf Authority, and he and Mr. DeLuca were requested to further look into it. They met a few times, he and Mr. DeLuca, and whoever it was that was in charge of the Golf Authority's finances, also the then Corporation Counsel.

Since then, we received some checks from the Golf Authority to the City each year. Mr. Charles DeLuca was entirely in favor of it, but when the vote was taken at the Golf Authority, he abstained. When the abstention was read, it was read as a "No" vote. The Committee was never informed that Mr. Charles DeLuca abstained because his name was up for an appointment and he did not want the Board to feel that he was trying to gain votes by voting "Yes", but his abstention was not a No, but the Committee had no way of knowing that at that time, and since then it has been cleared up. At this time, when Mr. DeLuca was asked about monies coming back to the City, he said he is 100% in favor of it and will continue to vote in favor of it.

MRS. McINERNEY said that somewhat clears it up.

PRESIDENT GOLDSTEIN called for a voice vote on Mr. Charles DeLuca.
APPROVED.

STERLING FARMS GOLF AUTHORITYTerm Expires

(2) MR. CHARLES DeLUCA (D)
30 DeBera Lane, Unit 4

Reappointment

Jan. 1, 1986

APPROVED, voice vote. Mr. Dudley did not participate.

APPOINTMENTS COMMITTEE (continued)STERLING FARMS GOLF AUTHORITYTerm Expires

- (3) MS. ESTHER TISANO (D) Replacing Peter Stekla Jan. 1, 1987
169 Knox Road whose term expired.

APPROVED ON CONSENT AGENDA.PATRIOTIC AND SPECIAL EVENTS COMMISSION

- (4) MR. PATRICK MURPHY (D) Replacing Margaret Peters Dec. 1, 1988
1116 Newfield Avenue whose term expired.

APPROVED ON CONSENT AGENDA.WELFARE COMMISSION

- (5) MS. JUDITH MARTIN (D) Replacing Meg Kimmel. Dec. 1, 1986
2121 Long Ridge Road

APPROVED ON CONSENT AGENDA. Rep. David Martin abstained.HEALTH COMMISSION

- (6) DR. ANGELO MASTRANGELO (R) Reappointment Dec. 1, 1985
19 Grandview Avenue

(Note: Approved 8/13/84. A typographical error was made on the expiration date (July 1, 1985). Correct date is 12/1/85.)

MR. DIXON said this is on the agenda only to correct the typographical error in the expiration date of the appointment. The correct expiration date is DECEMBER 1, 1985, and he so Moved for that correction. Seconded. APPROVED.

MR. DIXON Moved for approval of the Consent Agenda. Seconded. CARRIED by voice vote, with Mr. Martin abstaining on #5 for Ms. Judith Martin. Also, Mr. Dudley did not participate on #2 for Mr. Charles DeLuca.

SUSPENSION OF RULES TO CONSIDER AN ITEM OUT OF ORDER ON THE AGENDA.

MS. SUMMERVILLE Moved to Suspend the Rules to consider an item out of order on the Agenda, being Item #1 under Planning and Zoning Committee concerning Franklin School and the YWCA. Seconded. CARRIED, with a few opposing.

See Page 7 of the Agenda, under Planning and Zoning Committee.

PLANNING AND ZONING COMMITTEE

MR. WHITE Moved to place Item #1 on the Consent Agenda.

PRESIDENT GOLDSTEIN said there was objection to it being placed on the Consent Agenda.

MR. WHITE said the Planning and Zoning Committee meeting was held on Monday, Oct. 29, 1984, in the Conference Room #1 of the Board of Education offices on Hillandale Ave. Members of the Committee present were Reps. White, Donahue and Vos. A quorum was not attained. Nevertheless, a presentation was made concerning Item #1. Present for the YWCA were Mrs. Miriam Sharp, Mrs. Pat Phillips, Mrs. Donna Claps, Mrs. Adrienne Whitehead, Mrs. Roseanne Begel, and Mr. Charles Jansen of Whitman and Ransom, the YWCA's legal counsel. Also present was Mrs. Pobie Johnston of SACIA. Mrs. Sharp made the major presentation. She gave a brief synopsis of the basic services and programs administered by the YWCA.

First of all, it provides a temporary shelter for young women of low to moderate income until they can find more permanent housing. Secondly, it provides shelter, services and counseling for women who have been the victims of domestic violence. Third, it provides day care services for children from three months to twelve years of age, in both pre-school and after-school capacities.

MRS. GUROIAN made a Point of Order, asking if they did not have a quorum, why is the Board hearing about the pros and cons before it is taken out of committee.

MR. WHITE said they met this evening where a quorum was present, and they voted and made a recommendation. He gave a synopsis to the Committee present at that time, but he felt that since the presentation was made, even though a quorum was not present, he would give the presentation in the form of a report, which in fact was also adopted there and discussed at the meeting held this evening at 6:30 P.M.

Fourthly, over and above these services, it also offers a broad range of recreational, educational, health and social service programs. Mrs. Sharp contended that for all these programs there is an escalating need in a growing community. Pursuant to this, the problems at the present YWCA building is that it is physically too small and realistically cannot be expanded. Also the site does not provide adequate parking. Accordingly, the Facility Planning Process Committee of the YWCA organized earlier to consider the problem decided to relocate. They consequently established the following criteria for such relocation.

One, they wished to have an adequately large piece of property. Two, they wished to be near the present facility. Three, they wished to be centrally located in or near the main commercial center of town. Four, they wished not to be on the main road. The Franklin Street School came to their attention and it met the basic criteria of the committee. Hence, the present request.

PLANNING AND ZONING COMMITTEE (continued)

MR. WHITE (continuing). Their plans for Franklin School, should they acquire such, are to add two wings, one of which would be a gym and a pool. The other would provide 100 rental units, 5 of which would be reserved for handicapped persons. The standing structure would also be totally renovated to serve the YWCA's broad range of programs. They believe the original structure is especially suited to child care programs and there is much usable space in the first floor. This last idea of the requirement of first floor space is a recent standard mandated by the State for child care license credentials for those children under six.

Ultimately, some 75,000 sq. ft. of indoor space will be provided by the expanded and renovated building. The proposed transfer and financing arrangement is this: Upon acquisition of the Franklin School, the YWCA will sell their present building at 422 Summer Street.

For Franklin School, they will pay the City \$100,000 plus the first \$400,000 they might realize in any amount over \$2,000,000 for the sale of 422 Summer Street. This is to say if the Summer St. building were sold for \$2,300,000, then the YWCA would pay the City \$400,000 total. They intend to transfer legal title of the Franklin Street property to a private owner, who would then rehabilitate the existing structure to the plans and specifications of the YWCA.

They, the YWCA, would lease back the Franklin Street structure, as per agreement made at the time of the sale of the Summer St. bldg. Such a lease would run 15 years.

Advantages to the developer in such an arrangement is apparently rehabilitation tax credits, depreciation of the tax benefits of the property ownership. The City Administration, Planning Board, Board of Finance believe another advantage to the arrangement is the two pieces of property would be returned to the tax rolls. Consequently, both the Planning Board and Board of Finance have approved the transfer.

It is the recommendation of the Planning and Zoning Committee that we approve the proposed ordinance by a vote of five to no objections or abstentions, and he so Moved. Seconded by Mr. Wider.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE AUTHORIZING THE SALE AND TRANSFER OF CITY-OWNED PROPERTY ON THE EAST SIDE OF FRANKLIN ST., APPROXIMATELY MIDWAY BETWEEN NORTH AND WOODSIDE STREETS TO THE STAMFORD YWCA FOR RENOVATION AS NON-PROFIT HOUSING AND FACILITIES. Terms of YWCA's offer: YWCA will pay City \$100,000 plus the first \$400,000 of excess, if any, over \$2,000,000 realized on the sale of the present YWCA facility at 422 Summer St. Submitted by Mayor Thom serrani 10/1/84. Board of Finance approved 10/11/84. Planning Board approved 10/16/84.

PLANNING AND ZONING COMMITTEE (continued)

MR. LYONS said he cannot think of any ordinance or any proposition that has come before this Board that is more deserving. This acquisition of the property by the YWCA will put the property back on the tax rolls, which as a taxpayer and an elected Representative, he heartily applauds. Our concern with our schools that are vacant has one answer in this instance. More important, the services that are provided to the young women of this area by this organization are irreplaceable and non-existent in most cities.

Every constituency in the City has a lobby, be it the senior citizens, or any other. The young women, they have the YWCA. Any additional facility that we provide to them will be well received.

MS. SUMMERVILLE said Mr. White in his report, stated that Mrs. Pobie Johnston was representing SACIA. The record should show that Mrs. Pobie Johnston was here representing The United Way as President of that organization. It is important that our records reflect that.

MR. DUDLEY sees the YWCA as a very viable organization in this City. He has no problem with them. He will vote for publication of this item tonight, but he would hope the Committee would address some of his concerns, and of concerns of other Representatives. He may have problems supporting this at a later date until he finds out the status of some of our abandoned schools in this City.

We are talking about a problem with the City schools whereby we do not know the status of what is going to happen with City Hall and the money to be spent and where that money is going to come from to either renovate this building or move to another building. His concern from the very beginning was that if money had to be put into it, the City could sell the buildings that are abandoned to offset the cost in total, or in part; and while he is glad to support an organization such as the YWCA, he would like the Committee to address this question of disposition of Franklin School, and any other City property at a lesser price to any organization, with the taxpayers being burdened unnecessarily by excruciating costs due to such a practice or policy. He could not support giving away City assets and then taxing property owners to renovate or build a new City Hall. (The rest of Mr. Dudley's remarks lost in turning the tape over.)

MRS. CONTI said she has a problem with the legal aspects of this ordinance. She does not understand how the words "Notwithstanding the provisions of Chapter VI, Sections 6-33 through 6-37 inclusive, of the Code of General Ordinances" can repeal 6-33 through 6-37. The language of this ordinance is completely contrary to the intent of 6-33 through 6-37.

Section 6-34 reads "The Mayor, upon receipt of the list as approved by the governing body and the Board of Finance, shall sell at public auction but for not less than its assessed value, such of the properties authorized by the governing body for sale as the Mayor and the Board of Finance shall approve."

PLANNING AND ZONING COMMITTEE (continued)

MRS. CONTI (continuing). The assessed value of this property is \$1,500,000. She supports this section of the City ordinance because its obvious intent was that the taxpayers should not be subjected to theft, that their buildings should not be given away for less than their value. She cannot support the publication of this proposed ordinance until Corporation Counsel advises how the City Fathers can with one ordinance repeal the intent of another ordinance which is in existence.

The City is also a non-profit organization. Is someone going to give us free land upon which to build a City Hall? Or a building?

MR. BOCCUZZI Moved the Question. Seconded.

PRESIDENT GOLDSTEIN said the Chair is in doubt on the voice vote and called for a machine vote. There are 34 members present at this time. CARRIED with 24 Yes, 10 No.

A machine vote was then taken on the main motion, the publication of the proposed ordinance. APPROVED with 29 Yes, 4 No, 1 Abstention.

A public hearing will be held. (Wednesday, November 28, 1984, at 7:30 P.M. at the Board of Education on Hillandale Ave.)

MR. ZELINSKI asked that, while it is the prerogative of any Board member to Move the Question, it would be appreciated if Board members would be permitted to ask questions or make comments on an item that is important, or is of great public interest, before they are deprived of their right to speak by a Motion to Move the Question.

NOTE: The other item on the P&Z Agenda is on Page 26 of these Minutes.

FISCAL COMMITTEE

MR. DONAHUE said the Fiscal Committee met on Thursday, Oct. 25, 1984, at 7:30. In attendance were Reps. Vos, Mallozzi, Rinaldi, Conti, Rybnick and Donahue. He Moved to the Consent Agenda Items #1, 2, 3, 4, and 7.

- (1) \$60,000.00 - FIRE DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1984-85 - Additional Appropriation request for project #450.061 FIRE ALARM CONSOLE. To be financed by the issuance of bonds. Requested by Mayor Serrani 9/28/84. Planning Board approved 10/9/84. Board of Finance approved 10/11/84.

Above also referred to Health and Protection Committee.

APPROVED ON CONSENT AGENDA, with Mrs. Conti Abstaining.

FISCAL COMMITTEE (continued)

- (2) \$14,564.00 - FIRE DEPARTMENT - Code 450.1110 SALARIES - Additional Appropriation request required to satisfy award by State Board of Mediation & Arbitration with regard to back lunch-hour pay for civilian Dispatchers. Request by Mayor Serrani 10/1/84. Board of Finance approved 10/11/84.

Above also referred to Health and Protection Committee.

APPROVED ON CONSENT AGENDA, with Mrs. Conti Abstaining.

- (3) \$40,000.00 - PUBLIC WORKS DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS FOR FISCAL YEAR 1984/85. Additional Appropriation for project #341.388 HARBOR BULK-HEAD, EAST BRANCH. To be financed by the issuance of bonds. Requested by Mayor Serrani 9/28/84. Planning Board approved 10/9/84. Board of Finance approved 10/11/84.

Above also referred to Public Works and Sewer Committee.

APPROVED ON CONSENT AGENDA.

- (4) \$86,145.63 - SEWER COMMISSION - AMENDMENT TO CAPITAL PROJECTS BUDGET FISCAL YEAR 1984/85 BY CLOSE-OUTS AND TRANSFERS by adding the sum for project #112.055 HOPE STREET INTERCEPTOR. To be financed by transfer and close-out of the following accounts:

Close-out:

112.081 Windell Place.	\$29,228.05
112.493 Stillwater Avenue.	46,587.58
112.650 Warsaw Place	<u>10,330.00</u>
	<u>\$86,145.63</u>

TRANSFER TO:

112.055 Hope Street Interceptor. . .	<u>\$86,145.63</u>
--------------------------------------	--------------------

Above also referred to Public Works and Sewer Committee.

APPROVED ON CONSENT AGENDA.

MR. DONAHUE said the Committee voted 5 in favor and one opposed to recommend approval and he so Moved.

MRS. NAKIAN said Education, Welfare and Government voted 3-0 in favor of this item.

FISCAL COMMITTEE (continued)

- (5) \$129,972.00 - STAMFORD DAY CARE PROGRAM - Code 761 Various TITLE XX PROGRAMS - Additional Appropriation request to cover enrollment of 45 pre-school children and 13 staff positions for Federal fiscal year 10/1/84 through 9/30/85. Program is fully reimbursable. Request by Mayor Serrani 10/1/84. Board of Finance approved 10/11/84.

Above also referred to Education, Welfare and Government Committee.

MRS. MAIHOCK said she has been approving the Day Care Programs as she felt they were a very important element in the City, to protect our children; however, she would like to know what the total amount is that this Board has approved, what it constitutes?

MR. DONAHUE said he did not have the figures at hand but the bulk of it was approved at the last Board meeting for this Federal fiscal year. Tonight the funds are for additional programs made possible by the State to provide services for 45 additional children.

MRS. MAIHOCK asked if this information could be secured as she would really like to have it.

MR. DONAHUE said he can get it for Mrs. Maihock but last month's item was the greater part of it.

PRESIDENT GOLDSTEIN said our Researcher, Mrs. Dorfman, can get the date for Mrs. Maihock if she wishes.

A voice vote was taken on the Main Motion, Item #5, and APPROVED with Mrs. Conti voting No.

- (6) \$168,786.00 - HEALTH DEPARTMENT - Code 573. Various (W.I.C.) - WOMEN'S, INFANTS' AND CHILDREN'S NUTRITION PROGRAMS - Additional Appropriation request to cover program for Federal fiscal year 10/1/84 - 9/30/85. Program is reimbursable from Connecticut State Dept. of Health Services. Request by Mayor Serrani 10/1/84. Board of Finance approved 10/11/84.

Above also referred to Health and Protection Committee.

MR. DONAHUE said the Committee voted 5-1 for approval, and he so Moved.

MS. RINALDI said Health and Protection Committee concurred.

MRS. MAIHOCK asked if this is the W.I.C. Program or some other program.

MR. DONAHUE said this is the W.I.C. Program; and that within the past few months, we have received an audit by the State of Connecticut that approves and appraises the W.I.C. Programs as far as it meets the State's standards.

FISCAL COMMITTEE (continued)

PRESIDENT GOLDSTEIN called for a voice vote on Item #6. APPROVED, with Mrs. Conti voting No.

- (7) \$ 1,000.00 - COMMISSION ON AGING - Code 114.4201 PROGRAM SERVICES. Additional Appropriation request to cover donation received from the Fraternal Order of Eagles for senior programs. Requested by Mayor Thom Serrani 10/1/84. Board of Finance approved 10/11/84.

APPROVED ON CONSENT AGENDA.

- (8) \$ 13,000.00 - WELFARE DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1984 - Additional Appropriation requested for project #530-073 VEHICLE REPLACEMENT (to replace Smith House Residence station wagon destroyed in accident.) To be financed by taxation. Requested by Mayor Serrani 10/1/84. Planning Board approved 10/9/84. Board of Finance approved 10/11/84.

Above also referred to Education, Welfare and Government Committee.

MR. DONAHUE said this item is for a new vehicle as the check from the insurance company will be deposited in the General Fund when it comes in. The station wagon was destroyed in an accident and the book value was \$5,750.00, which will be recovered. The remainder of the amount will be made up through the Self-Insured Management Fund, Code 290.1392. He Moved for approval of this item.

MRS. NAKIAN said E.W.&G. voted 3-0 for approval.

MR. ZELINSKI asked how the damage was sustained.

MR. DONAHUE said the other party, not the City employee, is insured and will reimburse the City.

MR. ZELINSKI asked if there was any bid process in coming up with the \$13,000 amount.

MR. DONAHUE said this is the low figure after getting prices from several automobile suppliers.

PRESIDENT GOLDSTEIN called for a voice vote on this item. APPROVED.

MR. DONAHUE asked that the record show the account number as being 290.1392 Self-Insurance Management Fund.

On Item #9, MR. DONAHUE said that spending has already been authorized for the \$259,803.00 for Relocation and Renovation of City Hall. pursuant to Section 619.1 of the City Charter, by the Chairman of the Board of Finance, and the Finance Commissioner, as it affects the health of City employees and the general public who use this building. The Committee was unanimous in its recommendation to approve this amount and he so Moved.

MRS. NAKIAN said E.W.&G. voted 3-0 in favor of this item.

FISCAL COMMITTEE (continued)

- (9) \$259,803.00 - PUBLIC WORKS DEPARTMENT - Code 325 CITY HALL RELOCATION AND RENOVATION - Additional Appropriation request from Mayor Thom Serrani, letter 10/15. Spending has been authorized pursuant to City Charter Section 619.1 by the Chairman of the Board of Finance and the Commissioner of Finance.

Above also referred to Education, Welfare and Government Committee.

MS. SUMMERVILLE said her position has not changed on the renovation of this building for temporary purposes. She feels the City employees who are working in this building should not be here unless it is 100% safe. She feels this should be taken off the agenda. She does not agree with the rationale presented. She has real problems with seeing overtime already. She wants the record to reflect her sentiments.

PRESIDENT GOLDSTEIN called for a voice vote on Item #9. APPROVED with one Abstention, Mr. Wider; and two No votes, Mr. Austin and Ms. Summerville.

- (10) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE APPLICATION FOR FUNDS ENTITLED "PAYMENT-IN-LIEU-OF-TAXES (PILOT) FOR STATE FINANCED MODERATE RENTAL HOUSING IN AN AMOUNT NOT TO EXCEED \$828,521.00. Submitted by Mayor Thom Serrani 10/10/84.

MR. DONAHUE said the \$828,521.00 represents the assessed value of the various housing projects throughout the City of Stamford. Sandra Gilbane, Grants Director, said 79% of that amount is expected to come to the City. The Committee was unanimous in recommending approval of this resolution and he so Moved. Seconded.

MRS. MAIHOCK asked what fiscal participation, if any, will be required by the City.

MR. DONAHUE said there is no obligation. The housing is in the city and it is not on the tax rolls. Periodically, we have to apply to the State for reimbursement, in lieu of taxes. You are, therefore voting to ask the State for well over \$600,000.

MRS. MAIHOCK asked what the other 21% represents.

MRS. CONTI said at one time the State reimbursed 100%. Now it is down to 79%. The City foregoes the difference. However, we do get 79%, and these public housing assessments are kept up-to-date, so it is substantial.

MR. WIDER said we are not making any contribution to security, but we once shared that with the Federal Government. He hopes that when we do get this money, we can use it for security for senior citizens living in public housing.

FISCAL COMMITTEE (continued)

MRS. CONTI said she must correct Mr. Wider's statement. It is incorrect. This has nothing to do with the Federal project. This is strictly the State-owned housing projects and the money comes from the State. It has nothing to do with the security that was provided in the Federal housing projects.

PRESIDENT GOLDSTEIN called for a voice vote on Item #10. APPROVED. The record will show that Ms. Summerville did not participate on this item.

<p>(11) -\$165,000.00 - \$142,617.75 Contingent upon appro- val of Board of Finance.</p>	<p><u>PARKS DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1984/85 - for project known as Code 610.779 CUMMINGS WEST BALL FIELDS - Addi- tional Appropriation request to fully fund construc- tion of new entrance road and athletic fields; per bids received 10/11/84. Submitted by Parks Supt Robert Cook 10/17/84. Pending approval by Mayor, Planning Board, and Board of Finance.</u></p>
--	---

Above also referred to Parks and Recreation Committee.

MR. DONAHUE said the corrected figure is \$142,617.75. The Committee unanimously recommended approval of this sum of money, and he so Moves.

MR. RYBNICK said Parks and Recreation concurred.

MR. BLUM asked how much money was taken out of the close-out accounts. There are numerous problems at Cummings West Beach, as well as at the park. Why are funds being taken from unfinished projects. The beaches are sorely in need of repairs.

MR. DONAHUE said the money is not being taken away. Two projects are being combined into one account so it will permit the City to award both projects at the same time, to save time, money, and scheduling. We would like this approved tonight, and the Board of Finance will vote on it tomorrow night, as the bids that went out and were received will only hold for a short time; and the low bid was \$100,000 lower than the next lowest bid. If it has to be re-bid, it would increase substantially.

MR. LYONS said that Cummings West has a very badly deteriorated road that must be repaired. And the soccer fields are greatly needed for both the youth and adult programs. The West Beach project, which is renovation of boat ramps, parking, lighting, and the beach itself, if done together with the other project, will save a considerable sum of time, as well as planning time.

PRESIDENT GOLDSTEIN called for a voice vote on Item #11. APPROVED with Mr. White voting No.

MR. DONAHUE Moved for approval of the Consent Agenda Items #1, 2, 3, 4, and 7. Seconded. APPROVED.

LEGISLATIVE AND RULES COMMITTEE

MR. MORRIS said the Legislative and Rules Committee met on Monday, October 29, 1984, at 7:30 P.M. in Conference Room II, Board of Education Administration Building, to discuss the items for consideration on the Board's agenda for Nov. 7th meeting. Attendees included Committee members Dudley, Maihock, T. Martin, Nakian, Powers, Zelinski, and Morris. Also in attendance were Asst. Corp. Counsel Wm. Hennessey and Purchasing Agent Thomas Canino; Rev. and Mrs. Rudolph Bailey of the El-Shammah Apostolic Church; and Rev. Taylor; Barbara Andrews, consultant for National Church Residences; Peter Capitan and Bernie Curdon of Capitan, Inc., construction contractors; Sandra Gilbane, Grants Director; Harry Selin and Helen Gewirtz of the Stamford Commission on Aging; Sam Kalmer and Charles Townsend, Board members of the National Church Residences; Rep. David Martin, and Sherry Dorfman, Researcher for this Board.

He Moved Item #4 to the Consent Agenda.

On Item #1, the Committee voted 6-0 to Hold.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE REQUIRING MOBILE VENDORS TO BE EQUIPPED WITH FLASHING LIGHTS. Submitted by Rep. Robert DeLuca 6/11/84. Held in Committee 7/9, 7/26, 9/12, 10/10/84.

HELD IN COMMITTEE.

MR. MORRIS said Item #2 is also being Held in Committee by a vote of 4-1.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT PURSUANT TO SECTION 12-81(15) OF CONNECTICUT GENERAL STATUTES FOR PROPERTIES SITUATED ON ADAMS AVENUE AND PROPERTIES ON VISTA STREET, STAMFORD, AND OWNED BY THE EL-SHAMMAH APOSTOLIC CHURCH, INC., per letters from Atty. Joel M. Kayes of Kaye, Effron & McGovern, P.C., 165 West Putnam Ave., P.O.Box 499, Greenwich, 06836., 7/13 and 7/20/84. For Rev. Rudolph V. Bailey and Emelda V. Bailey, El-Shammah Apostolic Church, Inc. Held in Committee 9/12 and 10/10/84.

HELD IN COMMITTEE.

- (3) REQUEST FOR WAIVER OF BUILDING PERMIT FEE FOR \$16,745.00 FROM NATIONAL CHURCH RESIDENCES FOR PROJECT TO BE CONSTRUCTED AT 469 SHIPPAN AVE. (HOUSING FOR LOW AND MODERATE INCOME ELDERLY). Letters from Barbara Andrews, Consultant, National Church Residences of Stamford, 179 Fillow St., Norwalk, Conn. 06850, dated 10/4/84 and 7/29/84. Also letter from James Sotire, Bldg. & Zoning Enforcement Officer 10/9/84. Returned to Committee 10/10.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. MORRIS said the Committee voted 5-1 to recommend for approval and he so Moved. Seconded by Mr. Wider.

MR. LYONS said he cannot understand in this multi-million dollar construction project, how they cannot afford to pay for a building permit of \$16,745. This Board has already granted a tax abatement of about \$40,000 per year. Based on current assessments and this year's mill rate, the tax would be about \$60,000, and they will pay \$20,000. He urged Board members to vote against this waiver of building permit fee.

MR. BURKE also has misgivings about this matter. He feels the general contractors can absorb this item in their contract, as there are many savings that can be effected such as change in door knobs, one grade down in floor tile, or other small items. He cannot vote for this waiver, yet this elderly housing is sorely needed.

MR. BLUM agrees with Mr. Burke. We have granted many waivers for non-profit organizations, and this should be no exception, as it is a most worthy cause.

MRS. MAIHOCK said she will not vote for this. She feels this Board should consider implementing a policy of review of tax abatement at stated intervals to have some control over them. We are putting a very large burden on some taxpayers in our community to perhaps give a privilege to other taxpayers, or to people who don't pay taxes. There should be future review provisions.

MS. SUMMERVILLE agrees with Mr. Lyons. Why is it that they can't pay the \$16,745. She finds that hard to believe.

MR. MORRIS said it is a very tight budget and some unforeseen conditions have come about which they did not anticipate, which delayed the project, thereby increasing costs. This housing is desperately needed in this City.

MR. DUDLEY said one of the problems encountered was installing pylons as soil conditions were found to make this necessary. There were other construction problems. They made all the cuts they could and this is basically the bottom line.

MR. WHITE said the need for housing is not an excuse to destroy neighborhoods, to destroy the land, to destroy aesthetics, to set precedents where you'll have zoning busting, which is precisely what this will do. It is high rise on Shippan Ave. He doesn't like high rise anywhere. This is a national problem. People flock into Stamford to get into this housing. Low-rise housing should be developed. We're being had between tax abatements, waivers of building permit fees, etc.

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ZELINSKI said he did not like the way this matter was brought up last month not being on the agenda. He is on the L&R Committee. He does not feel it is worthwhile denying this request and deprive senior citizens of sorely needed housing. (Dialogue lost here due to change over in tape.) A study should be made by the Committee on future requests and brought to the full Board for their consideration. Should it be decided to not allow such requests in the future, then notice would be given and the policy would be known. However, he does not feel this waiver tonight should be denied.

MRS. CONTI is opposed to granting this waiver. One segment of the population should not be compelled to subsidize another segment of the population on a permanent basis. That is a very dangerous concept and she is opposed to it.

MS. RINALDI Moved the Question. Seconded. CARRIED.

PRESIDENT GOLDSTEIN called for a machine vote on Item #3. APPROVED with 21 Yes, 11 No, 1 Abstention, 2 Non-Voting.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 6-58 OF THE CODE OF ORDINANCES. (This amendment concerns subcontract information.) Submitted by Thomas J. Canino, Purchasing Agent, 10/12/84.

APPROVED ON CONSENT AGENDA.

- (5) REVIEWING THE POLICY OF WAIVING BUILDING PERMIT FEES FOR NON-PROFIT ORGANIZATIONS. Submitted by Rep. David Martin 10/15/84.

HELD IN COMMITTEE.

MR. MORRIS said the Committee voted 7-0 to hold this item in committee, pending a requested opinion from the Office of Corporation Counsel as to whether the Board has the proper power or authority to either abolish or restrict the waiver of building permit fees and/or tax abatements for non-profitable and charitable organizations.

He Moved for approval of the Consent Agenda Item #4. Seconded. CARRIED, by voice vote.

PERSONNEL COMMITTEE

MR. DUDLEY said the Personnel Committee met on Wednesday, October 24, 1984, following a public hearing. Personnel did not have a quorum, but he Moved to bring up an item under Suspension of the Rules, which is Item #2, concerning unclassified employees. Seconded. CARRIED by voice vote.

PRESIDENT GOLDSTEIN called for a voice vote on Item #2, final adoption of the proposed ordinance. APPROVED with Mr. Blum voting No.

PERSONNEL COMMITTEE (continued)

- (1) FOR PUBLICATION - PROPOSED ORDINANCE SUPPLEMENTAL DESIGNATING POSITIONS CREATED AND/OR FUNDED BY A GRANT, IF NOT OTHERWISE DESIGNATED, BE DESIGNATED IN THE UNCLASSIFIED SERVICE. (This would be consistent with Charter Section 734(g).) Submitted by Corp. Counsel Jay Sandak 9/4/84. Held in Committee 10/10/84.

HELD IN COMMITTEE.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE SUPPLEMENTAL DESIGNATING ALL INDIVIDUALS EMPLOYED PURSUANT TO CGS 9-192 AS UNCLASSIFIED EMPLOYEES. Submitted by Asst. Corp. Counsel Wm. J. Hennessey, Registrars of Voters Nancy Tatano and Mary McCauley 9/19/84. Approved for publication 10/10/84.

APPROVED by voice vote, with Mr. Blum voting No.

(Note: Planning and Zoning Committee will be considered after Parks and Recreation Committee. See Page 26 of these Minutes.

PUBLIC WORKS AND SEWER COMMITTEE

- (1) REQUEST TO PUBLIC WORKS COMMISSIONER O'BRIEN THAT ORDINANCE 8:14 AND ORDINANCE 385:

- (A) Be publicly posted at the Scale House, together with present procedure being followed and the source for this procedure.
- (B) Strict enforcement of 8:14 and 385, i.e., (1) passenger cars without stickers not be permitted through; and (2) all residents with passenger vehicles be courteously advised how to secure a permit sticker.

Submitted by Rep. Betty Conti 9/17/84. Held in Steering 9/19/84.
HELD IN COMMITTEE.

MR. PERILLO: The Public Works and Sewer Committee met on Oct, 24, 1984, in the Board of Education Building on Hillandale Ave., Room #1. Present were Committee members Tom Burke, Betty Conti, and Perillo. Absent were Committee members Santagata, Taranto, Malloy, and Zelinski. Also present were Board members Jim Dudley and Anne Summerville. Also Commissioner of Public Works John O'Brien, and Len Gambino of the radio station.

For lack of a quorum, the Committee took no action on tonight's agenda. Items 1 and 2 are to be Held in Committee for one more month.

- (2) MATTER OF GARBAGE COLLECTION. FOLLOW-UP TO LETTER FROM BOARD PRESIDENT TO MAYOR SERRANI DATED 7/13/84. Submitted by Pres. Goldstein 8/20/84. Reports made 9/19/84 and 10/10/84.

HELD IN COMMITTEE.

PUBLIC WORKS AND SEWER COMMITTEE (continued)

- (3) MATTER OF SEVERE DRAINAGE PROBLEM CAUSED BY WATER DRAINING FROM LINDALE STREET ONTO UNDERHILL STREET. Resubmitted by Rep. Summerville 9/19/84. Held in Committee 10/10/84.

MR. PERILLO said, going back to Item #2, all members should have received notice of a meeting scheduled for Nov. 14, 1984 right after the Steering Committee Meeting next Wednesday night. Sanders & Thomas, Consultants, will give a presentation on the matter of garbage collection. This should be of most interest to all members as to what direction the City should take on the matter of City collection vs. private collection. Cost factor, equipment needed, manpower. All of these issues should be part of the presentation. Mr. Perillo said he will not be at this meeting due to possible conflict-of-interest, and the Vice Chairman will Chair this meeting. This is the time to ask questions.

MRS. CONTI asked if there were a quorum present.

PRESIDENT GOLDSTEIN said if we don't have to take a vote, a quorum is unnecessary.

MR. PERILLO said concerning Item #3, no Board action is needed at this time. A discussion was held and questions were asked. Rep. Summerville asked Commissioner O'Brien what he was going to do about this problem. The Committee is sympathetic but does not feel it is of top priority. Comm. O'Brien listed items of top priority to the Committee and said those were matters of real seriousness. Scofieldtown Road, Intervale, Interlaken, and Newfield are all areas of top priority. He hopes to resolve them soon. There are no funds available at this time to correct the condition at Lindale and Underhill. Comm. O'Brien said there are two alternatives. One is to include this cost in next year's capital budget. Two, if this Board chooses to approve a special appropriation to correct this condition, and the cost is estimated to be around \$55,000 to \$60,000. The Commissioner will go the route that this Board decides. Until such time as something is decided, there is nothing the Committee can do to resolve this problem.

PRESIDENT GOLDSTEIN asked for a Motion to take this out of committee since there was no quorum, as it is obvious several Board members have questions. Mr. Perillo so Moved. Seconded. CARRIED.

MS. SUMMERVILLE said this burden was placed on her because there was no action in the past. She said she cannot agree with the stance taken by DPW Commissioner O'Brien on this problem. We give away \$16,000 to non-profit organizations, yet taxpayers don't profit in any way by being homeowners. They are just trying to have a decent life. There has got to be some way to resolve this problem. The Representatives of this District should not settle for "No", as she is not going to settle for "No". We give tax abatements, waive building permits, and show other generosity with taxpayers money, but we seem to sell the taxpayer short. Maybe we should abate their taxes. She will proceed with this, and if it is taken off the agenda, she will put it back on, until something is settled.

PUBLIC WORKS AND SEWER COMMITTEE (continued)

MR. BLUM said this was with the Public Works Committee before, and the then Public Works Commissioner Spaulding said nothing could be done. It died on the vine. This problem is not endemic to Lindale and Underhill. It exists in many places in the City. The infrastructure of Stamford is inadequate, and the hills and elevations exacerbate the entire matter. It comes down Underhill and goes into other streets. This Committee can perhaps have some money transferred from some other accounts, as is so often done, so there certainly must be some loose cash sitting in some account where a project is finished. \$60,000 should not be that hard to find among the capital accounts.

PRESIDENT GOLDSTEIN suggested to Mr. Perillo that this be placed back on the Steering Committee Agenda and be reconsidered with a recommendation forthcoming.

HEALTH AND PROTECTION COMMITTEE

MS. RINALDI said the Committee met on November 1, 1984, Thursday, at 7:30 P.M. Present were Reps. Morris, Powers, Burke, Martin, and Rinaldi. Also present were Fire Chief Vitti, Hawley Oefinger, and various representatives of the Volunteer Fire Departments, and Fire Marshal Steve Heilner of Turn-of-River VFD. She Moved Item #2 on the Consent Agenda.

Item #1 is being Held in Committee.

- (1) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORDINANCE NO. 206 REGARDING FIRE ALARM SYSTEM. Submitted by H.C.Oefinger, Dir. of Communications 1/18/84. Held in Committee 3/12, 4/24, 6/4, 6/18, 7/26/84. Approved for Publication 5/7/84. Held on Pending Steering Agenda 8/22 and 9/19/84.

HELD IN COMMITTEE.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING RETAIL FOOD SANITATION. Submitted by Dr. Gofstein, Health Director 5/4/84. Held in Committee 6/4, 7/26, 9/12. Approved for publication 7/9/84. Approved for re-publication 10/10/84.

APPROVED ON CONSENT AGENDA.

MS. RINALDI Moved for approval of Consent Agenda Item #2. Seconded. CARRIED by voice vote.

PRESIDENT GOLDSTEIN said they would take up the Planning and Zoning Committee's agenda after they have finished with the Parks and Recreation Committee's agenda. See Page 26.

PARKS AND RECREATION COMMITTEE

MR. RYBNICK said the Committee met on Monday, October 22, 1984 at 7:30 P.M. in the Conference Room II, Board of Education Administration Building, Hillandale Ave. to discuss the items on tonight's agenda. Attendees were Committee members Rybnick, Malloy, DeLuca; also Polly Vanderwaart, Park Commission Chairperson; Bob Cook, Parks Supt., Ed Condon, Business Mgr., Parks Dept.; Rep. Betty Conti; Lisa Peterson of The Advocate; John Roman of WSTC/WYRS; and approximately 20 concerned residents interested in the proposed Czescik Park lottery drawing scheduled for Nov. 16, 1984.

Discussion on handling Item #1 of the Czescik Park Marina space resulted in the Committee voting 3-0 to support the Motion made by B. Malloy. Anyone on the list for Cove-Cummings Marina as of 10/22/84 has the right to a space at the new Czescik Marina without going through the lottery system. If the people refuse to go to Czescik, they will remain on the existing list for Cove-Cummings. The rationale for this recommendation, for which the Committee urges support from the whole Board, was based on the comments received from the people in attendance. The main argument against this proposal was based on the fact that the maximum boat size for Cove-Cummings is 20 ft.; therefore, people with boats over 20 ft. were not permitted to place their names on the waiting list. Since no figures were available on how many people have boats over 20 ft., the Committee considered this a weak point.

At this time, there are approximately 37 names on the existing list, many of whom have been waiting two years or more. It was felt that in fairness to these people, they should have first choice at the new marina, and Mr. Rybnick Moved for approval of Rep. Malloy's Motion and approved by the Committee.

MR. MALLOY said his Motion was that anyone who was on the existing list would be allowed the privilege of a space at the new Czescik Park Marina without going through the lottery system, and if they refused to take a space at Czescik, they would remain on that list for the other two parks. Seconded.

MR. LYONS asked Mr. Malloy to clarify his understanding of the Motion; there are 37 people on the list at Cummings-Cove, who will be filled at Czescik Park, if they so choose; after that, a lottery system will commence for any remaining slips; and the lottery system will be in several lotteries for the different boat sizes or slips that are available, such as 22 ft. and below, and then they go up to 25 ft., and up to either 27 or 28 ft. Mr. Malloy told Mr. Lyons there are 3 or 4 different categories, which will be separate lotteries. The lotteries will be held at the same time for the various sizes.

PRESIDENT GOLDSTEIN called for a voice vote on Mr. Malloy's Motion as stated. CARRIED.

PARKS AND RECREATION COMMITTEE (continued)

- (2) FOR PUBLICATION - PROPOSED ORDINANCE GRANTING THE BOARD OF REPRESENTATIVES THE RIGHT TO APPROVE THE HANGING OF BANNERS.
Submitted by Robert "Gabe" DeLuca, Chairman, Parks and Recreation Committee, 10/12/84.

MR. RYBNICK said the Committee voted 3-0 to Waive Publication and Move for Final Adoption provided the ordinance has been received. They did not feel publication was necessary in view that an ordinance of this type does not have any adverse effect upon the public, and he so Moved. Seconded.

PRESIDENT GOLDSTEIN called for a machine vote. Motion DEFEATED with 26 Yes votes, 3 No, 2 Abstain, 4 Non-Voting. 27 votes are required for approval to waive publication.

MR. RYBNICK Moved for Publication of the proposed ordinance. Seconded.

PRESIDENT GOLDSTEIN called for a machine vote on the Motion to Publish. APPROVED with 21 Yes votes, 7 No, 2 Abstain, 5 Non-Voting.

PLANNING AND ZONING COMMITTEE

Item #1 regarding City-owned property (Franklin School) and the YWCA was taken up after the Appointments Committee. See Pages 10 to 13 of these Minutes. The proposed ordinance was approved for publication.

MR. WHITE Moved to place Item #2 on the Consent Agenda. Seconded. APPROVED by voice vote.

- (2) PROPOSED RESOLUTION REQUESTING ACCEPTANCE OF DEACON HILL ROAD AS A CITY STREET UNDER CHAPTER 64 OF THE CHARTER. Petition received from residents. Submitted by Reps. Robert DeLuca and John Schlechtweg, II, 14th District, 10/15/84.

APPROVED ON CONSENT AGENDA.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. NAKIAN said there were no items on her Committee's agenda.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

- (1) STATUS REPORT ON BROADMOOR HOUSING - submitted by Lathon Wider, Jr., Chairman of Housing and Community Development Committee, 10/17/84.

MR. WIDER said the Committee met on Oct. 24, 1984 at the Board of Education Conference Room. Present were Reps. Blum, Summerville, and Wider. Also present were Len Gambino of WSTC and Dennis Lyndon from F. D. Rich. Broadmoor Housing was discussed and the Committee is still working on this. There is no report at this time.

HELD IN COMMITTEE.

URBAN RENEWAL COMMITTEE

MR. MALLOZZI said there was no business this month.

ENVIRONMENTAL PROTECTION COMMITTEE

MRS. MAIHOCK said there were no items before her Committee.

TRANSPORTATION COMMITTEE

MR. DAVID MARTIN said the Committee met on Monday, Oct. 22, 1984. Present were Committee members Maihock and David Martin. Rep. Vos was absent due to illness. Also present was Jim Ford, Director of Parking and Traffic; also Ed Mallozzi on behalf of the Downtown Council and Bob's Sports; also Rep. Mallozzi.

- (1) MATTER OF PROPOSED RATE INCREASES IN PARKING COSTS AT BELL AND BEDFORD STREET GARAGES. Submitted by Rep. Audrey Maihock 10/17/84.

MR. DAVID MARTIN said the Traffic Commission is adjusting the rates at the Bedford St. and Bell St. Garages. Temporary parking rates, that is one-hour rates, remain unchanged, but long-term rates, all-day rates, will increase from \$2.00 to \$4.00; and monthly permits will increase from \$20.00 to \$40.00. This action was taken for several reasons. First, garages are projected to run a deficit of almost \$200,000 this year without these rate adjustments. The adjustments will bring the garages to a break-even situation in 1985. Less than half the monthly customers are residents of Stamford; therefore, we have been subsidizing parking for non-City residents.

The rates have not been adjusted in seven years. The daily parking rate, particularly at the Bedford St. Garage, is less than purchasing a monthly permit at the private Landmark Garage across the street, with the result that many of the people working in Landmark and surrounding buildings have been using the Bedford St. Garage for all-day parking.

TRANSPORTATION COMMITTEE (continued)

MR. DAVID MARTIN (continuing) As a result of that, the garage fills up with all-day parking and is regularly closed before nine o'clock in the morning. Thus, the garage is not available to Stamford residents who wish to park-and-shop in the Bedford Street area.

A similar situation is beginning to develop in the Bell St. Garage. The adjustments are designed primarily to impact the long-term parking rates and there have been no adjustments in the one-hour rate.

Ed Mallozzi of Bob's Sports and the Downtown Council supported the rate adjustments particularly because of his concern that short-term parking be available to customers during the Christmas Season.

The Committee expressed its concern at the sudden and large increase in rates, but was also was concerned about the operating deficits and the crowding out of short-term parking by long-term parking. Mr. Ford has sent a detailed letter on the subject which will be distributed to members of the Board.

MR. ZELINSKI said since more than half the parkers are not Stamford residents, was there any way that an higher rate could be charged to parkers without Connecticut plates, so that the local Stamford people would not have to continue subsidizing these out-of-towners.

MR. DAVID MARTIN said Mr. Zelinski mentioned Connecticut plates but probably meant that an higher rates be charged to non-Stamford residents, since most of the commuters and non-residents have Connecticut plates. Very few are New York plates except for a few surrounding towns. The most obvious way is to increase the rates for everyone. Second, the real problem is not so much just the monthly parkers, but it is the individuals coming in one at a time. There would be a considerable transaction problem of parking as they come in, checking to see if they are residents of the City, or going around checking plates, or anything like that. As a result, that is not being pursued at this time. There may also be legal ramifications, but Mr. Martin is not certain on that item.

MRS. MAIHOCK said she does not believe the Board could discriminate in the fashion that Mr. Zelinski suggests. She said that Mr. Ford said that by making more short-term parking, that this would reduce the long-term parkers who have been taking this privilege as they would have to pay more at the Landmark Garage. This prevents some of the Stamford residents from parking there.

MR. WHITE said this is all part of that development that the Board voted for so many times, again and again here in Stamford, under the guise that it was going to lower taxes, bring in income; and some of us are beginning to say that you bring problems, unforeseen problems, all kinds of problems, problems that these people are not going to talk about that are pushing this sort of stuff, and Mr. White wished to remind members that before they start voting on tax abatement, high-rise housing here, and parking garages there, you should start thinking about this as it is an example.

TRANSPORTATION COMMITTEE (continued)

MR. DAVID MARTIN said that concludes his Committee report.

SPECIAL COMMITTEESHOUSE COMMITTEE

MR. RYBNICK said there is no report.

PRESIDENT GOLDSTEIN said the Democratic Caucus, as well as the Republican Caucus, (Mrs. McInerney said the majority consensus of the Republicans have so indicated) has taken a vote regarding the matter of space that the Planning Dept. requests; and the Chair will write a letter to John Strat regarding the feelings of this Board pertaining to the changes suggested in the Main Meeting Room.

CHARTER REVISION AND ORDINANCE COMMITTEE

MRS. McINERNEY said there is no report this month.

COLISEUM AUTHORITY LIAISON COMMITTEE

No Report.

LABOR CONTRACT LIAISON COMMITTEE

MR. BOCCUZZI said the Committee met. Present were Mr. Burke and Mr. Boccuzzi. Mr. DeLuca, Mr. and Mrs. Perillo, Mr. Schlechtweg, John Roman were present also. The gentleman from the radio was absent; that is, Mr. Gambino.

MR. BOCCUZZI said this proposed resolution was discussed at length with Tom Barrett, Labor Negotiator, after which the two members of Committee voted in favor of approving it, and having it sent to the Governor, and all the State Representatives, and the State Senators, and he so Moves. Seconded.

- (1) SENSE-OF-THE-BOARD RESOLUTION CONCERNING THE BINDING ARBITRATION OF MUNICIPAL EMPLOYEE CONTRACTS. Submitted by Reps. Robert "Gabe" DeLuca, John Schlechtweg (both 14th District), and Reps. Mildred and Alfred Perillo, 9th District, 10/10/84.

LABOR CONTRACT LIAISON COMMITTEE (continued)

MR. DUDLEY said he has to speak against this. If the City and any labor unions can reach an agreement and can sit down and negotiate and not have the City offer Zero per cent on any one given contract, it is not necessary to go to Binding Arbitration. He cannot support this. In fairness to the unions and the City, it is incumbent upon them to try to negotiate fair and just contracts, and not have any of them go to Binding Arbitration. If it does have to go that route, then that means both parties could not reach an amicable agreement, then so be it. He cannot support this.

MR. BOCCUZZI said it would be nice, as Mr. Dudley says, if the City and the unions could come to an agreement in each case. He is not saying that the City should not offer anything, or Zero, and he does not understand what the problem was then.

In their discussion that night, they came to the conclusion that an union or a group of unions could sit back knowing they can go to Binding Arbitration, knowing they have an out, and knowing that Binding Arbitration in the years that he has been on this Board, and having their recommendations come back to the City, 99% of the time they go with the union and what it asks for, and the City has no come-back as to changing it. That is the reason they want to go with this resolution. He says it now, and he has said it before on the floor of the Board, this Body does have an alternative from Binding Arbitration and that is not to fund the amount 100%, which would cause lay-offs. He does not think anyone wants that to happen. He would rather see a number come in that is agreeable to both sides, where no one loses their jobs.

From the questions that were asked, and from the results from Binding Arbitration, the City has never gotten their wishes from Binding Arbitration. It has always been the unions. That is why the Committee voted in favor of the resolution.

MR. BLUM said Mr. Burke, another Committee member, has sat in numerous times at labor negotiations on the other side. He knows well that an impasse is reached at one time or another. Usually this Binding Arbitration is made of a mediation panel, one representing the City, one representing the union, and the other is a neutral member appointed by the two members just mentioned, and this third member becomes the chairman of the binding arbitration panel. This is pursuant to Connecticut General Statutes Section 7-474(h). The City pays for the cost of their member; the union pays for their member's costs; and the costs for the third member are split between the City and the union.

Mr. Blum cannot support this. Many years ago, the General Assembly had different regulations. If Binding Arbitration is deleted from the State Statutes, would Mr. Boccuzzi prefer strikes instead.

LABOR CONTRACT LIAISON COMMITTEE (continued)

MR. LYONS is very reluctant to vote for this since Binding Arbitration is just another tool used in the negotiation process, but it is a tool that has a few safety factors built in. One, where Police and Fire and the health and protection of the City is concerned, you don't face a strike. Second, you win a few, and you lose a few. It seems in recent years we haven't played the game right. If you look at the performance of this City in the last four or five years, on at least one occasion we have been found guilty of unfair labor practices. He does not believe our negotiation process has been the best in the world, so to blame Binding Arbitration for that is a little bit unfair. Mr. Lyons will vote against it as he feels it is a tool that should be available both to the City and to the labor unions.

(Dialogue lost in tape being turned to other side.)

MR. WIDER said this kept the teachers^{and other people} from having to go on strike. We kept this as a safety factor. We have been guilty as Mr. Lyons stated. In the last few years, we have really been guilty of some malfunctions in negotiating. To vote Binding Arbitration out is to create a strike for the City of Stamford within the next two years. He will vote against this resolution and urges everyone else to vote against it. Let's keep what we have as a safety factor.

MRS. McINERNEY said it was like a breath of fresh air looking up to Hartford these days. She feels everyone is missing a very important fact of life. Municipalities throughout the State of Connecticut are suffering due to the Binding Arbitration Law. It's a fact. It's not fallacy. She commends the Representatives who brought this before the Board this evening.

She said you have to understand the State is very unfair in their practices of placing Binding Arbitration on our municipalities across Connecticut when they, in fact, have none on themselves. Is that fair? Is it fair to your taxpayer?

What has happened in the past doesn't happen regardless. You have a mediator, who is up there, who does not know the climate of your community. He is listening to one side. He is listening to the other side. He is trying to make a judgment, but he may live up past Hartford. He may not realize that 8% in Hartford means \$2,000, and 8% in Stamford means \$10,000. Hartford has to realize there is a problem in communities. Our legislators have to realize the same thing. This resolution is valueless as far as changing laws in Hartford is concerned. What it does is it implies to our Representatives that we are having a problem, and it is up to them to consider what we are telling them and to work out some kind of change. We chose to withdraw from the State group of cities, which was our folly. We have no voice up there as far as a combined group, which had been fighting this for years. It's time we thought about Stamford.

LABOR CONTRACT LIAISON COMMITTEE (continued)

MR. DAVID MARTIN said nobody likes a strike, so if we have mutually agreed upon Binding Arbitration, that's a terrific alternative, no question about it. But that is when it is a mutually agreed upon option. He does not believe we should have laws to force parties into Binding Arbitration. It is not right. That is not the way it should be, so Mr. David Martin is going to vote in favor of this resolution. He would support Binding Arbitration for essential services like police and fire, but for non-essential services, we and other communities have been punished by this particular type of law.

MS. RINALDI Moved the Question. Seconded.

PRESIDENT GOLDSTEIN called for a machine vote on Moving the Question. Motion DEFEATED by a vote of 18 Yes, 14 No, 2 Abstentions, 1 Non-Vote.

MR. BURKE said Mr. Martin began to get to the essence of the problem the Board is engrossed, immersed in. No one is against Binding Arbitration. Mr. Burke feels it is a perfectly logical, legitimate, fairway of settling a problem when entered into by the two parties to a negotiation. What we are talking about is compulsory Binding Arbitration, not Binding Arbitration. All arbitration to be worth anything must be binding, otherwise it is a mediation, or factfinding, or some other such halfway measure. To mean anything, arbitration must be binding. He doesn't feel anyone is against Binding Arbitration, but it is the qualifying word "compulsory" where the people can, if they so wish, sit back and do nothing, knowing full well that someone from some other part of the State is going to come down here and tell the City what to do with its money. This is the big problem and is the sense of our meeting with Mr. Barrett and the others mentioned. No one really is against arbitration, when two people sit down and come to what they honestly ^{feel} is an impasse, then they can agree to select a third party, or submit it to the AAA, or the Federal Mediation Conciliation Service, or many other services that specialize in this type of work, and have their dispute arbitrated. And they do there agree that the decision that person reaches has binding force of law behind it. That is binding arbitration. But we start out that way. We sit down and we know why put ourselves through the wringer; why beat our heads against the wall; sit back, sooner or later, somebody is going to do all the work for us. To sit back and say we've had malfunctions in our negotiating mechanism is not quite fair unless you know the mechanism completely, and Mr. Burke does not think anyone here knows the mechanism completely.

MRS. CONTI is completely in favor of this resolution. From the very first year she was on this Board, she saw this as one of the City's greatest problems. Someone from somewhere else in the State orders us to pay money which the taxpayers cannot really afford. 80% of our budgets are for salaries and we cannot afford this kind of tax increase.

MRS. MAIHOCK commends the makers of this resolution who are trying to ameliorate the very costly problems experienced with the Binding Arbitration Law. She feels, however, that rather than try to repeal, they might try to achieve a restrictive use of the Binding Arbitration except to those very serious circumstances which would affect the general welfare of the City in case of strike or other activities. This could create a problem in some emergency. She concurs some action is needed and these Representatives have done a fine job in trying to achieve that.

LABOR CONTRACT LIAISON COMMITTEE (continued)

PRESIDENT GOLDSTEIN called for a machine vote on the Resolution.
APPROVED with 15 Yes, 12 No, 7 Abstentions, 1 Non-Voting.

MR. BOCCUZZI requested from the Finance Commissioner figures on exactly what percentage of the budget is for salaries and fringe benefits. He received a three-page reply from Commissioner Pacter which he will have copied and sent to all Board members. That concludes his report.

RESOLUTIONS

MRS. NAKIAN Moved to Suspend the Rules to present for the Board's consideration a Resolution honoring Mr. John Hogan for his service to the Board of Representatives. Seconded. CARRIED.

MRS. NAKIAN read the Resolution: "Whereas, Mr. Hogan has served on the Board of Representatives from June, 1979 to October, 1984; and Whereas, Mr. Hogan has represented his constituents in the 12th District with distinction; and Whereas, Mr. Hogan has served the City as co-chairman of the Coliseum Authority Liaison Committee, and Vice-chairman of the Fiscal Committee with great insight; Now, be it resolved that the 18th Board of Representatives honors Mr. Hogan for his meritorious service to the City."

PRESIDENT GOLDSTEIN called for a voice vote on the Resolution, which was Seconded. CARRIED.

PETITIONS - None.

ACCEPTANCE OF THE MINUTES(1) September 19, 1984 Special Meeting Minutes

MR. WIDER Moved for Acceptance of the Minutes of the Special Meeting of September 19, 1984 (called for the purpose of setting a meeting date). Seconded.

MR. ZELINSKI said he would like it noted for the record that he was out of the State on business for the whole week and did not receive the notice until the weekend when he got back, which is why he was absent.

PRESIDENT GOLDSTEIN said the record would so indicate. A voice vote was called on the Motion to approve the 9/19/84 minutes. APPROVED.

(2) October 10, 1984 Regular Board Meeting Minutes

A Motion was Moved and Seconded to accept the Oct. 10, 1984 Minutes.

MR. ZELINSKI asked that these Minutes be held. He just received his in the mail yesterday afternoon, Election Day, and his mail comes at 4:30, so he did not have the opportunity to read them. Moved. Seconded. DEFEATED by voice vote.

ACCEPTANCE OF THE MINUTES (continued)

PRESIDENT GOLDSTEIN called for a voice vote on approval of the Minutes of 10/10/84. APPROVED with Mr. Zelinski voting No.

MRS. MCINERNEY said she did not know that it was necessary to have all of the material recorded under Charter Revision and Ordinance Committee especially since it starts "tape picks up at a point where Mrs. McInerney is speaking", she does not know if that is going to be an accurate statement of facts as it is a little bit distorted. The essence of whatever was being said has been missed. She said it could be cut out altogether as far as she cares. Or, she will make a correction and give it to staff.

PRESIDENT GOLDSTEIN called for a voice vote on the minutes, as amended. Seconded. APPROVED with Mrs. Maihock and Mr. Zelinski. Mr. Malloy has abstained.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS - None.

NEW BUSINESS - None.

OLD BUSINESS - None.

ADJOURNMENT:

There being no further business to come before the Board, upon Motion made by Rep. James Dudley, and Seconded by several, the meeting was Adjourned at 11:15 P.M. Motion APPROVED by voice vote

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

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
18th Board of Representatives

SG:HMM
Encls.