

MINUTES OF REGULAR BOARD MEETING

MONDAY, APRIL 1, 1985

18th BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 18th Board of Representatives of the City of Stamford was held on MONDAY, APRIL 1, 1985, 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 8:05 P.M. by President Sandra Goldstein, after both political parties had met in caucus.

INVOCATION was given by Rabbi Howard Bald, Agudath Sholom Synagogue, 180 Colonial Road, Stamford.

"Oh Lord, Master of the Universe, the source of all courage and hope, who has created us with great moral visions, grant us the life and energy to see these visions become a reality. Now, more than ever, we need your help, oh Lord, for our City is experiencing a growth and expansion unparalleled in its history.

"Our City has become the home to people of diverse religions, races and creeds, and we pray that all our decisions will strengthen the community and bring better service to all our citizens.

"Finally, grant the wisdom to us, the Representatives of our community, so that we may lead our City in the path of justice and righteousness. Amen."

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

ROLL CALL was taken by the CLERK OF THE BOARD ANNIE M. SUMMERVILLE. There were 31 Present and 9 Absent. Absent and excused were Reps. Taranto, Mallozzi, Santy, Blum, Signore, Morris, Santagata, Owens, and Jachimczyk.

The CHAIR declared a QUORUM.

MACHINE TEST VOTE was conducted by the President and found to be in good working order.

PAGES:

Miss Michelle DeLelle, 5th grade student at Stark School.

Miss Laura Richards, 5th grade student at Stark School.

THE PRESIDENT thanked the Pages for offering their services tonight and presented each with a Certificate.

MOMENTS OF SILENCE

For the late CARL V. OHLSON, who was a Stamford resident for the past 25 years and served as a deacon for many years for the First Presbyterian Church of Stamford. His daughter is the wife of Rep. Robert Skovgaard. He will be missed by everyone who knew him. Submitted by Rep. Thomas Burke.

For the late GEORE V. CONNORS, SR., who served on the Board of Representatives for 28 years, since its inception, and also served as its President for three terms. He was a good legislator and a good friend of Mr. Gerald Rybnick's and will be sorely missed. He also served in the General Assembly, the State's legislative body in Hartford. Submitted by Rep. Gerald Rybnick. Rep. James Dudley joined in Mr. Rybnick's expression of sorrow at the loss of George Connors. Rep. Barbara McInerney extended her feelings of condolence to the Connors' family.

For the late ADELINA DeLUCA, mother of Rep. Robert "Gabe" DeLuca - submitted by Rep. John Schlechtweg. Rep. Dudley said he wished to echo the sentiments of sympathy for the late Mrs. DeLuca. Rep. Maihock said Mrs. DeLuca lived in Stamford for 62 years and will be missed greatly by those who knew her. Rep. McInerney extended her feelings of condolence to the DeLuca family, also.

For the late JOHN RECKDENWALD, who was a very kind man and will be missed by many. Submitted by Rep. Robert Austin.

For the late JENNIE BRUNO. Submitted by Rep. James Dudley.

For the late TERESA CICCARELLI, who was the mother of a City employee, Lynn Ciccarelli, who works in the Central Services Dept. Submitted by Rep. Barbara McInerney.

PRESIDENT'S ANNOUNCEMENT

THE PRESIDENT reminded the members that on Tuesday, April 2, 1985, at 7:30 P.M., there will be a joint public hearing for the budget with the Board of Finance at Cloonan School. It is the public's only opportunity to speak before the combined Boards to tell them their feelings in relation to the budget, and it is important for as many members of this Board to be there as possible.

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Sandra Goldstein

MR. BOCCUZZI Moved to Waive the Reading of the Steering Committee Report of the meeting held on Monday, March 11, 1985. Seconded. Carried.

STEERING COMMITTEE REPORT

The Steering Committee met on Monday, March 11, 1985, 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	Mildred Perillo	Robert Skovgaard
John Boccuzzi	Alfred Perillo	Audrey Maihock
Mary Lou Rinaldi	Donald Donahue	Lathon Wider
Scott Morris	John Schlechtweg	Len Gambino, WSTC
Robert DeLuca	John Mallozzi	Anne Kachaluba
Maria Nakian	David Martin	

1. APPOINTMENTS COMMITTEE

ORDERED ON THE AGENDA were three of the four items appearing on the Tentative Steering Agenda. ORDER HELD IN STEERING was the name of Edwin Greenberg for the Board of Tax Review.

2. FISCAL COMMITTEE

ORDERED ON THE AGENDA were eight of the nine items appearing on the Tentative Steering Agenda. ORDERED ON THE PENDING STEERING AGENDA was one item: \$21,390.00 Salary increases for various classified non-union administrators. ORDERED ON THE AGENDA were the two items appearing on the Addenda to the Tentative Steering Agenda, and these items being: Proposed resolution for authorization of preliminary application for state school construction grants for Board of Education capital projects, and for publication, proposed ordinance placing proceeds from sale or disposal of capital assets in the non-recurring capital fund.

3. LEGISLATIVE AND RULES COMMITTEE

ORDERED ON THE AGENDA were the six items appearing on the Tentative Steering Agenda, also the one item appearing on the Addenda to the Tentative Steering Agenda and that being the item dealing with a resolution authorizing the Town & City clerk to mail ballots, etc. for creation of an Historic District. Suspension of Rules approved to place on Agenda, resolution and lease between the Aid for Retarded and City for use of Belltown School. ORDERED OFF THE PENDING STEERING AGENDA was the Request for a waiver of permit fees for renovations to Rice School for rooms to be used as a satellite shelter.

4. PERSONNEL COMMITTEE

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

5. PLANNING AND ZONING COMMITTEE

ORDERED ON THE AGENDA was one item appearing on the Pending Steering Agenda and that item was the Establishment of a strategy for sale of all city-owned assets. ORDERED ON THE PENDING STEERING AGENDA was the item appearing on the Tentative Steering Agenda and that was the item requesting a report from the Zoning Board regarding a comprehensive rezoning time frame. ORDERED OFF THE PENDING STEERING AGENDA was the item dealing with the Matter of open space grant for Geriak Farm.

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 STEERING AGENDA was the item calling for a Review of problems at the Transportation Center.

7. HEALTH AND PROTECTION COMMITTEE

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

8. PARKS AND RECREATION COMMITTEE

ORDERED ON THE AGENDA were the three items appearing on the Tentative Steering Agenda. Suspension of Rules approved to place a request for permission to hang a banner on Summer Street from 4/4 to 4/18/85 from Stamford Special Olympics on the Agenda.

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

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

10. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

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

11. URBAN RENEWAL COMMITTEE

No items appeared on the Tentative Steering Agenda.

12. ENVIRONMENTAL PROTECTION COMMITTEE

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

13. TRANSPORTATION COMMITTEE

ORDERED ON THE PENDING STEERING AGENDA was the one item calling for a Review of problems at the Transportation Center.

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.

17. LABOR CONTRACT LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

18. RESOLUTIONS

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

ADJOURNMENT

There being no further business to come before the Steering Committee, upon a motion made, seconded, and approved, the meeting was adjourned at 8:05 p.m.

SANDRA GOLDSTEIN, CHAIRWOMAN  
STEERING COMMITTEE



APPOINTMENTS COMMITTEE

CHAIRWOMAN PERILLO said the Appointments Committee met Thursday, March 28, 1985. Present were Gabe DeLuca, Anne Summerville, Jack Schlechtweg, Joe Santagata, John Boccuzzi, Robert Austin, and Chairwoman Millie Perillo.

She placed Items 2 and 3 on Consent. Item #1, Kenneth Lundmark is being Held.

TRANSIT DISTRICTTerm Expires

- (1) MR. KENNETH LUNDMARK (R)  
56 Kenilworth Drive, East

Replacing Leonard  
Vignola whose term  
expired.

Dec. 1, 1987

HELD IN COMMITTEEPERSONNEL APPEALS BOARD

- (2) MS. FAITH JUSTICE (D)  
73 Highland Road

Replacing Dale Jackson Dec. 1, 1985  
who resigned.

APPROVED ON CONSENT AGENDA.PERSONNEL COMMISSION

- (3) MS. PATRICIA A. BILLINGS (D)  
48 Seaton Road  
Held in Committee 2/4 and 3/4/85

Replacing W. Askew  
who resigned.

Dec. 1, 1985

APPROVED ON CONSENT AGENDA.

MRS. PERILLO Moved for approval of Items 2 and 3 on the Consent Agenda.  
Seconded. APPROVED, voice vote, unanimously.

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FISCAL COMMITTEE

MR. DONAHUE said the Fiscal Committee met on Wednesday, March 27, 1985, with Reps. Vos, Conti, McInerney, Lyons, Rinaldi, Rybnick, David Martin, Livingston, and Donahue in attendance. He Moved to the Consent Agenda Items #2, 3, 4, 5, 8, and 9.

- (1) \$ 7,505.00 - BOARD OF RECREATION - Code 650.2650 NEW EQUIPMENT - Additional Appropriation request to purchase IBM Model PCXT Word Processor in order to facilitate the operation, planning, and scheduling of year-round programs. Requested by Mayor Thom Serrani 2/5/85. Held in Committee 3/4/85. Approved by Board of Finance 3/12/85.

Above also referred to PARKS AND RECREATION DEPARTMENT.

FISCAL COMMITTEE (continued)

MR. DONAHUE said Item #1 is to make it easier for the recreational leaders and supervisors to facilitate the planning and scheduling of all the leagues and events that they supervise and monitor. This will save much time and allow them to spend more time in the field. The Committee voted 9-0 in favor and Mr. Donahue Moved for approval. Seconded.

MR. MALLOY said his Committee felt it should be a Capital Project and instead of moving it this year, put it in the 1985/86 Capital Projects Budget.

MRS. GUROIAN wanted to know if it were going to be an expense item or capital, and that if it were approved tonight, it would be taxation. She agrees it should go into the new Capital Projects Budget, whether it is financed by bonding or taxation. It should not be approved tonight.

THE PRESIDENT called for a machine vote on Item #1. APPROVED with 21 Yes, 8 No, and 2 Abstentions.

- (2) \$ 50,000.00 - PUBLIC WORKS DEPARTMENT - BUREAU OF HIGHWAYS AND MAINTENANCE - Code 314.2181 ROCK, SALT AND SAND - Additional Appropriation request required due to storms thus far encountered. Requested by Mayor Thom Serrani 2/5/85. Board of Finance approved 2/26/85. Returned to Committee 3/4/85. This item is part of original request for \$150,000.00, of which \$100,000 was approved by this Board at 3/4/85 meeting, and \$50,000.00 was Deferred.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA.

- \$ 30,000.00 (reduced by Public Works Committee)  
(3) ~~\$-60,000.00~~ - PUBLIC WORKS DEPARTMENT - BUREAU OF HIGHWAYS AND MAINTENANCE - Code 314.5530 CONTRACTORS, SNOW REMOVAL - Additional Appropriation request for snow removal contractors. Requested by Mayor Thom Serrani 2/5/85. Board of Finance approved 2/26/85. Returned to Committee 3/4/85.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA IN THE AMOUNT OF \$30,000.00 - BALANCE DENIED.

- \$100,000.00 (reduced by Public Works Committee)  
(4) ~~\$160,900.00~~ - PUBLIC WORKS DEPARTMENT - Code 323.2620 REPAIRS, EQUIPMENT - Additional Appropriation request due to age of fleet and repairs more expensive. Requested by Mayor Thom Serrani 2/5/85. Board of Finance approved 2/26/85. Returned to Committee 3/4/85.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA IN THE AMOUNT OF \$100,000.00 - BALANCE DENIED.

- (5) \$ 13,000.00 - PARKS DEPARTMENT - TERRY CONNERS SKATING RINK - Code 620.2720 GAS AND ELECTRIC - Additional Appropriation request to replace monies transferred earlier to cover emergency: compressor breakdown in Rink. Requested by Mayor Thom Serrani 3/5/85. Board of Finance approved 3/12/85.

Above also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (6) \$ 2,000.00 - TRAFFIC AND PARKING DEPARTMENT - Code 280.2740 TELEPHONE -  
 Additional Appropriation request to cover increases in  
 telephone costs. WATTS lines not included in previous  
 fiscal year. Requested by Mayor Thom Serrani 3/5/85.  
 Board of Finance approved 3/12/85.

Above also referred to TRANSPORTATION COMMITTEE.

MR. DONAHUE said this does not belong on this agenda as it was handled  
 through a transfer. REMOVE FROM AGENDA.

- (7) \$ 2,000.00 - TRAFFIC AND PARKING DEPARTMENT - Code 281.2740 PARKING  
 DIVISION - TELEPHONE - Additional Appropriation request  
 to cover increases in telephone costs. WATTS lines not  
 included in previous fiscal year. Requested by Mayor  
 Thom Serrani 3/5/85. Board of Finance approved 3/12/85.

Above also referred to TRANSPORTATION COMMITTEE.

MR. DONAHUE said this does not belong on this agenda as it was handled  
 through a transfer. REMOVE FROM AGENDA.

- \$ 32,506.00  
 (8) ~~\$ 32,996.00~~ - HEALTH DEPARTMENT - PRIVATE & PAROCHIAL SCHOOL HEALTH  
 PROGRAM - additional appropriation request to fund  
 contract negotiated between the City of Stamford and  
 Stamford Supervisory Employees' Union Local 2657 of  
 Council #4 AFSCME, AFL-CIO (known as "481 employees")  
 for three (3) supervisors recently admitted to  
 membership in this union. Contract signed 2/21/85.  
 Effective 7/1/83.
- |                                  |                      |           |
|----------------------------------|----------------------|-----------|
| Code 561.1110 salaries.....      | <del>328,196.</del>  | \$27,706. |
| Code 561.1220 Car allowance..... | <del>4,800.</del>    | 4,800.    |
|                                  | <del>\$32,996.</del> | \$32,506. |

Request by Mayor Serrani 3/5/85. Board of Finance  
 approved 3/12/85.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA FOR \$32,506.00 (mathematical computation error),  
 with Mrs. Conti Abstaining.

FISCAL COMMITTEE (continued)

- (9) PROPOSED RESOLUTION FOR AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE SCHOOL CONSTRUCTION GRANTS FOR BOARD OF EDUCATION CAPITAL PROJECTS. (1984/85 Capital Projects) The following projects were funded. Grants of approximately 40% of the final approved cost of these projects, including any additional phases, will be received directly into the City's General Fund. Those projects funded through the sale of bonds may also become eligible for bond interest subsidies. Submitted by Benjamin R. Reed, Asst. Supt. for Support Services, Stamford Public Schools 3/6/85.

<u>PROJECT TITLE</u>	<u>CAPITAL BUDGET APPROP. 1984/1985</u>	<u>CITY CAPITAL PROJECT #</u>	<u>STATE PROJECT #</u>
Murphy School, Door Replacement	\$ 28,169.	#810-054	#135-84-85-CV
Stillmeadow School, Roof Repair & Replacement, PHASE I	60,423.	#810-057	#135-84-84-RR
Murphy School, Planning, Alteration & Renovation	65,000.	#810-162	#135-84-82-A
Dolan M.S., Replacement Auditorium & Stage Lighting	59,700.	#810-338	#135-84-86-CV
Springdale School, Roof Repair & Replacement	114,404.	#810-499	#135-84-83-RR

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

MR. DONAHUE said Item #10 is for publication. The Committee will hold a public hearing on this item. The last up-date on this came on last Friday or Saturday. There was some concern by some of the Committee that large equipment sale proceeds should also be earmarked for the Non-Recurring Capital Fund, and wording has been added for that purpose in Part I of the body of the proposed ordinance. The best way to explain the need for this is in the WHEREASes of the ordinance itself, and it addresses the need to protect the Capital Base and to lessen the necessity for future borrowing and related Debt Service costs, the City should deposit the proceeds from certain capital assets into the Non-Recurring Capital Fund and it will reduce the need for new borrowing in the future. By a vote of 9-0 in favor, the Committee recommended approval of this item for publication and he so Moved. Seconded.

THE PRESIDENT asked for a separate Motion to amend the ordinance with Mr. Donahue's additional verbiage.

FISCAL COMMITTEE (continued)

MR. DONAHUE said for the sake of clarity, he will say that Paragraph #1 has been amended to read as follows:

"All proceeds from the sale of real property, including buildings and improvements thereon, by the City of Stamford, and all proceeds from the sale of equipment by the City of Stamford, provided that the purchase of such equipment was financed through bonds and the sale of such equipment realizes proceeds in excess of Ten Thousand Dollars (\$10,000.00) shall be deposited into the Capital Non-Recurring Fund up to the statutory limit of said Fund as set forth in the Connecticut General Statutes (C.G.S.) 7-367."

It was Seconded, and APPROVED by voice vote. The amendment is approved.

- (10) FOR PUBLICATION - PROPOSED ORDINANCE PLACING PROCEEDS FROM THE SALE OR DISPOSAL OF CAPITAL ASSETS IN THE NON-RECURRING CAPITAL FUND. Submitted by Rep. David Martin (19th Dist. Dem.).

Above also referred to PLANNING AND ZONING COMMITTEE.

MR. WHITE said those in favor of this ordinance have been quite articulate to justify it, but he objects to it on the grounds that it is premature at this time. We are involved in a study for the sale of public lands and one never knows where the study may take us. The study may result, among other things, in recommendations for the use of the proceeds of such sales. He feels we should wait until the study is completed, which is imminent, before we pass an ordinance that may need to be amended or abrogated.

MR. DAVID MARTIN said his reason for introducing this ordinance was due to the various reports coming from the Municipal Relocation Office Committee, and committees by that name, which indicated that under the City's present policies; in fact we have a policy at present that the sale of land or buildings would be recognized as income to fund current operating expenditures, and in fact, the City has already got a strategy and it already has a procedure by which we could sell long-term capital assets to pay short-term operating expenses, and that is a fundamental No-No, and that is why this ordinance was introduced. It really does not speak <sup>to</sup> what the funds would be used for. It reserves them so that they are not used to pay for short-term operating expenses. It does nothing more. It does not diminish the need for strategy for what properties to sell and what type of development the City should use in those operating assets. It just prevents a very abusive use of the proceeds of the sale and this type of financial authority is needed. That is why Mr. Martin feels the Board should go forward with this.

MRS. McINERNEY asked whether Mr. White was just making comments or was that a Motion to Return to Committee.

THE PRESIDENT said she believed they were comments, as no Motion was made.



FISCAL COMMITTEE (continued)

MRS. GUROIAN concurred with <sup>what</sup> Rep. Dennis White said. She believes the Municipal Relocation Office Committee will be looking into this aspect of sale of properties, and this ordinance is a bit premature. She has a question on #7 of the ordinance, but she is Moving to Return to Committee, and will address that later. Seconded.

She repeated this is a bit premature, and as far as she knows, the City is not even contemplating selling a large piece of property. We should not hurry into this. Concerning #7, if she understands it correctly, the present process for approval of Capital appropriations from the Capital Non-Recurring Fund, only has to go before the Board of Finance.

MR. DONAHUE said there is a two-step process involved here. In the Capital Projects Budget, the Board of Finance decides which projects shall be financed by Taxation and which by Bonding. They would be allowed to use the Capital Non-Recurring Fund as a third step in providing funding for Capital Projects. However, before placing funds in any account of the City, even a gift, both the Boards of Finance and Representatives would have to approve of money placed in whatever account it may be. This Board, therefore, would be on the approval part of placing money in the Capital Non-Recurring Fund.

MRS. GUROIAN asked who makes the decision in cases other than the budget process, if an expenditure comes up, who makes the decision and who approves the decision to take that money from the Capital Non-Recurring Fund.

MR. DONAHUE said that under the Charter, he believes the Board of Finance has the authority on Capital Projects, to put so much in bonds, so much in taxation, and also they have the authority to say so much would be funded from the Capital Non-Recurring Fund.

MRS. GUROIAN said then, that it does not come before the Board of Representatives.

MR. DONAHUE said only in the appropriation process.

MRS. GUROIAN said it is a very short paragraph and she would like to read it for those who do not understand what she is driving at. She finds it very clear, the way it is worded: "This ordinance shall not affect the capital appropriation approval process in any way except that the Board of Finance may designate the Capital Non-Recurring Fund as the source of funding for a capital project." Now that implies that it does not come before the Board of Representatives.

MR. DAVID MARTIN said the way the process works now, both the Board of Finance and the Board of Representatives must approve any Capital or Operating expenditure, and the intent of that first part of the paragraph is to reaffirm that, that there is no loophole that we are opening here; you must get Board of Representatives' approval. As it is also presently now, the Board of Finance has the sole authority to designate the source of funding for Capital Projects, and they can designate the source as either Bonding or as Taxation. The Board of Representatives still has to approve, but the Board of Finance designates. What this does is say the Board of Representatives still has to approve with this designatory power, if it can be called that, but the Board of Finance can now designate the Capital Non-Recurring Fund as an alternative source of capital funding. It is designated, in fact,



FISCAL COMMITTEE (continued)

MR. DAVID MARTIN (continuing): to prohibit any loopholes, such as you may, for example, see some project that the Board of Finance and/or the Mayor or somebody decides they want to approve something and they use the Non-Recurring Fund without coming to the Board of Representatives. This specifically prohibits that. That is its intent, and the record should make that very clear.

MR. DONAHUE said, as he has already mentioned, that this Board has to approve any money being appropriated into any account; that is part of the process. We also have to agree to appropriate money for every project in the Capital Projects Budget, for example. But, the Board of Finance does have the authority for determining how those projects will be funded. One way is through Bonds. One way is through Taxation. This would be a third method of funding Capital Projects that we have approved of.

MRS. GUROIAN said she wished to get it perfectly clear in her mind. She understands what Rep. Donahue is saying. He is talking about the budget process. However, Mrs. Guroian is talking about the process outside the budget. Mr. Martin said it is the intent of the paragraph that it would still come before the Board of Representatives when the appropriation is being made. She would like that spelled out very clearly in #7, rather than lend itself to misinterpretation, and she feels she reads the English language about as well as the average person does, so she is gauging by her own misconception that it is not worded well enough for her to get that impression from it, as to the intent of #7, which is a further reason why she would like it to go back to committee. She would not like this Board to make a mistake and have this ordinance approved, and then find out that the Capital Non-Recurring Fund, which, logically speaking, can hold millions of dollars if a large piece of property is sold, the expenditures from which would only be approved by the Board of Finance. She does not want to run into that possibility. She wants it spelled out as clearly as possible that the Board of Representatives shall also be involved in the expenditure of those funds.

MRS. McINERNEY said she voted in Committee to publish this tonight, but they did not have Mrs. Guroian to explain, or to really go into Question #7, and if the intent is in fact that the Board of Representatives along with the Board of Finance designate how that Non-Recurring Capital Fund money should be spent, certainly then it should be clearly stated in this ordinance, and she will vote to return the item back to committee. It is her understanding that up until a couple of years ago, most of the sources of the Capital Project expenditures came from bonding, and it was two years ago that the Board of Finance decided to use a combination of Taxation and Bonding, and that is something that never comes before this Board, as the members well know.

MR. DUDLEY Moved the Question. Seconded. CARRIED by voice vote.

THE PRESIDENT said the question now is sending this ordinance back to the committee to work specifically with #7 and to clarify that number of the ordinance. They will take the vote by machine. APPROVED to Return to Committee by a vote of 25 Yes and 6 No. Item #10 will go back for further study and clarification.

FISCAL COMMITTEE (continued)

MR. DONAHUE Moved for approval of the Consent Agenda Items #2, 3, 4, 5, 8, and 9. Seconded. APPROVED by voice vote, with Mrs. Conti Abstaining on Item #8.

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LEGISLATIVE AND RULES COMMITTEE

MR. SKOVGAARD said the Legislative and Rules Committee met on Monday, March 18, 1985, at 7:30 P.M. in the Main Board Room of the Board of Education Administration Building for the items on the agenda. Present at the meeting were Committee members Maihock, Terrence Martin, Nakian, Powers, Skovgaard and Morris. Rep. Zelinski had called and indicated he would be late, but due to the brevity of the meeting, the meeting was over before Mr. Zelinski did arrive, although he did arrive. Also in attendance were Rep. David Martin, Asst. Corp. Counsel Wm. Hennessey, and members of the press.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE DELETING SECTION 14 OF ORD. #7 SUPPLEMENTAL - This concerns the waiver of building permit fees on buildings that serve non-profit or eleemosynary institutions. Submitted by Reps. D. Martin, S. Morris, R. Skovgaard, M. Nakian, T. Martin, R. Powers, and A. Maihock 1/4/85. Held in Committee 2/4 and 3/4/85.

MR. SKOVGAARD said the Committee voted 4 in favor, 2 opposed, to recommend publication and he so Moved. Seconded.

First, however, Mr. Skovgaard said he would like to Move to the Consent Agenda Items 2 and 7.

MR. ZELINSKI is against this proposed ordinance, one reason being that it now reads that this Board has the power, if it so desires, to grant any waiver of building permit fees. If this ordinance passes, then in essence, this Board will not have that power. There is a resolution that came down from the Law Dept. with the ordinance regarding the policy of permitting fee waivers. As this Board knows, an ordinance is the law of the City. A resolution is really not binding. The Board may have several resolutions on which it may take a stand regarding a certain issue but that does not bind the Board in any court of law. To quote from a report made up by our Researcher Sherry Dorfman, "the 16th Board granted a total of \$6,400, a grand total, of fees waived in the City. The 17th Board waived \$3,302, and the 18th Board waived \$21,508; and to date, \$31,210." By approving this ordinance, and it is the intent to save the City money, one mill is about \$4 Million, so even if you total the last four years to date, you are talking about a grand total of \$61,000. Please remember that the organizations that come before this Board to ask for waivers are primarily non-profit, charitable organizations, and churches and synagogues.

He feels this is a self-defeating ordinance since here we are withdrawing or repealing an existing ordinance and pass a resolution saying the Board has a right to do it, so if that is really the purpose of the Board, then why change anything since the ordinance already states we have the power to do it. It does not state we must. It appears we are going around a circle, coming back to the same starting point that we have the right to grant waiver of building permit fees if we want. Based on that information, Mr. Zelinski is against the publication and the ordinance.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. NAKIAN said they have been discussing this for several months now, and she is not in favor of practically automatically granting fee waivers for every innovation that comes along. However, as this is being discussed, she feels that by doing it by resolution rather than ordinance, the door is left open for the one or two cases, and what came to mind in Committee, was low-cost or elderly housing that cannot be built in any way unless the City grants a fee waiver. The Committee did not want to make it so stringent that those cases could not be considered.

In the resolution, they felt they were covering many of the qualifications and putting such stringent restrictions in here that just not every fee waiver would be granted. While she is in favor of stopping the practice, she would prefer to do it by resolution rather than ordinance, and that was one of the two votes indicating that.

MR. WIDER said the Board already has the power of refusing waiver requests, so he does not feel this is saying much more than is already on the books. He does not feel any change is necessary at this time.

MRS. POWERS said she concurs with Mr. Zelinski and Mrs. Nakian. In Committee it was indicated that if this ordinance were to be published and passed, any time someone wanted a waiver, a new ordinance would have to be passed, and we would be going around in circles adding costs for the City. She agrees with the resolution way of going.

MRS. MCINERNEY said she agrees with Mr. Zelinski and Mr. Wider that the City presently has Ord. 80.7 intact and it does not require the waiver of the building permit fee when the subject building or structure is used in connection with the function of any non-profit or charitable institution, but does require that all applications be treated similarly by the Board of Representatives. You can't discriminate from one to the other. Mrs. McInerney does not see that the resolution is going to affect the policy presently administered by this Board, and she feels it is unnecessary at this time, but she feels if the Board wishes to pass something of this nature, that it be in the nature of a resolution form. However, she feels it is an unnecessary piece of legislation before them now.

MR. DAVID MARTIN said there appears to be some confusion between the ordinance and the resolution. Two things, in fact, have come down to the Committee. The source of the ordinance, which is different from the resolution, is when he was speaking to the leader of one of these non-profit, charitable, eleemosynary institutions, Mr. Martin informed him that when they put the structure down, he could appeal that building permit fee and this Board would give it back to his organization. He is not aware of any ever being turned down for any reason. Mr. Martin feels the Board never will turn anyone down. They may have reserved the right, but in fact have not used that right, as they find the political pressures too easy to give away small amounts of funds albeit to small benefit to various special interest groups, and individual Board members find that beneficial to them at certain times. He does not feel it does much for the City, and many of the projects have not served the City in a general way. The resolution is an alternative. The point is not necessarily to push through an ordinance that eliminates the Board's right to do it, that is one alternative. He would like to see if the public comes out and speaks. The Committee felt, 4-2 in favor, that

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. DAVID MARTIN (continuing): perhaps it should be done away with entirely. A resolution is one alternative which might be further tightened up. The public should be permitted to speak. In fact, that building permit fee is part of the cost of going out to inspect those buildings. It is necessary to know that the structure is safe, regardless of whether it is a non-profit organization's building, a private residence, etc. He feels this should be published to get the public reaction.

MRS. MAIHOCK said as Mr. Wider says, the Board has the power to refuse. However, some people do not have the inclination or courage to turn down requests where special interests are concerned. It is sometimes embarrassing to them when they really feel they would like to turn it down, but they don't want to state that publicly. Therein is where the problem lies. The resolution will do nothing to further the privileges the Board has now.

MR. SKOVGAARD said Rep. David Martin stole all his thunder so he will defer to his comments.

THE PRESIDENT called for a machine vote on Item #1. APPROVED with 22 Yes, 5 No, and 4 Non-Voting.

- (2) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING ORD. #483 CONCERNING THE REDUCTION AND CONTROL OF NOISE. Submitted by Rep. Robert Skovgaard 9/20/84. Held in Steering 10/17/84. Approved for publication 12/3/84. Held in Committee 1/7 and 2/4/85. Approved for republication 3/4/85.

APPROVED ON CONSENT AGENDA with 2 No votes: M. Perillo and A.M. Summerville.

MR. SKOVGAARD said Item #3 was voted to hold pending receipt of an amended version of the proposed ordinance.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE ESTABLISHING A 90-DAY WAITING PERIOD TO THE GRANTING OF ANY PERMIT FOR THE DEMOLITION OF ANY BUILDING OR STRUCTURE. Submitted by Reps. Nakian, Goldstein, Fishman, Mallozzi 1/9/85. Held in Committee 2/4 and 3/4/85.

HELD IN COMMITTEE.

MR. SKOVGAARD said Item #4 likewise was held pending receipt of a hopefully combined ordinance, combining those two proposed ordinances.

- (4) FOR PUBLICATION - PROPOSED ORDINANCE REQUIRING THE EXTERMINATION OF RODENTS AND VERMIN PRIOR TO THE DEMOLITION OF BUILDINGS AND STRUCTURES. Submitted by Dr. Gofstein, Health Director, 1/28/85 letter. Held in Committee 3/4/85.

HELD IN COMMITTEE.



LEGISLATIVE AND RULES COMMITTEE (continued)

MR. SKOVGAARD said this also was voted to hold until the Committee gets further input from the Stamford Boys Club.

- (5) PROPOSED RESOLUTION AND LEASE CONCERNING THE APPROVAL OF A LEASE BETWEEN THE STAMFORD BOYS CLUB, INC. AND THE CITY OF STAMFORD FOR PREMISES LOCATED ON THE EAST SIDE OF STILLWATER AVENUE FOR THE TERM OF TWENTY-FIVE (25) YEARS, COMMENCING ON THE FIRST DAY OF THE FIRST MONTH AFTER APPROVAL OF LEASE BY THE BOARD OF REPRESENTATIVES, AT THE ANNUAL RENTAL OF ONE DOLLAR (\$1.00). Submitted by John E. Smyth, Asst. Corp. Counsel 12/28/84. Planning Board approved 12/18/84. Board of Finance approved 1/10/85. Held in Committee 2/4 & 3/4/85.

HELD IN COMMITTEE.

- (6) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING MUNICIPALITY LIABILITY FOR ICE AND SNOW ON PUBLIC SIDEWALKS. Submitted by Wm. Hennessey, Asst. Corp. Counsel 2/20/85.

MR. SKOVGAARD said due to a potential conflict-of-interest, he is absenting himself from all discussions concerning Item #6. Mr. Terrence Martin will act as Chair on this item.

MR. TERRENCE MARTIN said the Committee voted 5-0 to publish, and due to a potential conflict-of-interest, Chairman Skovgaard excused himself from the proceedings and from the vote to publish. The intent of the ordinance is explained in a letter from Wm. Hennessey to President Goldstein dated 2/20/85, which was sent to all Board members. Mr. Martin read the letter. He said Mr. Hennessey did show up at the Committee meeting, and added that the City has to dig into its self-insurance fund at the present time to cover the amount of a judgment and attendant legal costs and fees in connection with serious accidents caused by ice and snow on sidewalks. As such, this presents a substantial administrative problem for the Law Dept. The Committee unanimously agreed and this item has been placed on the Consent Agenda, although it has been removed. He Moved for its passage. Seconded.

MR. ZELINSKI said he is very strongly against this proposed ordinance. Basically, if it is passed, the responsibility and lawsuits will not come to the City as Rep. Martin said and as Mr. Hennessey said in his cover letter, but then each individual homeowner will be responsible and liable based on this ordinance. Is that what we want to do this evening? That we want to say, as legislators, the City no longer wants the responsibility of a liability suit, now, you, as homeowners, you bear that responsibility yourself.

I cannot believe that we are even considering this tonight. Be that as it may, there are some erroneous assumptions on the part of the Asst. Corp. Counsel. First of all, he mentions that since Homeowners' Insurance Policies generally cover such accidents, the effect of the ordinance should not be devastating to any party. Speaking as a professional insurance man, he has checked with his own home office and several other company home offices, and he can assure the Board that in the case of a suit by an individual because of being hurt on a City sidewalk, if the person sues the City of Stamford, that is the only responsible person. However, in the event that

LEGISLATIVE AND RULES COMMITTEE (continued)

MR. ZELINSKI (continuing): this ordinance is passed, then the City of Stamford has no longer any responsibility, and then indeed we are saying that an individual homeowner would then be sued by someone for being injured on their property. Mr. Zelinski would like to remind his colleagues that the City sidewalks are not owned by homeowners. They are owned by the City, and as most sidewalks, and he can only account for some in his own District, are in great need of repair, there are trees uprooting the sidewalks, there are cracks, and even if someone should shovel the snow and ice off the sidewalk, it doesn't say that someone could not be injured.

The bottom line is that if this passes, the individual homeowners would be sued, and granted they may have insurance policies to cover them, however, that would also go against their particular insurance record and if enough claims come in, they can be dropped by their present carrier and have to go elsewhere and pay a higher premium. He cannot believe this is the proper way to represent one's constituents, and some have spoken to Mr. Zelinski and are shocked that this is even on the agenda.

He would like the record to show that interestingly enough, most proposed legislation comes from the Mayor or is initiated by this legislative body. He cannot recall legislation being proposed and sponsored by an Asst. Corp. Counsel. He trusts his colleagues will remember there are many senior citizens, disabled people, and others who may not be able to go out and shovel or chop the ice off their sidewalks, or cannot afford to get someone to do this for them, and if they are sued, should this proposed ordinance pass, we are going to put them in this untenable position because the City now wishes to shed itself of that responsibility. Snow plows every year throw or push snow on sidewalks and driveways that have been cleared by citizens. Middle-aged people are having heart attacks from shoveling snow and are constantly cautioned by the medical profession. Mr. Zelinski would like to know what, in the past, has been the City's expenditure for such lawsuits, before he would even consider publication. He urges voting against this.

MRS. CONTI asked what happens if the abutting landowner happens to be a charitable institution, or a non-profit corporation. Would the victim then have no recourse.

MR. TERRENCE MARTIN said he is a non-lawyer and cannot give a legal opinion. However, the ordinance simply maintains that the owner or the person in possession and control of land abutting a public sidewalk.....shall be liable... etc.

MRS. CONTI said a charitable organization might not be in a position to pay the liability. She cannot support this proposed ordinance because it relieves the City from repairing the sidewalks, and other services that the taxpayers pay for. This would not be fair and she is against it.

MR. WIDER is against the proposed ordinance. He allows the City to use his property for all the people to walk on, and if he allows the City to use his property, then they have some responsibility. He is against taking it away from them. He says they are entitled to this responsibility because they demand that we let them have X number of square feet for sidewalks of our property. He is paying taxes on that property and the City is using it. The City has a responsibility. He wants them to have it. He is bitterly against this ordinance.



LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. POWERS said this only applies to people who are negligent in not removing their snow. She said if a \$4 Million suit were brought against this City, we might have a tax increase of one mill. She is in favor of this ordinance. She feels the insurance ramifications are totally immaterial whether somebody is covered or not on their own personal insurance. The City should not be liable when someone else is negligent in not cleaning their property.

MR. DeLUCA said he will vote against this ordinance for several reasons. First, what happens to a senior citizen who is handicapped and cannot get out there to shovel, and has no one they can contact to do it. Contrary to what Bill Hennessey says <sup>that</sup> it will not have a devastating effect on any one, he, like Rep. Zelinski, would have to disagree. If you get enough injured parties in one area, the insurance coverage can be dropped or the premiums raised to an astronomical effect on the people. As we all know with car accidents, if you have any teen-age children that have accidents, your rate keeps going up and up and up and you get dropped, you go into a car pool, you pay a fantastically large premium. This is just another way for the City to get off the hook for a responsibility that they have. The next thing down the road would be whether or not there was snow on the sidewalk, the City would want to create an ordinance saying anyone injured on a sidewalk, regardless of the condition, that the City is not liable. If you were to travel around the City, especially the sidewalks around the Hillcrest Variety Store and see the conditions there, should someone fall there, would Hillcrest Variety be liable due to the City's neglect. If anyone has been trying to get a sidewalk repaired lately, forget it. He will vote against it; kill it right now, and tell the City it is their obligation and they are not getting off the hook.

MRS. McINERNEY concurs with Mr. DeLuca and Mrs. Conti.

MR. AUSTIN asked if Mr. Martin would give a hypothetical situation which might clarify the matter.

MR. TERRENCE MARTIN said he is walking down the street, he slips and falls on a sidewalk in front of a privately-owned private residence. When he calls his attorney, he tells him the name of the landowner whom he would like to sue as opposed to getting him to lick his chops when he tells him he is going to be suing the City of Stamford's Self-Risk Fund, and watch his eyes glisten. That should make the distinction about as clearly as he can and still be brief. In the absence of this ordinance, his recourse is to sue the City, the City who has not picked up the accumulated snow off the sidewalk in front of a private residence. Given that the ordinance is passed, then his first recourse is to sue the property owner, who has been negligent in not removing the snow from his sidewalk. Additionally, there have been some rather creative constructions of exactly what gets covered by this ordinance; and again, he would like to repeat that specifically, the very first paragraph refers to ice and snow on public sidewalks and the municipal responsibility. He feels the interpretations have a bit on the liberal side.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. NAKIAN said this says nothing about repairing sidewalks. It has only to do with removal of ice, snow, debris, or any obstruction. The Connecticut General Statutes and the Ordinances of Stamford already say that it is the owner abutting the sidewalk who has the responsibility to remove ice and snow from their sidewalks. This is already on the books. If they do not do it, the Public Works Commissioner can cause it to be done and it becomes a lien against the property. That, Mrs. Nakian believes also will remain in effect. If the private homeowner does not remove the ice and snow, the City will come in and do it. What this ordinance does is place the responsibility on the owner who did not remove the ice and snow in the first place. At this point, he can say, who cares, leave it there and the City is responsible. If this ordinance goes through, he is responsible, and that may get him out there doing it. As Mr. Hennessey explained it, Stamford is one of the very few municipalities in Connecticut who has not taken advantage of this newly-enacted statute that removes the liability from the City. That is why he introduced the legislation. Mrs. Nakian said she knows it is against the way things have always been done, but sometimes in a city, you do have to look forward, and she feels this is a good piece of legislation.

MRS. GUROIAN said these things look very clear when you get simple, black-and-white, dried cases, but in every instance, there are borderline cases. For instance, take the story that Terrence Martin gave. He walks down the street. He falls down. Now that sidewalk has been reasonably cleaned. However, due to the negligence of the City, there have been so many ruts and so many repairs and such disrepair that it now becomes a question of whether it was the disrepair of the sidewalk or the little bit of snow that may have remained in the cleaning, that caused the accident. Now Terrence sues the homeowner. Now it is incumbent on him to go to court and prove that it was not his negligence but the City's negligence that was responsible for it. Mrs. Guroian said, with the condition that our sidewalks are in, it is too much of a responsibility to place on the homeowners. A good measure of the City's sidewalks are in great disrepair, except downtown. They tear them up even though they are not in disrepair, and build them over again; but when it comes to Mrs. Guroian's neighborhood, they never build a sidewalk and they never plant a tree, but we give \$2.5 Million to plant trees downtown, but she never sees a tree replaced in her District or neighborhood. Courtland Avenue, which used to be well-known as a site for lovely dogwood trees, hardly has a dogwood tree left in it. Nothing is replaced over there.

Another interesting point was brought up. There are sidewalks in this City that are placed on property owned by the homeowner, who, out of the goodness of his heart, allowed the sidewalk to be placed there. Or, a commuter comes home at night and finds a brand-new sidewalk he was not expecting. Now, you are putting an added responsibility on him to be used because the City put a sidewalk on his property. We have done enough to the homeowner in Stamford. Mrs. Guroian does not feel any more should be done to him. It is time to cool it a bit. It is time to tear up sidewalks outside of the inner city and less sidewalks in the inner city, which may make it better for everyone concerned.

MRS. PERILLO Moved the Question. Seconded. CARRIED by voice vote.

LEGISLATIVE AND RULES COMMITTEE (continued)

THE PRESIDENT called for a machine vote on Item #6. DEFEATED with 8 Yes, 21 No, 2 Non-Voting.

- (7) RESOLUTION, PURSUANT TO CGS 7-147b (g), AUTHORIZING THE TOWN AND CITY CLERK TO MAIL BALLOTS TO EACH OWNER OF RECORD OF REAL PROPERTY TO BE INCLUDED IN THE HISTORIC DISTRICT ON THE QUESTION OF CREATION OF AN HISTORIC DISTRICT as provided for in the Connecticut General Statutes 7-147a to 147k, inclusive. Submitted by the Historic District Study Committee 2/25/85. This must be acted upon by the Board within 65 days of receipt of request (received 2/25/85). This cannot be voted down. Statutes say Board has to authorize, per W. Hennessey, Asst. Corp. Counsel.

APPROVED ON CONSENT AGENDA.

MR. SKOVGAARD said he would like to report on Item #8. This was on this Board's agenda contingent upon Board of Finance approval. There was no approval by the Board of Finance. They denied it. Therefore, Item #8 was not considered by the Committee.

MR. SKOVGAARD Moved the Consent Agenda's approval for Items #2 and #7. Seconded. APPROVED by voice vote, with Rep. Mildred Perillo and Rep. Annie M. Summerville voting No on Item #2.

- (8) PROPOSED RESOLUTION AND LEASE CONCERNING THE APPROVAL OF A LEASE BETWEEN THE AID FOR THE RETARDED, INC. and THE CITY OF STAMFORD FOR PREMISES LOCATED AT BELLTOWN SCHOOL, 21 BURDICK STREET, STAMFORD, EXCEPT THE LAND WHICH PRESENTLY IS OCCUPIED BY THE "PORTABLE CLASSROOMS" for the term of twenty-five (25) years, commencing on the first day of the month following execution of lease and approval by the Board of Representatives, for a term rent of One Dollar (\$1.00), payable upon execution of lease. Submitted by John E. Smyth, Asst. Corp. Counsel, 1/8/85. Planning Board approved 2/11/85. Board of Finance DENIED 2/26/85. Held in Committee 3/4/85.

Above also referred to PUBLIC WORKS and SEWER COMMITTEE.

REMOVE FROM AGENDA - BOARD OF FINANCE DENIED.

MRS. CONTI made a Point of Information, asking if Item #8 is completely off the agenda now, never to be acted on.

THE PRESIDENT said Item #6 will not go on the Steering Committee Agenda again until it is passed by the Board of Finance.

MRS. CONTI asked would this Board then get more copies of this, or what.

THE PRESIDENT said if and when the Board of Finance passes this Resolution regarding the lease, it would again appear on this Board's Agenda.

LEGISLATIVE AND RULES COMMITTEE (continued)

MRS. CONTI said she has a notation that it was defeated by the Board of Finance. Their Pending Agenda from the Board of Finance "defeated 2-Q-3; Morgan, Pollard; Abstentions: Benenson, Malloy, Nolan.

THE PRESIDENT said it was the information given to the Steering Committee that they were going to re-vote on it that caused her to place it once again on the Agenda contingent upon their approval. However, that will not be done again. Obviously it was misinformation.

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PERSONNEL COMMITTEE

MR. DUDLEY said his Committee met on Wednesday, March 20, 1985, at 7:30 P.M. in the Conference Room at the Board of Education Building, Hillandale Ave. Present were Reps. Fishman, Morris, Terrence Martin, Jachimczyk, and Dudley. He Moved to the Consent Agenda Item #1. Mr. Burke was also present.

Items #2 and #3 are both being Held in Committee.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORDINANCES NO. 531 CREATING THE POSITION OF S.H.A.P.E. DIRECTOR IN THE UNCLASSIFIED SERVICE. Submitted by James Dudley, Chairman, Personnel Committee, 3/1/85. Held in Committee 2/4 and 3/4/85.

APPROVED ON CONSENT AGENDA.

MR. DUDLEY Moved for approval of Item #1 on the Consent Agenda. Seconded. APPROVED by voice vote.

THE PRESIDENT said the record will note that Mr. Skovgaard has left the meeting and there are now 30 members present.

- (2) PROPOSED RESOLUTION REQUESTING THAT STAFF ANALYST OF BOARD OF FINANCE BE INCLUDED IN DENTAL, HEALTH, HOSPITALIZATION AND MAJOR MEDICAL POLICIES available to other City employees. Staff Analyst is a permanent part-time position. Requested by Chairman Michael Morgan of the Board of Finance 1/21/85. Held in Committee 3/4/85.

HELD IN COMMITTEE.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE DESIGNATING POSITIONS CREATED OR FUNDED BY A GRANT, AS UNCLASSIFIED. Submitted by Wm. Hennessey, Asst. Corp. Counsel 2/20/85.

HELD IN COMMITTEE.



PLANNING AND ZONING COMMITTEE

MR. SCHLECHTWEG said he would defer to Mr. Dennis White, the Chairman of the sub-committee.

MR. WHITE said a meeting of the sub-committee of the Planning and Zoning Committee for developing a strategy for the sale of City-owned land was held on Thursday evening, March 21, 1985 at 7:15 P.M. Attending were Reps. Dennis White, Chairman of the sub-committee, and Reps. Grace Guroian and Donald Donahue. This constitutes the entire sub-committee.

At the meeting, the procedure for conducting the study was discussed. Such discussion was also held in considering the criteria for land sale, as obviously this is part of the full study, involving other boards, commissions, and civil servants. As the discussion progressed, it became clear that a serious problem for the Committee may become logistical; also the entire concerns of greater dimension than at first anticipated. The study continues. That concludes Mr. White's report.

- (1) ESTABLISHMENT OF A STRATEGY FOR SALE OF ALL CITY-OWNED ASSETS. Submitted by Rep. B. McInerney 12/3/84. Held in Committee 1/7/85. Report made 2/4/85. Held on Pending Agenda 2/4/85.

Above also referred to FISCAL COMMITTEE.

HOLD WHILE FURTHER STUDY IS BEING MADE.

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PUBLIC WORKS and SEWER COMMITTEE

MR. PERILLO said his Committee met on March 20, 1985 at the Board of Education Bldg. on Hillandale Ave. Present were Committee members Betty Conti, Brien Malloy, Joe Santagata, Tom Burke, John Zelinski, and Al Perillo. Absent was Roger Taranto. Also present were DPW Commissioner John O'Brien, Deputy John Canavan, Sanitation Supt. Marvin Serra, Joseph Black of DPW, and Stanley Hanzlik of the City Garage. Also Dr. Hoffman was present and made a presentation of the upcoming project of the Solid Waste Program. Also present was Fred King, member of the Committee as well as President of the Stamford Taxpayers' Assn. Two other women were present but Mr. Perillo was not able to get their names, and assumed they were part of the Committee. The 41st member of the Board, Len Gambino, was also present.

Items #1 and #3 are being Held in Committee.

- (1) PROPOSED RESOLUTION APPROVING THE TRANSFER OF JURISDICTION OF BELLTOWN SCHOOL FROM THE BOARD OF EDUCATION TO THE PUBLIC WORKS DEPARTMENT OF THE CITY OF STAMFORD in accordance with the provisions of Ord. #144. Submitted by A. G. Grafton, Asst. to Supt. Board of Education 11/29/84. Held in Committee 1/7, 2/4 and 3/4/85.

HELD IN COMMITTEE.

PUBLIC WORKS and SEWER COMMITTEE (continued)

- (2) MATTER OF TRASH COLLECTIONS. Submitted by Rep. Robert "Gabe" DeLuca 1/28/85. Held in Committee 3/4/85.

MR. PERILLO said this item was discussed by the Committee with the department heads at length. They do admit there are still some problems with routes that are heavy and others that are light. The biggest problem to correct these are routes crossing over into one another. They feel, in time, they hope to re-route the routes where this won't happen. With this in mind, the Committee voted 6-0 to put this on Pending to further question the operations until the problem is fully resolved.

ITEM PUT ON PENDING AGENDA.

MR. PERILLO said although the Committee voted 6-0 in favor of condemnation, the Board of Finance has not acted on this, and therefore they will hold this in committee for another month until the Board of Finance has acted upon it.

- (3) PROPOSED RESOLUTION AUTHORIZING THE CONDEMNATION OF SANITARY SEWER EASEMENTS THROUGH AND UNDER PROPERTY OF LILA M. MACRIDES, RONALD D. AND SHARON D. SIGEL, AND JOHN J. AND MI SOON ERGLIS for the purpose of completing the sanitary and storm sewer system known as Section 16-2A. Submitted by Mayor Thom Serrani 2/28/85. Planning Board approved 3/12/85. Board of Finance deferred 3/12/85.

HELD IN COMMITTEE.

MRS. McINERNEY said perhaps the Committee can research this next month. She looked at the plot plan and it appears there is a pond running through two pieces of the property, Macrides and one of the other owners. She would like to know when these easements are approved for sewers and they go through any kind of a watercourse, does the Environmental Protection Board have to give approval, and are they involved in this situation.

MR. PERILLO said he does not believe that where that pond is, they will not go that route, but if it should, the EPB would be involved.

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HEALTH AND PROTECTION COMMITTEE

MS. RINALDI said the Health and Protection Committee met on Thursday, March 28, 1985. Present were Committee members Ruth Powers, Scott Morris, Tom Burke, Mary Lou Rinaldi, and David Martin. She placed on the Consent Agenda the one item on the Committee's Agenda. Moved. Seconded. Carried.

- (1) FOR PUBLICATION - PROPOSED ORDINANCE REPEALING ORD. #484 AND ENACTING ORDINANCE HEREIN SANITATION STANDARDS FOR BARBER SHOPS, HAIRDRESSING AND/OR COSMETOLOGY SHOPS. Submitted by Dr. Gofstein, Health Director, 2/15/85.

APPROVED ON CONSENT AGENDA.



PARKS AND RECREATION COMMITTEE

MR. DeLUCA said he will turn the Committee Report over to Mr. Malloy to make.

MR. MALLOY said the Health and Protection Committee met on March 18, 1985, at 7:20 P.M. Present were Reps. Skovgaard, Rybnick, Malloy; also Bob Cook, Parks Supt. He Moved to the Consent Agenda Items 2, 3, 4, all concerning the hanging of banners.

- (1) MATTER OF THE CONDITIONS OF THE MARINA AT CUMMINGS PARK. Submitted by Rep. Donald Donahue 3/6/85.

MR. MALLOY said at the meeting, there were about 14 representatives from the Marina Association so they could air their grievances on several matters which concerned them, namely, the stone walls that surround the marina, the dock piles, and the maintenance of the area. There were several problems that they had from last year on projects that were underway but were not completed. Mr. Cook assured them those projects would be completed this year. Also, any grievances they had would be taken care of. Their other concern in the agreement made through Mr. Cook in the Committee that the boat house that they have, any upgrading of it would be done by them, and any material would be supplied by the Parks Department as these materials are not very costly. Therefore, everyone agreed.

- (2) REQUEST FOR PERMISSION TO HANG BANNER ON SUMMER STREET FROM MAY 5th to MAY 19, 1985 TO PUBLICIZE TAG SALE SPONSORED BY THE UNITARIAN UNIVERSALIST WOMEN OF THE UNITARIAN UNIVERSALIST CHURCH SOCIETY. Requested by Sheila Ellis, Unitarian Universalist Women, 19 Sound Ave., Stamford 06902, 2/27/85.

APPROVED ON CONSENT AGENDA.

- (3) REQUEST FOR PERMISSION TO HANG BANNER ON SUMMER STREET FROM APRIL 22nd to MAY 4, 1985 TO PUBLICIZE ANNUAL BICYCLE SALE SPONSORED BY THE STAMFORD EXCHANGE CLUB. Requested by Joseph DeFilippo, DDS, 61 Fourth St., Stamford 06905, 2/16/85.

APPROVED ON CONSENT AGENDA.

- (4) REQUEST FOR PERMISSION TO HANG BANNER ON SUMMER STREET FROM APRIL 4th to APRIL 18, 1985, to publicize Stamford Special Olympics. Requested by Mr. Arnie DeAndrea, 178 Minivale Rd., Stamford 06907, 3/4/85.

APPROVED ON CONSENT AGENDA.

MR. MALLOY Moved for approval of the Consent Agenda Items #2, 3, 4. Seconded. APPROVED by voice vote.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. NAKIAN said the Committee met on Monday, March 25, 1985, at 7:30 P.M. in the Board of Education Building. Present were Committee members Powers and Nakian. Because at that time there was no additional information available on the one item on the Agenda, the Smith House Program Review Report, the Committee decided to not meet, and a quorum was not present at the meeting. An up-date on the situation since then, is that <sup>as</sup> everyone knows last Monday the Mayor gave the Welfare Director, Paul DeFino, a letter terminating his employment as a City employee, both as the Welfare Director and as the Administrator of the Smith House, effective today, April 1, 1985. Tom Canino, the City Purchasing Agent, was appointed Acting Administrator for an interim period, to evaluate the situation at the Smith House and to begin the processes in implementing the recommendations made by the Program Review Committee. Mr. Canino is at the Smith House today beginning this task.

EW&G Committee will continue to monitor the progress of the air-conditioning renovation project as was required by Board resolution. We will also follow the progress of the implementation of the Program Review Report, and a report in writing will be made to the full Board.

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HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

MR. WIDER said his Committee attempted to meet on March 27, 1985 at the Board of Education Main Room. Because of illness of several members of the Committee, there was no quorum. Mr. Wider Moved to take this item out of committee. Seconded. CARRIED by voice vote.

- (1) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE ELEVENTH YEAR APPLICATION FOR THE COMMUNITY DEVELOPMENT PROGRAM OF THE CITY OF STAMFORD. Submitted by Mayor Thom Serrani 3/7/85.

MR. WIDER said the Committee recommended a resolution that had been prepared for the Mayor to submit a request for the 11th year funding to the Federal Government. Ms. Summerville will read that resolution.

MS. SUMMERVILLE read Resolution No. 1608 which is attached to these Minutes.

MR. WIDER Moved for approval of the resolution. Seconded. APPROVED by voice vote, with 1 No vote (Dennis White), and 5 Abstentions (Mildred Perillo, Betty Conti, Gabe DeLuca, Barbara McInerney, Audrey Maihock).

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URBAN RENEWAL COMMITTEE

THE PRESIDENT said the Urban Renewal Committee did not meet this month.

ENVIRONMENTAL PROTECTION COMMITTEE

- (1) REQUEST BOARD OF REPRESENTATIVES INITIATE ACTION FOR REMOVAL OF FILL AND DEBRIS UNDER AUTHORITY OF SEC. 7-146 OF C.G.S. RE OBSTRUCTION OF WATERWAY, PROPERTY OF J. FRANCHINA, 191 BELLTOWN ROAD. Submitted by M. W. Lubbers, Exec. Dir., Environmental Protection Board 6/25/84. Report made 8/13/84. Held on Pending Steering Agenda since 8/13/84. Held in Committee 1/7, 2/4, and 3/4/85.

MRS. MAIHOCK said the meeting was postponed from March 20th because they did not receive a written report from the Corporation Counsel's Office. The Committee had requested a written report commenting on the legal question Atty. David Cohn had raised; and advice as to whether this Committee has the authority to act on this issue. A letter dated March 28th was received from Asst. Corp. Counsel stating only that he supported Mr. Lubbers' position. The Committee will need a more comprehensive opinion before they can act on this matter.

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TRANSPORTATION COMMITTEE

MR. DAVID MARTIN said the Transportation Committee met on Wednesday, March 27, 1985. Present were David Martin, Cadie Vos, Audrey Maihock, and Richard Lyons. The Committee met to consider secondary items which were on the Fiscal agenda, which were no longer necessary due to action by the Board of Finance. There is nothing to report.

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SPECIAL COMMITTEESHOUSE COMMITTEE

MR. RYBNICK said there was no report.

CHARTER REVISION and ORDINANCE COMMITTEE

MRS. McINERNEY said they have received copies of the Charter from the Rochester General Code Publishers and as soon as possible each member will get a copy of the blue book that she held up for everyone to see. You will be receiving in December or January, a finalized copy of both the Charter and the Code of Ordinances combined. A limited supply was ordered and there is an adequate number for this Board in their daily work. The Code company is coming here April 18th to do their research work and it depends on how fast they do their research, come up with the information that they give this Board, the Board will sit down, go over that material, have a public hearing, and take it from that point. Mrs. McInerney anticipates 120 days from the date that they arrive in the City, if all goes well.

CHARTER REVISION and ORDINANCE COMMITTEE (continued)

THE PRESIDENT asked if this were being proofed.

MRS. McINERNEY said she is going to check it with the staff, for proof-reading. It was proof-read by the company, but she feels it would be prudent on behalf of the City to do their own proof-reading again before it is sent out to all Board members.

THE PRESIDENT said she mentioned that because she wanted the members to know why they had not received a copy yet.

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COLISEUM AUTHORITY LIAISON COMMITTEE

MR. LYONS said there was no report.

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LABOR CONTRACT LIAISON COMMITTEE

MR. BOCCUZZI said all the labor unions have signed up for 5% for the next two years. April Fool!

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RESOLUTIONS

- (1) SENSE-OF-THE-BOARD RESOLUTION HONORING JOSEPH FAHEY AS CITIZEN-OF-THE YEAR - submitted by Rep. John Zelinski (D-11) 2/13/85. Held in Committee 3/4/85.

MR. ZELINSKI Moved the Resolution honoring Joseph Fahey as Citizen-of-the-Year. Seconded. APPROVED by voice vote unanimously.

- (2) SENSE-OF-THE-BOARD RESOLUTION HONORING THE RIGHT REV. MONSIGNOR ALPHONSE J. V. FIEDORCZYK on the 50th Anniversary of his priesthood. Submitted by Richard Milewski, Pres., Polish American Central Committee of Stamford, 4 Pulaski St., Stamford 06902, 2/25/85.

MR. ZELINSKI Moved the Resolution honoring Monsignor Fiedorczyk on his 50th Anniversary as a priest. Seconded. APPROVED by voice vote unanimously.

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PETITIONS

None.

ACCEPTANCE OF THE MINUTESFEBRUARY 4, 1985 Regular Board Meeting Minutes

Moved, Seconded, APPROVED by voice vote. Mr. Wider said he did not receive these Minutes and the President said a set would be sent to him.

MARCH 4, 1985 Regular Board Meeting Minutes

Moved. Seconded, APPROVED by voice vote, with Mr. Malloy Abstaining.

COMMUNICATIONS FROM OTHER BOARDS and INDIVIDUALS

None.

NEW BUSINESS

MS. SUMMERVILLE said she would publicly like to congratulate Mr. Michael Gerardi who furnished us with the Pages tonight, who have been working hard. Also he is to be congratulated as she saw him on Channel 12 with "We Are The World", the new song, and this put Stamford on the map. He helped raise funds for those who are starving.

OLD BUSINESS

None.

ADJOURNMENT

Upon Motion made, Seconded, the meeting was Adjourned, there being no further business to come before the Board. Adjourned at 9:45 P.M.

By

*Helen M. McEvoy*  
Helen M. McEvoy, Administrative Assistant  
(and Recording Secretary)  
Board of Representatives  
City of Stamford, Connecticut

SG:HMM  
Encls.

APPROVED:

*Sandra Goldstein*  
Sandra Goldstein, President  
18th Board of Representatives

STAMFORD BOARD OF REPRESENTATIVES - REGULAR BOARD MEETING, MON, APRIL 1, 1985  
 04/01/85 20:09:13. Started 8:05 P.M. - ADJOURNED 9:45 P.M.

NUMBER PRESENT = 31 Present; 9 Absent: Reps. Taranto, Mallozzi, Santy, Signore, Blum, Morris, Santagata, Jachimczyk, Owens.

Y 1 SCHLECHTWEIS	N 11 SANTY	Y 21 LIVINGSTON	Y 31 ZELINSKI
Y 2 NAKIAN	Y 12 MARTIN DAVID	Y 22 MALLOY	Y 32 DUDLEY
Y 3 MAHOCK	Y 13 GORDIAN	Y 23 FISHMAN	Y 33 POWERS
Y 4 WIDER L	Y 14 CONTI	Y 24 DONAHUE	N 34 JOSEPH SANTAGATA
N 5 TARANTO ROGER	Y 15 VOS	Y 25 PERILLO M	Y 35 AUSTIN
Y 6 LYONS	Y 16 WHITE	N 26 SIGNORE	N 36 JACHIMCZYK
Y 7 BURKE	Y 17 MCINERNEY	Y 27 GLOVER	Y 37 RINALDI
Y 8 RYSNICK	N 18 BLUM	Y 28 MARTIN TERRENCE	N 38 OWENS
N 9 MALLOZZI	Y 19 PERILLO ALFRED	N 29 MORRIS	Y 39 BOCCUZZI
Y 10 DELUCA	Y 20 SUMMERVILLE	Y 30 SKOVGAARD	Y 40 GOLDSTEIN

Attendance Code:	Y = Present	+	Voting Code	Y = Yes
9Above)	N = Absent	+		N = No
		+		A = Abstain
		+	(dash)	- = Non-Voting
		+	(star)	* = Absent from Meeting

#### TEST OF VOTING MACHINE - ALL VOTING "YES"

STAMFORD BOARD OF REPRESENTATIVES 04/01/85 20:15:40  
 VOTE # YES 31 NO 0 ABSTAIN 0 NOTVOTING 0

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40  
 Y Y Y Y \* Y Y Y \* Y \* Y Y Y Y Y Y \* Y Y Y Y Y Y \* Y Y \* Y Y Y Y \* Y \* Y \* Y Y

#### TEST OF VOTING MACHINE - ALL VOTING "NO"

STAMFORD BOARD OF REPRESENTATIVES 04/01/85 20:16:36  
 VOTE # YES 0 NO 31 ABSTAIN 0 NOTVOTING 0

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40  
 N N N N \* N N N \* N \* N N N N N N \* N N N N N N \* N N \* N N N N \* N \* N \* N N

#### TEST OF VOTING MACHINE - ALL VOTING "ABSTAIN"

STAMFORD BOARD OF REPRESENTATIVES 04/01/85 20:17:15  
 VOTE # YES 0 NO 0 ABSTAIN 31 NOTVOTING 0

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40  
 A A A A \* A A A \* A \* A A A A A A \* A A A A A A \* A \* A \* A A