

MINUTES OF REGULAR BOARD MEETING

MONDAY, DECEMBER 16, 1985

19th Board of Representatives

Stamford, Connecticut

A regular monthly meeting of the 19th Board of Representatives of the City of Stamford was held on MONDAY, DECEMBER 16, 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.

The INVOCATION was given by Charles F. Magistro, Minister, Unitarian Universalist Society in Stamford, 20 Forest Street, Stamford.

"Please accept these words in the spirit of prayer. I wish for us patience, yet capacity for adventure. I wish for us challenge which stretches without breaking us. I wish for us sensitivity in our relationships, knowing when to wrangle, bridge, and step aside. I wish for us openness to the wonders and hurts of keen living. I wish for us touch, that our bodies and minds stay in on-going closeness with what and who matters. I wish for us freshness, that each pleasure be savored, each decision be pondered, and each trouble be faced. I wish for us perspective, that petty irritations not wear us down, that transient enthusiasms not deter us, that unfortunate events not crush us, for religious living is the art of maintaining balance in an universe fraught with paradoxes. I wish for us humor, that we may laugh regularly and heartily at our own foibles and life's flaws. I wish for us affection, given and received in the details of daily existence. I wish for us compassion, as the yardstick for our choices of time and behavior. I wish for us courage to make some of the ugly moments beautiful, and the tragic times precious; and when meaning is not to be made or found, the energy to move on. I wish for us a sense of kinship with a Universe not of our own making, yet related to our deepest core, a cosmos from which we may generate beliefs to sustain, values to guide, and mysteries to inspire. I wish for us a long, growing in love with our irrepeatable life, a life which invites us to ardor, bravery, forgiveness, and hope. Amen."

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

ROLL CALL. Clerk of the Board ANNIE M. SUMMERVILLE, called the Roll. There were 38 present and 2 absent. Absent were Rep. Jeanne-Lois Santy, who was excused due to serious family illness; also absent Rep. Roger Taranto.

ROLL CALL (continued)

When Mrs. Santy's name was called, Rep. S. A. Signore, also of the 18th District, responded that Mrs. Santy asked to be excused this evening as she is in up-state New York with her newly-born, very seriously ill grandson. Rep. Signore asked that we have a moment of prayer for this little baby that he may have a healthy, happy and successful life in the future.

The CHAIR declared a QUORUM.

MACHINE TEST VOTE was conducted by the President and found to be in not the best of working order.

MOMENTS OF SILENCE

For the 256 Americans, 245 servicemen, and 3 servicewomen, members of the 101st Airborne Division, who were based at Fort Campbell, Kentucky, and the 8 members of the flight crew, who were tragically killed en route to the United States and their homes, in Gander, Newfoundland, Canada, last week. Submitted by Rep. Barbara McInerney.

For the late MARGARET "PEGGY" GOLDWATER, wife of Sen. Barry Goldwater of Arizona. Mrs. Goldwater was a leader on women's issues in Arizona. She organized Arizona's Planned Parenthood; and will be remembered for all of her activities on women's issues with Republican women. Submitted by Rep. Barbara McInerney.

For the late ANTHONY WALSH, a 50-year resident of Stamford, who passed away on Dec. 7th. He emigrated here from Ireland in 1929, and was a contractor. He was a former president of the Democratic City Committee, and a former president of the Ancient Order of Hibernians, as well as a past chairman of the State Central Committee, and a former Police Commissioner. He was a devoted husband and father of three children, including a son, Peter, who was a former three-term member of the Board of Representatives. Submitted by Rep. Patricia McGrath.

For the late IROQUOIS MCCREE and his family. Mr. Wider has known him since he was born. Prayers are requested for him. Submitted by Rep. Lathon Wider.

Rep. Jeremiah Livingston expressed his condolences on the loss of Iroquois McCree, and requested that all of our young and bewildered be prayed for. These are tragic times and tragic situations continue to plague and harm families.

MOMENT OF SPECIAL PRAYER

Mr. Signore asked for prayers for the Santy grandchild, born just a few days ago. Little Derek James Richar is fighting for his life, has already gone under extensive surgery, and is in intensive care. Your prayers will be much appreciated.

President Goldstein asked Mr. Signore to extend to Lois the Board's prayers and wishes for the baby's health, and for her strength, and her family's strength.

ANNOUNCEMENTS BY THE PRESIDENT

PRESIDENT GOLDSTEIN said during the course of a meeting, there are several procedures that should be followed so that our records are clear for the entire meeting. First, if you are leaving the meeting prior to the adjournment, please notify the CHAIR or the CLERK OF THE BOARD that you are going so that we can change our numbers because those numbers are very significant in the voting counts. Also, it is each member's responsibility to be present for a vote. If you leave the floor, we will ring the caucus room prior to a vote. However, if you don't return, and there is a voice vote, you will be included in the vote, so that if you wish to make your statement, whether it is verbal, through the machine, or what-have-you, please make sure that you have returned to your seat so that statement can be made.

We have a list of speakers up here during the course of the meeting. Ms. Summerville will record in order of her seeing your hands go up, a list of people who wish to speak on each issue, so that if you are not called right away, it doesn't mean that we are ignoring you, it just means that we haven't gotten to your name on the list.

The CHAIR will appoint two Special Committees this evening. Our Charter mandates that during the February meeting of this Board, we appoint a Charter Revision Commission to study our Charter and make recommendations for changes. The Charter Revision Committee of the Board is a Special Committee that will make recommendations to the full Board regarding the names of the Commission members. I will be appointing seven Board members to that Committee, and they are Mrs. Nakian, Mrs. Fishman, Ms. Summerville, Mr. Lyons, Mr. Rubino, Mrs. Maihock, and Mr. Pavia. Mrs. Nakian and Mrs. Fishman will co-Chair the Committee. Mr. Rubino will be the Vice-Chair.

The second committee I am appointing is a Special Committee to Assess Priority Issues that were articulated at our Legislative Seminar. There will be six members on this Committee, and they are Mr. Morris, Mr. Blum, Mr. Donahue, and Mr. Boccuzzi. Mr. Morris and Mr. Blum will co-Chair this Special Committee and it will be on the agenda for next month and they will begin their work.

STANDING COMMITTEES

STEERING COMMITTEE - Chairwoman Sandra Goldstein

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

HMM:MS

STEERING COMMITTEE REPORT

The Steering Committee met on Monday, December 2, 1985, in the Democratic Caucus Room following the Organizational Meeting of the 19th Board of Representatives. The meeting was called to order at 9:25 p.m. by Chairwoman Sandra Goldstein who declared a Quorum.

STEERING COMMITTEE REPORT (continued)

PRESENT AT THE MEETING:

Sandra Goldstein, Chairwoman
Maria Nakian
Donald Donahue
Audrey Maihock
Annie M. Summerville
Claire Fishman
Thomas Clear
Ruth Powers
Roger Taranto
Scott Morris

Lathon Wider
Richard Lyons
John J. Boccuzzi
Mildred Perillo
Barbara McInerney
David Blum
David Martin
Thomas Burke
Rosanne Begel
Nicholas Pavia

S. A. Signore
W. Dennis White
Gerald Rybnick
James Dudley
Thomas Pia
John Mallozzi
Len Gambino, WSTC
Pat Wen, Advocate
Helen McEvoy
Anne Kachaluba

1. APPOINTMENTS COMMITTEE

ORDERED ON THE AGENDA were all five of the items appearing on the Tentative Steering Agenda.

2. FISCAL COMMITTEE

ORDERED ON THE AGENDA were all 17 items appearing on the Tentative Steering Agenda and one item appearing on the Addenda to the Tentative Steering Agenda and that item was \$5,712,536.00 Municipal Employees Association Arbitration Award for fiscal years 1983/84, 1984/85 and 1985/86.

3. LEGISLATIVE AND RULES COMMITTEE

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

4. PERSONNEL

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

5. PLANNING AND ZONING COMMITTEE

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

6. PUBLIC WORKS AND SEWER COMMITTEE

No items appeared on the Tentative Steering Agenda.

7. HEALTH AND PROTECTION COMMITTEE

No items appeared on the Tentative Steering Agenda.

PARKS AND RECREATION COMMITTEE

8. ORDERED ON THE AGENDA were four of the five items appearing on the Tentative Steering Agenda and one item appearing on the Addenda to the Tentative Steering Agenda which was a request to hang a banner from the Stamford Symphony Orchestra. ORDERED HELD IN STEERING is the Matter of deplorable conditions at Kiwanis Park and Veterans' Park.

STEERING COMMITTEE REPORT (continued)

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

ORDERED ON THE AGENDA was one of the two items appearing on the Tentative Steering Agenda. ORDERED HELD IN STEERING was a Sense-of-the-Board Resolution Establishing a budget line item for the Board of Representatives for reimbursement of out-of-pocket expenses incurred in the performance of their duties of office as legislators for the City of Stamford.

10. HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

ORDERED HELD IN STEERING 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

No items appeared on the Tentative Steering Agenda.

13. TRANSPORTATION COMMITTEE

No items appeared on the Tentative Steering Agenda.

14. HOUSE COMMITTEE

No items appeared on the Tentative Steering Agenda.

15. CHARTER REVISION COMMITTEE

ORDERED HELD IN STEERING was the one item appearing on the Tentative Steering Agenda and that was the resolutions to initiate & appoint a 14th Charter Revision Commission.

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

No items appeared on the Tentative Steering Agenda. ORDERED OFF THE ADDENDA to the Tentative Steering Agenda was the Sense-of-the-Board Resolution Opposing Northeast Utilities Large Rate Increases.

ADJOURNMENT

There being no further business to come before the Steering Committee, upon a motion made, seconded, and approved, the meeting was adjourned at 10:15 p.m.

SANDRA GOLDSTEIN, CHAIRWOMAN
STEERING COMMITTEE

SG:ak

APPOINTMENTS COMMITTEE

CHAIRWOMAN MILDRED PERILLO said the Appointments Committee has been very, very busy since last month. They met November 21, 1985 at 7:30 P.M. at Hillandale Avenue. Present were Gabe DeLuca, John Boccuzzi, Ruth Powers, Richard Lyons, and Mildred Perillo. Also present were Ellen Camhi and Rose Grosso from the Democratic City Committee; Connie Brandi and Tom Pia from the Republican Town Committee; Rick Robinson from Corporation Counsel's Office; Board of Representatives members and representatives from various boards and commissions, and the radio and the press were also present.

She Moved to the Consent Agenda, Items #3, Paul Pacter for Commissioner of Finance; #4, John O'Brien for Commissioner of Public Works; and #5 Michael Clear for Corporation Counsel.

THE PRESIDENT said there are no hands, indicating no disagreement on those three items. She asked Mrs. Perillo to proceed with #1 on the Agenda.

MRS. PERILLO said at their first meeting, they took up Item #1, the hearing for which was called for 7:30 P.M. that evening. On advice of Rick Robinson, they waited until 7:40 P.M. to start the hearing. Mr. Vaught did not show up. Based on the letter from the Mayor, and Mr. Vaught's attendance record, the Fair Rent Commission had 48 meetings. Mr. Vaught attended nine. The Appointments Committee voted 6 in favor, none opposed, to remove Mr. Richard Vaught from the Fair Rent Commission. The next morning, the Committee notified Mr. Rick Robinson of the Corporation Counsel's Office and the Mayor of their decision.

- (1) REPORT ON THE REQUEST FOR THE BOARD OF REPRESENTATIVES TO INITIATE PROCEEDINGS TO REMOVE MR. RICHARD VAUGHT FROM THE FAIR RENT COMMISSION. Submitted by Rep. Mildred Perillo (D) 9th District, 11/6/85.

MRS. PERILLO said on Item #2, the Committee interviewed approximately 18 members of various Boards and Commissions. They received a lot of in-put from the various people about the Boards, the attendance. The Committee asked many questions. They asked what qualifications, what knowledge they felt that people must have to serve on these Boards, and it was a very good meeting on both sides. This afternoon, Sandra Goldstein, Vice-Chairwoman Patricia McGrath and Mildred Perillo met with Sherri Williamson, the Mayor's Executive Aide. They discussed all the Boards and Commissions. They gave her all the attendance records and all the back-up material needed for every Board and Commission. Letters will be sent to Commission members whose terms have not expired who have a poor attendance record, hoping they will get back to us on a reason why they do not attend the meetings. The Committee will be working very closely with Rose Grosso of the Democratic City Committee, Tom Pia from the Republican Town Committee, and of course the Mayor's Executive Aide, Sherri Williamson. Mrs. Perillo would like to commend two ladies on the Welfare Commission, Jeannie Ormond and Judith Martin, for the terrific job these two girls are doing on that Commission. It is well above and beyond what their duties are, but that is how dedicated they are, and they should be commended.

- (2) REPORT ON MEETING BETWEEN THE VARIOUS BOARDS AND COMMISSION CHAIRMEN AND THE APPOINTMENTS COMMITTEE OF THE 18th BOARD OF REPRESENTATIVES. Submitted by Rep. Mildred Perillo (D) 9th District 11/6/85.

APPOINTMENTS COMMITTEE (continued)

MRS. PERILLO said the second meeting was held on December 11, 1985, at 7:30 P.M. at Hillandale Avenue. Present were Pat McGrath, John Boccuzzi, Annie Summerville, Ruth Powers, Sal Signore, Tom Clear, Tom Burke, Dave Blum, and Chairperson Millie Perillo. Lois Santy asked to be excused because of a medical emergency. Also present were Sandy Goldstein, Roger Taranto, Maria Nakian, and the news media.

MAYOR'S CABINET - COMMISSIONER OF FINANCETerm Expires

(3) MR. PAUL PACTER (D) Re-Appointment Nov. 30, 1987
247 Chestnut Hill Road

APPROVED ON CONSENT AGENDA.

MAYOR'S CABINET - COMMISSIONER OF PUBLIC WORKS

(4) MR. JOHN O'BRIEN (D) Re-Appointment Nov. 30, 1987
46 Ralsey Road

APPROVED ON CONSENT AGENDA.

MAYOR'S CABINET - CORPORATION COUNSEL

(5) MR. MICHAEL CLEAR (D) Nov. 30, 1987
148 Stamford Avenue

APPROVED ON CONSENT AGENDA, with Rep. Thomas Clear Abstaining.

REQUEST TO SUSPEND THE RULES FOR AN ITEM NOT ON THE AGENDA.

MRS. PERILLO Moved to Suspend the Rules to consider Norine F. Krasnogor for the Board of Ethics. Seconded. CARRIED, voice vote.

MRS. PERILLO said Ms. Krasnogor has been on the Board of Ethics for just about a year. Her term was up June 30, 1985, but members can serve for six months after their termsexpire. Therefore, Ms. Krasnogor can serve until December 30, 1985. She was graduated from New York Law School, New York University, and an undergraduate from Cornell University. The Committee feels she is highly qualified to serve on this Board, and Mrs. Perillo Moved for her approval. Seconded.

BOARD OF ETHICSTerm Expires

(6) NORINE F. KRASNOGOR, Esq. (D) Re-Appointment June 30, 1990
148 Saddle Hill Road, 06903

APPOINTMENTS COMMITTEE (continued)

PRESIDENT GOLDSTEIN said Ord. 445 provides that for confirmation of a Board of Ethics appointee, the vote required is two-thirds. She called for a voice vote: APPROVED. Ms. Krasnogor is re-appointed.

MRS. PERILLO Moved for approval of the Consent Agenda Items #3, 4, 5. Seconded. APPROVED, with Rep. Thomas Clear abstaining on Michael Clear for Corporation Counsel.

Mrs. Perillo said Rep. Thomas Clear did not interview his brother, nor did he vote on his brother, for the record.

She said, also, that since they are calling in all the boards and commissions because of their attendance, she wanted this Board to note that the Appointments Committee has made up an attendance record sheet, and she hopes to see checkmarks indicating attendance through it all.

PRESIDENT GOLDSTEIN said Mrs. Perillo has worked endless hours on this attendance matter, and perhaps some of the members of the commissions and boards are not too happy about it, but the City certainly is.

FISCAL COMMITTEE

MR. DONAHUE said the Fiscal Committee met on December 11, 1985 with Reps. Livingston, Rybnick, Esposito, Heins, Rinaldi, Lyons, Mollo, David Martin, and Donahue attending. He Moved to the Consent Agenda Items #2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 16, 17, and 18.

- (1) \$ 31,168.00 - SHELTER FOR THE HOMELESS - Code 725.5503 CONTRACT -
Additional Appropriation request to provide utilities, laundry, telephone, salary and benefits for bookkeeper and portion of Director's salary. Amount to be received in the form of a grant from Conn. Dept. of Human Resources. Submitted by Mayor Thom Serrani 11/4/85. Approved by Board of Finance 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. DONAHUE said Item #1 is a grant that has been applied for in recent months. It is an amount to pay for the Shelter for the Homeless. It passes through the City to the Stamford Shelter for the Homeless, Inc., formerly the Council of Churches and Synagogues. By a vote of 9-0, the Committee recommends approval of the \$31,168.00 and he so Moved. Seconded.

MRS. POWERS said Education, Welfare and Government Committee concurs.

MR. ZELINSKI asked for the salary figure for the bookkeeper and for the Director.

MR. DONAHUE said this grant does not pay in total the salary of the Director or the bookkeeper. It pays portion of both. It pays mostly utilities, laundry, telephone, for both 66 Main Street and the satellite shelter at Rice School. The salary amounts did not come up at the meeting and he does not have these figures, but he could get them if Mr. Zelinski so wishes.

FISCAL COMMITTEE (continued)

MRS. MAIHOCK said she was present at that meeting and the figure given was \$25,000 and this amount would pay 10% of the Director's salary, and when Mrs. Maihock inquired about the benefits for the bookkeeper, they said it would pay FICA and part of her salary.

THE PRESIDENT said Charter Section 619 requires a two-thirds' vote for an additional appropriation with a minimum of 21 votes. She called for a voice vote. APPROVED.

- (2) \$134,364.00 - STAMFORD DAY CARE PROGRAM - Code 761 various - Additional Appropriation request to provide for 13 staff positions, allowing 45 more children to attend day care centers. Amount to be received from a grant from the Federal Social Service Block Grant. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (3) \$ 47,396.00 - HEALTH DEPARTMENT - Code 557 Various - Additional Appropriation request to cover Maternal and Child Health Program. Amount to be received from a grant from the State of Connecticut. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (4) \$ 3,550.00 - HEALTH DEPARTMENT - PUBLIC SCHOOL HEALTH PROGRAM - Code 560.1110 SALARIES - Additional Appropriation request required for a temporary nurse to fill in for a nurse on extended paid sick leave. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (5) \$ 8,500.00 - TAX ASSESSOR'S OFFICE - Code 250.1130 PART-TIME SALARIES - Additional Appropriation request for part-time clerk-typist to handle workload created by new motor vehicle and veteran laws. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

APPROVED ON CONSENT AGENDA.

FISDAL COMMITTEE (continued)

- (6) \$ 9,226.00 - TAX ASSESSOR'S OFFICE - Code 250.1201 OVER-TIME - Additional Appropriation request to cover over-time due to increased workload. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (7) \$ 1,408.00 - TAX ASSESSOR'S OFFICE - Code 250.2651 EQUIPMENT RENTAL - Additional Appropriation request to cover additional cost of renting copying machine. Requested by Mayor Thom Serrani 11/ 4/85. Board of Finance approved 11/14/85.

APPROVED ON CONSENT AGENDA.

- (8) \$ 2,815.00 - GLENBROOK VOLUNTEER FIRE DEPARTMENT - Code 470.4340 - Additional Appropriation request to pay the State for the City's share of cost of running fire alarm wire over the Courtland Avenue Bridge. Requested by Mayor Thom Serrani 11/5/85. Board of Finance approved 11/14/85.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (9) \$13,000.00 - TRAFFIC AND PARKING DEPARTMENT - PARKING DIVISION - Code 281.2310 MAINTENANCE OF FACILITIES - Additional Appropriation request for emergency repairs to Stand-by Generator in the Bedford Street Garage. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to TRANSPORTATION COMMITTEE.

MR. DONAHUE said Item #9 is an item that has already been approved for payment and for repairs already being made under the Emergency Powers Provision in the Charter and signed by the Mayor and Finance Commissioner. This generator is necessary for back-up power for emergencies. When there is a computerized signal system in that building, this will also be used to power that facility. By vote of 9-0, the Committee recommended approval of this item, and he so Moved. Seconded.

MRS. BEGEL said the Transportation Committee concurs.

FISCAL COMMITTEE (continued)

MR. ZELINSKI asked what is the balance in that account at the present time, and how old is that generator. This data was not in the back-up.

MR. DONAHUE said questions like the age of a generator do not come up often at committee meetings, and he thinks it would be important for a question like that to be given to the Committee in advance, should members have those types of very technical questions. He does not know the age of the generator. He just knows it has to be repaired at this point, hence the emergency nature of the request. The balance in the account is \$12,331.00 as of 10/31/85.

THE PRESIDENT called for a voice vote, which requires two-thirds for passage. APPROVED.

- (10) \$ 3,000.00 - TRAFFIC AND PARKING DEPARTMENT - PARKING DIVISION - Code 281.5560 CONTRACT PARKING GARAGES - Additional Appropriation needed to pay for opening of Bell Street Garage to accommodate the Hartman Theatre parking patrons This amount to cover the months of January through June. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to TRANSPORTATION COMMITTEE.

MR. DONAHUE said Item #10 is being Held in Committee for additional information.

- (11) \$20,000.00 - WELFARE DEPARTMENT - AMENDMENT TO THE CAPITAL PROJECTS
(transfer) - for a project to be known as #530.022 SMITH HOUSE RESIDENCE WINDOW REPLACEMENT, to be financed by the TRANSFER of that amount from Project #530.749 SMITH HOUSE RESIDENCE PORCH ENCLOSURE. (\$4,000 remaining in #530.749 to be returned to the General Fund, thus closing out this account.) Requested by Mayor Thom Serrani 10/29/85. Planning Board approved 11/12/85. Board of Finance approved 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. DONAHUE said on Item #11, all the windows will have to be replaced at Smith House Residence very soon. They are older, wooden windows, with metal counterbalance weights. They are not energy-efficient. By a vote of 8-1, approval is recommended and he so Moves. Seconded.

MRS. POWERS said Education, Welfare and Government recommended approval 4-0.

MR. DAVID MARTIN said many Board members know there have been problems with capital projects at the sister facility, the Smith House Skilled Nursing Facility, and the Smith House Program Review Committee found other, well-reported as of now, problems. He is concerned that the Fiscal Committee and the full Board do its best to insure the appropriations are carefully reviewed and the problems of the past will not be repeated.

FISCAL COMMITTEE (continued)

MR. DAVID MARTIN (continuing) He has no particular problem with this item, except that he does not believe, in his opinion, it has received the proper review. All items from the Smith House Residence or the Skilled Nursing Facility should receive an advisory opinion from the Welfare Commission, and the Welfare Director should be requested to support and defend any proposals before the Fiscal Committee. The item tonight appears to be to replace older windows and approve energy-efficiency. It seems valid. He notes, however, that they are closing out another item, which is the project to enclose the porch which was passed with similar recommendations and reviews. Although approved just last year, it has now been determined this project would, in fact, be a detriment to Smith House Residence.

Mr. Martin was on the Fiscal Committee when that was approved and would prefer not to make the same prior mistakes over again. So, he does not wish to make a similar mistake again and feels we should not register perfunctory approval of items placed before the Board. He would prefer that this item be held, and he cannot support it this evening.

THE PRESIDENT called for a voice vote on Item #11, stating this item requires a two-thirds vote, but not less than 21, in accordance with Charter Section 611.7. While it is a transfer, it is an amendment to the Capital Projects Budget. APPROVED, voice vote; with David Martin and Mildred Perillo Abstaining, also Eathon Wider and Wm. Heins; and Annie Summerville, also Abstaining.

- (12) \$ 15,000.00 - FINANCE COMMISSIONER - Code 240.5120 PROFESSIONAL AUDITING SERVICES - Additional Appropriation request for the continuation of the Personal Property Audit Program. Requested by Mayor Thom Serrani 11/4/85. Board of Finance approved 11/14/85.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (13) PROPOSED RESOLUTION FOR AUTHORIZATION OF PRELIMINARY APPLICATION FOR STATE SCHOOL CONSTRUCTION GRANTS FOR BOARD OF EDUCATION. Boiler insulation removal and replacement for the following schools:

Murphy School, estimated cost	\$15,000.
Springdale School, estimated cost	30,000.
Toquam School, estimated cost	17,000.
Turn-of-River Middle School, estimated cost	40,000.

Subject to approval by the State of Connecticut, grants of approximately 45% of the final approved cost of projects will be received directly into the City's General Fund. Requested by B. R. Reed, Asst. Supt. for Support Services, Stamford Public Schools, 11/6/85.

APPROVED ON CONSENT AGENDA.

FISCAL COMMITTEE (continued)

- (14) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE PROJECT LOAN AND/OR PROJECT GRANT AGREEMENT WITH THE STATE OF CONNECTICUT FOR THE IMPROVEMENT OF THE PULASKI STREET BRIDGE UNDER THE LOCAL BRIDGE PROGRAM. Submitted by Mayor Thom Serrani 11/12/85.

APPROVED ON CONSENT AGENDA.

- (15) \$1,950,000.00 - PUBLIC WORKS DEPARTMENT - AMENDMENT TO THE CAPITAL PROJECTS BUDGET - for a project to be known as Code 330.2691 PULASKI STREET BRIDGE - additional Appropriation to acquire the balance of funding estimated to be needed to complete this project:
 \$ 475,158 to be financed by bonds.
 490,301 from a State grant.
 984,541 through a loan from the State.
 \$1,950,000
Requested by Mayor Thom Serrani 10/4/85. Planning Board approved 10/29/85. Board of Finance approved 11/14/85.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA.

- (16) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND EXECUTE AGREEMENT FOR FUNDS FOR THE HOMELESS. Submitted by Mayor Thom Serrani 11/22/85.

APPROVED ON CONSENT AGENDA.

- (17) PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED, FOR DIAL-A-RIDE SERVICES TO THE ELDERLY. Submitted by Mayor Thom Serrani 11/14/85.

APPROVED ON CONSENT AGENDA.

- (18) \$5,712,536.00 - MUNICIPAL EMPLOYEES ASSOCIATION (MEA) ABRITRATION AWARD FOR FISCAL YEARS 1983/84, 1984/85, 1985/86. Awarded 11/14/85. (8%, 7%, 6%, respectively) Additional Appropriation requested to cover award. Requested by Mayor Thom Serrani 12/2/85.
CONTINGENT
UPON BOARD OF
FINANCE
APPROVAL.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA, with Mr. Pia Abstaining; and Mrs. Begal not voting as a matter of conflict-of-interest.

FISCAL COMMITTEE (continued)REQUEST TO SUSPEND THE RULES TO CONSIDER AN ITEM NOT ON THE AGENDA

MR. DONAHUE Moved to Suspend the Rules to consider salary increases for employees of the Stamford Museum and Nature Center, who are and have been in the past, directly affected by the settlement of the MEA contract. Seconded. APPROVED, voice vote, to Suspend the Rules.

MR. DONAHUE said he Moved to approve an item of \$186,344.00 for various accounts under the Stamford Museum, and to grant employees of the Stamford Museum who are in MEA-type job classifications, salary increases similar to those which have been received by the MEA under the Arbitration Award just approved tonight. Traditionally, and as a matter of practice, as long as Mr. Donahue can remember, these employees have had to wait until a contract settlement of the MEA before they received a salary increase. Such is the case this year. Tonight the increases go back 2½ to 3 years. They were promised, or it was their impression, that this would be acted upon this evening. While one of the main parts of the MEA contract was brought down to his Committee, somehow this did not get to the Board in time for the Agenda, although it is dated the same day. He thinks, as a matter of fairness, it would be appropriate to approve this tonight, and he so Moves. Seconded.

- (19) \$186,344.00 - STAMFORD MUSEUM AND NATURE CENTER - various accounts and salary increases for employees (MEA-type) retroactive 1983/84, 1984/85, 1985/86, 8%, 7%, 6% respectively. Code 720.994.

MRS. MAIHOCK asked what Mr. Donahue meant when he said wages will be similar to, does he mean identical to?

MR. DONAHUE said it would be just like the MEA award, 8%, 7%, 6%.

THE PRESIDENT called for a voice vote. CARRIED.

LEGISLATIVE AND RULES COMMITTEE

MRS. NAKIAN said the Committee met on Monday, December 9, 1985 at 7:35 P.M. in the Board of Education Bldg. Present were Committee members Nakian, David Martin, Dudley, Maihock, Morris, Powers, Rubino, and Zelinski. Also present were Reps. Fishman, Goldstein, and Blum. Also Asst. Corp. Counsel Wm. Hennessey. Present also on Item #2 were Richard Zeranski, Robt. Harris, and Woodrow Glover of the Commission on Human Rights. And on Item #3, Renee Kahn from Neighborhood Preservation, and Charles Lee, Urban Renewal Commission.

Item #1 is a proposed resolution on the lease with Roadway Express. At the meeting, concerns were raised regarding the terms of the proposed lease. Information is being sought from the State regarding their long-term plans for this site, and from Comm. O'Brien regarding City plans for this property. By a vote 8-0, this item is Held in Committee.

LEGISLATIVE AND RULES COMMITTEE (continued)

- (1) PROPOSED RESOLUTION APPROVING A LEASE BETWEEN THE CITY OF STAMFORD AND ROADWAY EXPRESS, INC. Property involves parking lot which Roadway presently leases from the City and in turn sub-leases to the State of Connecticut. Parking lot serves the Motor Vehicle Department located on Magee Avenue. Submitted by Wm. Hennessey, Asst. Corp. Counsel 11/19/85. Planning Board approved 10/10/85. Board of Finance approved 11/14/85.

HELD IN COMMITTEE.

MRS. NAKIAN said again, on Item #2, they did not receive information on the State Statutes governing prohibited discriminatory practices. This item also, by a vote of 8-0, is being Held in Committee.

- (2) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTIONS 11-1 through 11-4 CONCERNING COMMISSION ON HUMAN RIGHTS. Submitted by Wm. Hennessey, Asst. Corp. Counsel 10/23/85.

HELD IN COMMITTEE.

MRS. NAKIAN said Item #3 is also Held in Committee by a vote of 8-0. The reason is the ordinance needs a great deal of revision and coordination with the URC before it can be published. The Committee will continue to work on this at their next meeting.

- (3) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE ABATEMENT OF TAXES ON STRUCTURES OF HISTORICAL OR ARCHITECTURAL MERIT. Submitted by Rep. Maria Nakian, (D), 20th District, 11/18/85.

HELD IN COMMITTEE.

PERSONNEL COMMITTEE

MS. FISHMAN said the Personnel Committee met on Thursday, December 12, 1985, at 7:30 P.M. Committee members present were Reps. Dudley, Fishman, Terrence Martin, Burke, Morris, Pavia. Also present was Peter Thor, AFSCME, Council 4. Mr. Dudley reviewed the history of the Merit Rules item and commented on the difficulty in scheduling mutually-convenient times with the Personnel Commission. We want to re-consider the venue for the meetings, as in the past we have had to wait for hours for the Commission to finish its business. A letter is being sent to Personnel Director Bernstein with regard to this. They wish to explore the possibility of changing the name "Merit Rules" as they feel it is misleading. Also to be included should be an explanation of terms. They hope to be able to work well with the Personnel Commission in the future. Peter Thor, representing the MAA (AFSCME) was concerned that certain sections of Civil Servicewere now included in collective bargaining 7-474 sub-section g. At present, there is a requirement to bargain over changes. He agreed that the Rules need to be re-examined, especially with regard to Independent Contractors, Classified and Non-Classified.

PERSONNEL COMMITTEE (continued)

- (1) REPORT ON THE REVISION OF NEW PROPOSED MERIT RULES. Submitted by Rep. James Dudley (R) 6th District, 11/18/85.

REPORT MADE. ON-GOING ITEM. ON NEXT AGENDA.

PLANNING AND ZONING COMMITTEE

MR. WHITE said the Planning and Zoning Committee met on Thursday, December 12, 1985, at 7:30 P.M. in the Main Board Room of the Board of Education Building on Hillandale Avenue. Present were Reps. Thomas Clear, Donald Donahue, David Jachimczyk, Terrence Martin, Barbara McInerney, Maria Nakian, Sal Signore, and Dennis White. Speakers included Jon Smith and Loretta Fox.

Item #1 was Held in Committee.

- (1) REPORT FOR THE ESTABLISHMENT OF A STRATEGY FOR SALE OF ALL CITY-OWNED ASSETS. Submitted by W. Dennis White (D) 1st District, 11/21/85. (Original request was submitted by Rep. B. McInerney 12/3/84.)

HELD IN COMMITTEE.

MR. WHITE said Item 2 was withdrawn, and he understands permanently so.

- (2) REFERRAL OF PLANNING BOARD ACTION DENYING MASTER PLAN APPLICATION MP-267, LOUIS deBERADINIS, TO AMEND THE MASTER PLAN FROM LAND USE CATEGORY DESIGNATED 4-RESIDENTIAL, MULTI-FAMILY MEDIUM DENSITY, to LAND USE CATEGORY 8-D, CENTRAL BUSINESS DISTRICT, N/E CORNER OF CLINTON AVENUE AND DIVISION STREET pursuant to Section 522.5 of the Stamford Charter. Petition received from Louis deBeradinis 10/18/85. Received from PATRICK Grosso, Chairman, Stamford Planning Board, 10/28/85. (Received at Board Office 10/28/85.)

THIS ITEM WITHDRAWN.

MR. WHITE said the referral covered by Item #3 was found to be invalid due to insufficient number of signatures.

- (3) REFERRAL OF PLANNING BOARD ACTION DENYING MASTER PLAN APPLICATION 268 OF STAMFORD INSULATION CO., INC., EMANUEL CACCAVELLO, EMILIO CORRENTE, GEORGE MANESIOTIS AND WILLIAM F. KELLY, TRUSTEE, to amend the Master Plan from Land Use Category 3 - Residential, Multi-Family Low-Density, to Land Use Category 12 - Industrial, General Manufacturing and Light Assembly - Property between Camp Avenue and Cerretta Street, west of Garland Avenue; pursuant to Section 552.5 of the Stamford Charter. Petition received 10/17/85. Received from Patrick Grosso, Planning Board Chairman, 10/28/85. (Received at Board Office 10/28/85.)

INVALID PETITION - INSUFFICIENT NUMBER OF SIGNATURES.

PLANNING AND ZONING COMMITTEE (continued)

MR. WHITE said Item #4 is the application 85-040, Waterside Warehouse Associates, to change a M-G Zone of 5.367 acres on the west side of Harbor Drive to C-S Shorefront Commercial, as more specifically shown on the map and articulated in the Motion. The real issue of the matter is that the Zoning Board is about to change the entire area to C-WD - Shorefront Water-Dependent. The question, therefore, basically, for this parcel is not whether it is to be M-G or C-S, but whether it is to be C-S or C-WD. The application is obviously related to the following application, Item #5, which is a Zoning Board application on appeal by Waterside Associates. The basic contention of the applicant is the C-S Zone is a superior zone for this area by dint of the fact that it allows housing and prohibits the heavy industry that the C-WD Zone can allow. Also the C-WD^{is} Zone forbids housing. The applicant also promised repeatedly that he going to build housing on the property, plus a restaurant, maybe. He is rather vague about the restaurant, making relatively little reference to it except to say if the neighbors wish it, he will construct it.

He promises to construct, if he does not have his way, a 51,000 sq. ft. office building. Despite the fact that such construction is not allowed in C-WD Zone, it is permitted in the present M-G Zone. The applicant presently has such a permit and provided the Committee with a copy. It is the applicant's contention that because a C-WD Zone does not allow residential construction, financial considerations and responsibility to his other investors, force him to this pass. The applicant did acknowledge that a Special Floating Zone D-WD is allowed for the C-WD mapping, and that the special zone does allow housing. He asserts, however, that in this zone, not enough housing is allowed to make it financially feasible for him to abandon his plans for office construction.

It was also the applicant's contention early in his presentation, that he did have the necessary three acres that his Waterside warehouse facilities did not, to qualify for the D-WD Zone. Some confusion exists here, for the parcels owned by Collins clearly meet the requirement, a point later tacitly acknowledged in his presentation. The Committee, in general, disagreed with the applicant's basic contentions. But one thing that the applicant failed to point out is that the C-WD Zone gives the Land Use boards a control that no other zone does, i.e., the Zoning Board does not have to allow Permitted Uses in the zone. The Allowable Uses were only listed in case socially justifiable development was needed, such as a tank farm, but no Permitted Use in a C-WD Zone, or its companion D-WD Zone, is a Use by right. They are all subject to the approval of the Zoning Board. Such approval turns on such considerations as social necessity, aesthetics, environment, neighborhood stability and the like. More to the point, you could not at the present time get a small pleasure craft in there without extensive dredging. Oil tankers and barges in these waters are a delusion.

Beyond this, the C-S Zone is an intense zone. It allows all kinds of Uses by right. The applicant can assert that he intends only to build housing, and probably he does, but should he change his mind, sell his property, run into financial difficulty, the owner, whoever he is, can build what the zone allows. And promises, written or verbal, have absolutely no legal standing. He can, in the C-S Zone, an intense zone, build what the zone allows, and promises. or even CAM, cannot stop him. There are other problems as well.

PLANNING AND ZONING COMMITTEE (continued)

MR. WHITE (continuing): His subtle belligerency that he is going to build an office building if he doesn't get his way, aside from sounding like government by intimidation, is fraught with problems. In point of fact, it is downright murky. The ZBA gave the applicant a parking variance. As such, they had to give the project parking-wise a review because it was in the CAM area. Such a review, however, is limited to the particular variance and does not in any way substitute for a full CAM review. That can only be done by a designated CAM agent, which in Stamford's case is the Zoning Board. Furthermore, such a review is required to be published and noticed prior to its operation, and none of this was done. Somewhere along the way, it was announced that the ZBA review was indeed a CAM review, in which Atty. Frattaroli, the Corporation Counsel's Land Use expert, in a truly bizarre opinion, concurred.

Apparently, on this basis, a building permit was issued. It all apparently quite contrary to law, and Arthur Rock, Director of CAM, and Joseph Lieberman Attorney General for Connecticut, have announced their intention to pursue the entire issue in court for however long it takes.

If the Zoning Board's mapping is upheld by us, it is Mr. White's personal opinion that no office building will be constructed on the site. Zoning and Planning should be designated according to sound Land Use principles, not according to promises, financial considerations, and threats. Consequently, the Committee by a vote of 6 against and 2 abstentions, voted to deny the application. Pursuant to this, Mr. White offers the following Motion:

THE PRESIDENT interjected here: "Mr. White, let's just...your Committee voted 6 opposed and 2 abstentions to deny the application. For the benefit of the Board, all of our Motions are framed in a positive sense, so although the Planning and Zoning Committee voted to deny this application, Mr. White's Motion will be framed in the positive sense, so please read your Motion."

MR. WHITE's Motion is: "That the proposed amendment of Waterside Warehouse Associates' application 85-040 to the Zoning Map of the City of Stamford requesting that a 5.367 acre parcel of land sited on the east side of the East Branch of Stamford Harbor and located on the west side of Harbor Drive (formerly Lindstrom Road) and abutting Czescik Park to the north and a C-S Zone to the south be changed from M-G General Industrial to C-S Shorefront Commercial as specifically shown on the attached map, and I so Move." Seconded.

THE PRESIDENT said it has been Moved and Seconded to approve the proposed amendment.

MR. SIGNORE: "Unfortunately, even though I have a high regard for Mr. White, I believe he gave a personal report, not a Planning & Zoning Committee Report. This is a little upsetting to me as a member of that Committee."

MR. LYONS asked what was the Planning Board's recommendation on this.

MR. WHITE said the Planning Board's recommendation on this, he believes, was that the C-S Zone, the application should be granted.

MR. LYONS said speaking as a Representative for that District, he does not share Dennis White's opinion that the office building will not be built. It is the lesser of two evils, and Mr. Lyons believes we cannot take the risk of that office building being built. Housing should be built in that area.

PLANNING AND ZONING COMMITTEE (continued)

- (4) REFERRAL OF ZONING BOARD ACTION DENYING APPLICATION 85-040, WATERSIDE WAREHOUSE ASSOCIATES, FOR THE REZONING TO C-S SHOREFRONT COMMERCIAL OF LAND LOCATED ON THE WEST SIDE OF LINDSTROM ROAD: Pursuant to Section 552.2 of the Stamford Charter. Petition received from Waterside Warehouse Associates. Received from Margaret Ann Ross, Zoning Board Chairwoman, 11/18/85. (Received at Board Office 11/18/85).

PRESIDENT GOLDSTEIN said there are several things she would like to explain to the Board prior to taking this vote. First, the Board operates on this referral pursuant to Section 552.2 of the Charter which gives this Board the right to hear. Secondly, in order for this Body to approve or to deny this Motion, there has got to be 21 votes either way, 21 votes to approve, or 21 votes to deny. This is in accordance with Judge Novak's decision of Sept. 16, 1980. If this Board does not muster 21 votes either way, then the decision of the Zoning Board will prevail. The Motion before the Body is to approve the amendment of Waterside Warehouse Associates' Application 85-040 to the Zoning Map of the City of Stamford requesting that the 5.367 acre parcel of and sited on the east side of the East Branch of Stamford Harbor and located on the west side of Harbor Drive, abutting Czescik Park to the north and a C-S Zone to the south be changed from M-G General Industrial to C-S Shorefront Commercial. The map is attached to this Motion.

The Committee voted 6 No, with 2 Abstentions, to uphold the Zoning Board's denial of the application. If you wish to uphold - this is to clarify the vote for the Body - the Zoning Board's decision, you vote No to this Motion. If you wish to over-turn the Zoning Board's decision, you vote Yes and you would be supporting Waterside Warehouse Associates.

MR. BLUM asked that the President clarify that again.

THE PRESIDENT said if you wish to support the Zoning Board's decision, you vote No. If you wish to support the company making the referral, which is the Waterside Warehouse Associates, you vote Yes.

MR. WIDER said he has a serious question. He said the two District members in which the property in question is located, Mr. White and Mr. Lyons, are split on the issue. This makes him not too sure which is correct and he may vote to put it back in committee until they can come together.

THE PRESIDENT said this option to put it back into Committee is not ours. This matter must be decided tonight, by Charter. All those in favor of the proposed amendment, vote Yes; all those opposed to the proposed, vote No. The Motion has been DEFEATED by a vote of 12 Yes and 26 No. The Zoning Board's position on this amendment has been upheld.

- (5) REFERRAL OF ZONING BOARD ACTION APPROVING APPLICATION 85-028, THE ZONING BOARD, FOR THE RE-ZONING TO C-WD COASTAL WATER-DEPENDENT OF LAND LOCATED ON THE WEST SIDE OF LINDSTROM ROAD; pursuant to Section 552.2 of the Stamford Charter. Petition received from Waterside Warehouse Associates. Received from Chairwoman Margaret Ann Ross, Zoning Board, 11/8/85. (Received at Board Office 11/8/85.)

PLANNING AND ZONING COMMITTEE (continued)

MR. WHITE said Item #5 is referral of 85-028, the Zoning Board's application to change the area sited on the East Branch of Stamford Harbor from Czescik Park south to the Harbor Plaza Complex, all on the west side of Harbor Drive (formerly Lindstrom Road). The present in-place zoning is M-G in the northern portion and C-S in about the southern two-thirds of the area. It is more specifically located in the Motion and so indicated on the attached map.

The Zoning Board's application is to change the entire area C-WD Water-Dependent useage. Such a zone also allows, upon special application, the installation of a D-WD Zone which allows some non-Water-Dependent uses, and considerable residential development. Most of the Committee felt that the objective of the Zoning Board was valid attained by the new zone, i.e., to give the Zoning Board the tools to control and to shape development in the sensitive coastal area. The CAM legislation, by itself, will not do the task. CAM, as has been repeatedly asserted by the CAM office, is not a substitute for sound zoning. In point of fact, much of CAM has been to give the municipalities the incentive and direction to re-map their waterfronts, and so to give the Land Use apparatus real coastal control over the shoreline.

Such a zone as a C-WD Zone, its companion D-WD designation, seem as if they allow much development, such development is not by right. Rather it is a sufferance in judgment of the Land Use apparatus. Also although oil tank farms can be permitted, they are not of right. Presumably they would not be permitted without compelling social and economic reasons. It is possible in the C-WD zoning the entire mass of possible uses could be rejected by the controlling Board if they felt it not in the best interests of the community and neighborhood. As an extreme example, they could really suspend development for a time in the zone if they ascertained that no sensible water-dependent development has been proposed for the area. Contrast this with the C-S Zone, which, except for its lack of heavy industry, is a zone allowing quite intensive development. Further, this development allows by right. The Zoning Board, even with the weapon of CAM review, could not do much if a given use were allowed. In fact, outside of the C-WD Zone, it would be, and indeed has been, coastal area management almost by supplication. Thus, to zone in terms of what the developer promises is indeed to zone foolishly. Such promises have absolutely no legal standing and are exercises in delusion. It may very well be that a developer builds what he promises, but will it remain so ten years hence? It an axiom of zoning that a zone will ultimately develop to its limits of density by right. It should also be noted that the present developer does not have an awfully good track record in this respect. The Harbor Plaza Complex was expanded some three times between its first presentation and its final construction.

In the opinion of the Committee, the issues are superficially complex, and indeed some of the members of the Committee were confused until they could sort out the facts. It is no wonder that the residents of Shippam/East Side are confused. What they, the residents, really want is as little industrial and intense commercial development as possible in their neighborhoods. They also want to share the waterfront recreationally and aesthetically with the rest of the community. All their efforts, some misguided, have been directed towards this end. It is the opinion of the Planning and Zoning Committee that the C-WD Zone and its companion D-WD Zone, are steps in this direction. Consequently, by a vote of 6 in favor and 2 Abstentions, the Committee voted to recommend that the Zoning Board be up-held. Seconded.

PLANNING AND ZONING COMMITTEE (continued)

MR. SIGNORE said he thought that Mr. White did it again. Unfortunately, Dennis represents, as a Committee Chairman, many people, and Mr. Signore does not like to sit on a Committee and have the Chairman give a personal report for a Committee Report. If Mr. White would like to give his own personal report, he should give the Committee Report first, and his personal report after.

MR. WHITE said he has always, in the past, and at this time also, tried to give a fair summation of what the Committee did. The problem with this last meeting was that not only was it very late at night, but in fact there was some confusion among the Committee members in terms of what the zones really meant. The Committee members, as Mr. White remembers and understands it, in fact thought as he, Mr. White, indicated here in the Report; but what he had to do, in writing up the Report, was in fact, and it didn't come out at the Committee meeting very much, was to in fact give the factual background for these zones. It is very difficult to write a report, in fact, in the type of meeting that was held, because the discussion really was, if Mr. Signore recollects as Mr. White does, that really what do the zones mean and what were they. And generally speaking, the Committee felt that these were good zones, but there was some confusion indeed as to how they were good zones. In doing the research over this past Friday, and over the weekend, required and in fact justified the Committee's feeling that indeed they were good zones. And to take what the Committee said in the course of the discussion, included in the Report.

If Mr. White did not meet Mr. Signore's standards, he will certainly try, he said, in the future, and he believes he has in the past; but this was a very difficult Report to write because of the type of meeting that was held, and because of the type of hearing that was held. And possibly because the hearing was backed up right up to the weekend, which was backed up right to our meeting. Not making any excuses, and he doesn't make excuses for this Report as he feels he made a valid Report, but he can understand Mr. Signore being concerned.

MR. SIGNORE said he has always had the highest regard for Mr. White, and he has said that before, and he still does, but Mr. Signore thinks some of the language used in this Report kind of covered it a bit and unfortunately, it comes out as being slanted to your likes, and Mr. Signore thinks that is not good for Mr. White, or for himself, Mr. Signore, or anyone else on this Board. He knows how Mr. White personally felt about the issue, and he knows it is Mr. White's District, and he can't blame Mr. White for fighting for his District, and he would do the same thing, but he would like, in the future, to see Mr. White tone it down a little bit. He thinks he used some strong language in there, and Mr. Signore said he has used strong language in the past so he is not one to complain too much, but please in the future, he asked that Mr. White be a little more objective.

THE PRESIDENT said the remarks of both gentlemen are very well-taken and that stringent objectivity must be maintained in Committee Reports. She thanks both Mr. White and Mr. Signore for their remarks.

PLANNING AND ZONING COMMITTEE (continued)

MR. BLUM asked what CAM does allow for water-dependence. Does that mean that from now on, housing will not be allowed on the waterfront. What type of buildings will be permitted from now on, if we vote for this change?

MR. WHITE said the C-WD Zone does not allow residential development, but if you have a certain number of acres, three acres, you can in fact apply for the so-called "Floating Zone" which does allow residential development. quite extensively. It does allow quite a few non-water-dependent uses, as a matter of fact, connected with the residential property.

THE PRESIDENT said there are no further speakers, and a vote will be taken. Once again, we are operating under Section 552.2 of the Charter, and under Judge Novak's decision which requires 21 votes for the Board to take a position. In this case, the Motion is that the proposed amendment of the Zoning Board Application 85-028 to the Zoning Map of the City of Stamford to change a parcel of land zoned M-G General Industrial extending south from Czeskik Park to the Schooner Cove Development and to change the abutting parcel of land zoned C-S Shorefront Commercial, which includes Schooner Cove and Palmer Landing Development extending south to the seawall bulkworking the Harbor Plaza Complex and bounded by Harbor Drive (formerly Lindstrom Road) to the east and the East Branch of Stamford Harbor to the west to C-WD Coastal Water-Dependent District. The Motion is to approve this application. The Committee voted 6 Yes and 2 Abstentions to approve the application. A Yes vote in this case, supports the Committee's decision and the Zoning Board's decision. A No vote supports the referral which is the company that is contesting the Zoning Board's decision.

All those in favor of the Motion vote Up for Yes; all those opposed to the Motion, vote Down for No. Has everyone voted? The vote is 37 Yes, and no No votes. (There was one non-voting, Rep. Jepsen.)

The Motion has CARRIED. The Zoning Board's decision has been up-held.

MR. WHITE said that completes his Committee Report.

THE PRESIDENT thanked Mr. White for a very complete Report.

PUBLIC WORKS AND SEWER COMMITTEE

MR. TARANTO is absent. Mr. Lyons said there is no report.

MR. ZELINSKI said since the Chairman and Vice-Chairlady are not present this evening, just for the record, the Public Works Committee did meet on Wednesday, December 11, 1985; and present were Chairman Taranto, also Reps. Fishman, Lyons, Martin, Mollo, Zelinski, and Pavia, and Esposito, for the record. That is Terrence Martin.

HEALTH AND PROTECTION COMMITTEE

MR. MORRIS said although the Committee has no formal report at this time, the Committee consisting of Reps. Rinaldi, McGrath, Rubino, Burke, and Morris did meet briefly at 7:00 P.M. on Wednesday, December 11, 1985 to discuss various issues and items that the Committee may want to explore and work on during the term of the 19th Board of Representatives. They look forward to a productive two years with significant in-put from all members of the Board welcome.

PARKS AND RECREATION COMMITTEE

MR. PIA said the Committee met on Thursday, December 12, 1985, and in attendance were Reps. Pia, Rybnick, McGrath, Powers; and Mr. Heins asked to be excused. He Moved to the Consent Agenda #1, 2, 3, 4, with minor Committee changes as indicated.

THE PRESIDENT noted that Mrs. Bromley is just leaving. She wished her and her new baby girl, on behalf of the Board, non-sleepless nights.

- Bedford
- (1) REQUEST FOR PERMISSION TO HANG A BANNER on ~~Summer~~ Bedford Street from April 14th through May 3, 1986 from the Exchange Club of Stamford to publicize their ANNUAL BIKE SALE. Requested by Michael Minoff, Tele-Digital Corp., One Dock St., Stamford, CT., 06902, 11/14/85.

APPROVED ON CONSENT AGENDA.

- (2) REQUEST FOR PERMISSION TO HANG A BANNER on Summer Street from May 3, 1986 to May 18, 1986, to publicize ANNUAL TAG SALE. Requested by Sheila Ellis, Banner Chairperson, Unitarian Universalist Women, Forest and Prospect Sts., Stamford, 06902, 10/18/85.

APPROVED ON CONSENT AGENDA.

- ONE
- (3) REQUEST FOR PERMISSION TO HANG TWO BANNERS: ~~--One on Bedford Street and~~ one on Summer Street, from Jan. 3rd through Jan. 17, 1986, to publicize The Hartman Theatre Productions. Requested by Wm. Sharek, Mktg./PR Dir., P.O.Box 521, 307 Atlantic St., Stamford 06904, 11/20/85.

APPROVED ON CONSENT AGENDA.

- (4) REQUEST FOR PERMISSION TO HANG A BANNER on Summer Street from Jan. 17th through Feb. 2, 1986, to publicize the STAMFORD SYMPHONY ORCHESTRA. Requested by V.R.Silver, Development Dir., 400 Main St., Stamford 06901, 11/21/85.

APPROVED ON CONENT AGENDA.

PARKS AND RECREATION COMMITTEE (continued)

MR. DUDLEY asked if the changes in Item 1 and 3 were Committee changes, or typographical errors.

MR. PIA said they were Committee changes because there is a conflict in the dates, and one request is for two banners and one will be given to someone else.

THE PRESIDENT said that would be noted and it is not of great moment, so it can be on the Consent Agenda.

MR. PIA said Item #5 is being Held in Committee because the papers were not signed properly. Mr. Reiger was at the Committee meeting.

- (5) MR. GEORGE REIGER'S LETTER OF 11/4/85 regarding paddle courts being turned over to the Board of Recreation. Submitted by Rep. Robert "Gabe" DeLuca, 14th District, Parks & Recreation Committee Chairman of the 18th Board of Representatives, 11/14/85.

HELD IN COMMITTEE.

REQUEST TO SUSPEND THE RULES TO CONSIDER AN ITEM NOT ON THE AGENDA

MR. PIA Moved to Suspend the Rules to consider an item not on the Agenda, being a request from the Westhill High School North Star Players to hang a banner. Seconded. CARRIED, voice vote.

- (6) REQUEST TO HANG A BANNER requested by Westhill High School North Star Players to advertise "DRACULA", for the period Jan. 3, 1986 to Jan. 17, 1986.

MR. PIA said the Committee approved this 4-0 and he so Moved. Seconded. CARRIED, voice vote

MR. PIA Moved to approve the Consent Agenda Items 1, 2, 3, 4. Seconded. CARRIED, voice vote.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

MRS. POWERS said her Committee met Monday, December 9, 1985, at 7:00 P.M. in Conference Room I in the Board of Education Bldg. Present were Committee members Fishman, Nakian, Maihock, and Powers. Also present were Board members Goldstein, Morris and Blum.

- (1) REIMBURSEMENT FOR OUT-OF-POCKET EXPENSES FOR MEMBERS OF THE BOARD OF REPRESENTATIVES AND MEMBERS OF THE BOARD OF FINANCE. Requested by Rep. Maria Nakian, EW&G Chairwoman, 18th Board of Representatives, 11/6/85.

MRS. POWERS said this item was discussed and the members have already received a form which will help the Committee in their research and she would appreciate the members returning their forms to the Board Office as soon as possible. They are getting information on how this is being handled in other municipalities and will continue to work on this item. By a vote of 4-1, this item is HELD IN COMMITTEE.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

MR. WIDER said there is no report.

URBAN RENEWAL COMMITTEE

MS. SUMMERVILLE said there is no report.

ENVIRONMENTAL PROTECTION COMMITTEE

MRS. MAIHOCK said there is no report.

TRANSPORTATION COMMITTEE

MRS. PEGEL said there is no report.

LABOR CONTRACTS LIAISON COMMITTEE

MR. BURKE said there were no items on the Agenda, no meeting, and no report. However, he said that what he will do for the Board, is sometime in the very near future, get a complete set of every labor contract that is in existence in the City, its present status, whether it is in arbitration, factfinding, what-have-you, its expiration date, so that we can at least be brought up-to-date on how many contracts we do have, where they are, and what their status is.

SPECIAL COMMITTEES

HOUSE COMMITTEE

MR. RYBNICK discussed with the Fire Marshal the possibility of having a door cut into the firewall that is behind the members.

MS. SUMMERVILLE said she takes every opportunity she gets to tell the fathers of this City that that wall is unbearable. The feedback gives people migraine headaches, from the mikes where sounds bounce around the room. The wall makes everyone more closed in than ever. It is very uncomfortable. If other members have problems with this, she suggests they also call Mr. Strat, and it might help to alleviate the problems more quickly. She invited members to sit in the Pages' chairs up front and see how bad it really is. If the gallery were full of people, the situation would truly be horrendous.

HOUSE COMMITTEE (continued)

MRS. McINERNEY wished to thank Mr. Rybnick for all the work he put in to make sure that one of the Republicans was not sitting behind a pole. The Republican side looks very organized now, and they are ready to work.

COLISEUM AUTHORITY LIAISON COMMITTEE

MR. DeROSE said there is no report.

CHARTER REVISION COMMITTEE

No Report.

RESOLUTIONS

None.

PETITIONS

None.

ACCEPTANCE OF THE MINUTES

November 6, 1985 Regular Board Meeting (18th Board of Representatives)

MRS. MAIHOCK said on Page 33, that for some reason her name there appears as "Maria Maihock", but it should be Audrey.

MR. ZELINSKI said he has two corrections. On Page 14, and on Page 29, he would like to have his exact comments verbatim recorded in the Minutes.

MS. SUMMERVILLE said on Page 39, where Ms. Summerville spoke to Mr. Mallozzi, it was only in jest and she would ask that the entire discussion that Ms. Summerville spoke on, be deleted.

MR. LYONS Moved for acceptance, as corrected. Seconded. CARRIED, voice vote.

COMMUNICATIONS FROM THE MAYOR, OTHER BOARDS, AND INDIVIDUALS

None.

OLD BUSINESSREQUEST TO SUSPEND THE RULES TO CONSIDER AN ITEM NOT ON THE AGENDA

MRS. McINERNEY said she Moves for a Suspension of the Rules to correct a clerical error which appeared in Ord. 566 Supplemental. Seconded. CARRIED. *(Last page) - see Resolution 171 attach 9-8-85*

When Ord. 566 was adopted, which adopted and enacted a new Code of Ordinances for the City of Stamford, there was a clerical error which appeared in Section 1. It was written Sec. 1-1 through 2-54 inclusive. It was brought to Mrs. McInerney's attention afterwards when it was published in the paper, and the particular item should read "Section 1-1 through 21-54". Everyone has a copy of the letter from Mrs. McInerney tonight indicating the need to enact this now; and everyone also has a copy of the corrected ordinance as it should now appear. If the Body will turn to that, Mrs. McInerney would like to fill in the insert dates as well.

This Section 1 which has been corrected and now reads as it should have: "Section 1. The Code of Ordinances, consisting of Section 1-1 through 21-54 inclusive..."; and Section 2. "All provisions of such Code shall be in full force and effect from and after December 16, 1985. (12/2/85 deleted), and all ordinances of a general and permanent nature of the City of Stamford, Connecticut enacted on final passage on or before May 1, 1985, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after the December 16, 1985 (delete 12/2/85), except as hereinafter provided." That is on Page 1.

And on the last page, page 3, Section 10, it should read "This ordinance shall become effective on the date of enactment." (deleted 12/2/85.)

This was just a clerical error that appeared in the ordinance and she would like to have it corrected. There have been absolutely no substantive changes in the City's legislation dealing with the correction. She would like the record to show that at the public hearing, there were copies available previousl of the work manuscripts for the public. She requested at this time a Waiver of Publication for the corrected copy.

THE PRESIDENT said the Motion is to waive the first publication of the Code as amended by Mrs. McInerney. This requires 27 votes. All those in favor of waiving publication, please say Aye. Opposed? Abstentions? CARRIED, voice.

MRS. McINERNEY Moved for Final Adoption. Seconded. CARRIED, voice vote, for final adoption as amended.

MRS. McINERNEY said, for the record, it was not any error that occurred through our staff. Our staff has been very cooperative in handling this. Unfortunately it happened, and she is glad we saw fit to rectify it at this particular point in time. She thanks everyone for bearing with her on this and she hopes this is the absolute end.

NEW BUSINESS

MR. ZELINSKI said he would like to have the Sense-of-the-Board Resolution that he was going to propose tonight to be on the Tentative Steering Agenda for the Dec. 18th Steering Agenda. He did not have the text in on time to get it on tonight's agenda.

ADJOURNMENT:

There being no further business to come before the Board, upon Motion duly made, Seconded, and APPROVED, the meeting adjourned at 9:45 P.M.

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

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
19th Board of Representatives

SG:AMS:HMM
Encls.