

MINUTES OF REGULAR BOARD MEETING

MONDAY, FEBRUARY 2, 1987

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, February 2, 1987, 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 the Rev. Scott Taylor, Grace Evangelical Free Church, 239 Courtland Avenue, Stamford, CT 06906.

"Let us pray. Heavenly, Father, we thank You that You have given us this time in which to live, and thank You for the many freedoms that we have known in this country. You have certainly been good to us for which we should give thanks. We pray this evening that You strengthen and enable this group of people to discern Your will and return Your counsel to the City. We thank You for the service to the people and ask that You bless this meeting and give them the wisdom that they need in the name of Jesus Christ. Amen."

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

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were 36 present and 4 absent. Absent were Rep. Jeanne-Lois Santy (excused), Rep. Katie Glover, Rep. Jeremiah Livingston, and Rep. David Jachimczyk (excused).

The Chair declared a Quorum.

MACHINE TEST VOTE: After test votes were taken by the President, the machine was in good working order.

MOMENTS OF SILENCE

For the late Frank Benevelli by Rep. S. A. Signore. "A long-time former purchasing agent for the City of Stamford. Mr. Benevelli was a man of great integrity, a fine family man, and an excellent citizen of the City of Stamford. He'll be sorely missed."

For the late Mother of former Rep. Vincent Martino. She passed away in Italy. By Rep. Nicholas Pavia.

For the late Harold A. Reynolds by Rep. John R. Zelinski. "A friend, the husband of Georgiana Reynolds of Stamford. In addition to being survived by his wife, he is survived by his stepson Sargeant Harold C. Westerfield, of the Stamford Police Department."

PRESIDENT GOLDSTEIN asked the Members of the Board to rise to observe a Moment of Silence.

STANDING COMMITTEES

STEERING COMMITTEE: Chairwoman Sandra Goldstein

MR. BOCCUZZI Moved to waive the reading of the Steering Committee Report. Seconded, CARRIED, voice vote.

STEERING COMMITTEE REPORT

The Steering Committee met on Wednesday, January 14, 1987, in Conference Room III, Board of Education Building on Hillandale Avenue. The meeting was called to order at 7:35 p.m. by Chairwoman Sandra Goldstein who declared a Quorum.

PRESENT AT THE MEETING:

Sandra Goldstein, Chairwoman
John Boccuzzi
Scott Morris
Donald Donahue
Thomas Burke
Mildred Perillo

Thomas Pia
W. Dennis White
Lathon Wider
Stanley Esposito
Thomas Clear
Maria Nakian

David Martin
Ruth Powers
Audrey Maihock
James Dudley
John Roman (WSTC)
Anne Kachaluba

1. APPOINTMENTS COMMITTEE

Ordered on the Agenda were two of the three names appearing on the Tentative Steering Agenda. Ordered Held was the Rev. Thomas W. Nissley for the Coliseum Authority.

2. FISCAL COMMITTEE

Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda. Also, after Suspension of the Rules approved, another item was ordered on the Agenda and that being an additional appropriation for the Board of Education, Teacher Enhancement Act passed by the CT State Legislature.

3. LEGISLATIVE AND RULES COMMITTEE

Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda. Also, the two items appearing on the Addenda to the Tentative Steering Agenda, and one item from the Pending Agenda being For publication, proposed ordinance amending Ord. No. 564 Concerning Sidewalk cafes.

4. PERSONNEL COMMITTEE

No items appeared on the Tentative Steering Agenda.

5. PLANNING AND ZONING COMMITTEE

No items appeared on the Tentative Steering Agenda. Ordered on the Agenda were the six items appearing on the Addenda to the Tentative Steering Agenda.

6. PUBLIC WORKS AND SEWER COMMITTEE

Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda and the one item appearing on the Addenda to the Tentative Steering Agenda.

STEERING COMMITTEE REPORT: (continued)

7. HEALTH AND PROTECTION COMMITTEE

Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda and that was the Discussion on Daily Helicopter Service in the City of Stamford. (Co-Committee on this item was Transportation)

8. PARKS AND RECREATION COMMITTEE

Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda. Also, the five items appearing on the Addenda to the Tentative Steering Agenda.

9. EDUCATION, WELFARE AND GOVERNMENT COMMITTEE

No items appeared on the Tentative Steering Agenda. One item appeared on the Addenda to the Tentative Steering Agenda and that was placed on the Pending Agenda; item being an Update on Issues and Problems of the Homeless.

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 off the Agenda was the one item appearing on the Tentative Steering Agenda and that was the Discussion on Daily Helicopter Service in the City of Stamford. (Co-Committee on this item was Health and Protection)

14. LABOR CONTRACTS LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

15. HOUSE COMMITTEE

No items appeared on the Tentative Steering Agenda.

16. COLISEUM AUTHORITY LIAISON COMMITTEE

No items appeared on the Tentative Steering Agenda.

STEERING COMMITTEE REPORT: (continued)17. CHARTER REVISION COMMITTEE

Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda and that being a Request to look into two sections of the Charter: Section 552 and Section 553 both concerning Zoning regulations. Ordered on the Agenda was the one item appearing on the Addenda to the Tentative Steering Agenda.

18. SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES

Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

19. RESOLUTIONS

No items appeared 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 9:00 p.m.

SANDRA GOLDSTEIN, CHAIRWOMAN
STEERING COMMITTEE

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

MRS. PERILLO said her Committee met on January 20, 1987, 7:30 p.m. at Hillandale Avenue. Present were Millie Perillo, John Boccuzzi, Nick Pavia, Stan Esposito, Ruth Powers and Tom Burke. Absent were Pat McGrath, Ann Summerville, Tom Clear and Dave Blum. John Roman from WSTC was also present.

Mrs. Perillo Moved to the Consent Agenda item #1.

COLISEUM AUTHORITYTERM EXPIRES

- | | | |
|---------------------------------------|---------------|---------|
| 1. <u>MR. ROBERT G. HAVEMEYER</u> (R) | Reappointment | 7/14/89 |
| 16 Prince Place | | |

APPROVED ON CONSENT AGENDA.BOARD OF RECREATION

- | | | |
|---------------------------------|------------------------|---------|
| 2. <u>MS. ANNA STAMATIN</u> (R) | Replacing T. Pia whose | 12/1/88 |
| 51 Old Colony Road | term expired. | |

HELD IN COMMITTEE.

MRS. PERILLO Moved the Consent Agenda. Seconded. Carried, voice vote.

FISCAL COMMITTEE - Donald Donahue, Chairman

MR. DONAHUE said the Fiscal Committee met on January 28, 1987, at 7:30 p.m. Present were Reps. Lyons, Rybnick, Esposito, Begel, D. Martin, Heins and Donahue.

The following items were placed on the Consent Agenda: #1, 2, and 3. All Secondary Committees concurred.

1. \$700,000.00 - DEPARTMENT OF PUBLIC WORKS - CODE 351.5520 CONTRACT - HAULAWAY - additional appropriation request for fiscal year 1986-87. (Board of Finance cut budget) Request by Mayor Thom Serrani 1/6/87. Board of Finance approved 1/15/87.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA.

2. \$ 3,611.00 - FINANCE GRANTS ACCOUNT - CODE 248.1110 SALARIES - additional appropriation request to cover difference between salary steps and related MEA contract settlement for Account Clerk II position filled in March, 1986. Request by Mayor Thom Serrani 1/6/87. Board of Finance approved 1/15/87.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA.

3. \$ 30,735.00 - HEALTH DEPARTMENT - MATERNAL & CHILD HEALTH - CODE 557 VARIOUS - additional appropriation request to line up city's budget with the State's approved budget. No city funds requested; all State funds. Request by Mayor Thom Serrani 1/6/87. Approved by Board of Finance 1/15/87.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA.

4. \$ _____ - BOARD OF EDUCATION - TEACHER ENHANCEMENT ACT PASSED BY THE CONNECTICUT STATE LEGISLATURE - additional appropriation request to fund increases in teachers' salaries. This Act will increase salaries as well as provide general revenue to each town. Request by Roslyn S. Nesin, President, Board of Education 1/14/87. Contingent upon Board of Finance approval.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE AND LABOR CONTRACTS LIAISON COMMITTEE.

HELD IN COMMITTEE.

FISCAL COMMITTEE: (continued)

MR. DONAHUE Moved to approve the Consent Agenda. Seconded. Carried, voice vote.

MR. DONAHUE made a Motion to Suspend the Rules to consider an item not on the Agenda. Seconded. Carried, voice vote.

4. \$ 4,600.00 - TOWN CLERK - CODE 210.3150 ELECTIONS - additional appropriation request to fund under-estimated printing costs for elections. Request by Mayor Thom Serrani 1/13/86. Board of Finance approved 1/15/87.

Above also referred to EDUCATION, WELFARE & GOVERNMENT COMMITTEE.

MR. DONAHUE said his Committee recommended approval of this item. The bill has been outstanding since before the November 4th election for sample ballots, machine strips and moderator return forms, and different set-ups for sample ballots.

PRESIDENT GOLDSTEIN called for a vote to approved item #4. Moved and Seconded. Carried, voice vote.

LEGISLATIVE AND RULES COMMITTEE - David Martin & Maria Nakian, Co-Chairpersons

MR. DAVID MARTIN said the Legislative and Rules Committee meeting was canceled due to inclement weather. The Committee decided not to have a meeting since none of the items on the Agenda were critical.

1. (L&R19.31) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 220 ARTICLE II OF THE CITY OF STAMFORD CODE OF ORDINANCES. This ordinance would exempt ambulance-type vehicles from personal property taxes. Submitted by Mayor Thom Serrani 1/6/87.

HELD IN COMMITTEE.

2. (L&R19.32) FOR PUBLICATION - PROPOSED ORDINANCE FOR ABATEMENT ON PROPERTY TAXES OWNED BY NEIGHBORHOOD PRESERVATION PROGRAM OF STAMFORD, CT., INC., 589 WASHINGTON BLVD., STAMFORD, CT 06902 FOR PROPERTY LOCATED AT 107 LOCKWOOD AVENUE, STAMFORD, CT. AMOUNT DUE IS \$4,397.50. NPP, INC. is a tax-exempt organization. Requested by Joan Carty, Executive Director NPP, Inc., 589 Washington Blvd., Stamford, CT 06902, 1/5/86.

HELD IN COMMITTEE.

3. (L&R19.13) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 18-51 OF THE CODE OF ORDINANCES TO ALLOW AWNINGS TO ENCROACH UPON CITY SIDEWALKS. Submitted by Gary W. Dayton, Executive Director, Urban Renewal Commission 7/30/86. Held in Committee 9/8, 12/8/86 and 1/12/87. Held on Pending Agenda 9/17 and 10/15/86.

HELD IN COMMITTEE.

LEGISLATIVE AND RULES COMMITTEE: (continued)

4. (L&R19.33) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 10, ALARM SYSTEMS TO BRING THE BURGLAR ALARM SECTION INTO CONFORMITY WITH THE SECTION REGULATING FIRE ALARMS. Submitted by Reps. Maria Nakian and David Martin, Co-Chairpersons, Legislative and Rules Committee 1/13/87.

HELD IN COMMITTEE.

5. (L&R19.22) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORDINANCE NO. 564 SUPPLEMENTAL CONCERNING SIDEWALK CAFES. Submitted by Reps. Maria Nakian and David Martin, Co-Chairpersons, Legislative and Rules Committee, per letter from Attorney Michael Cacace 9/25/86. Held on Pending Agenda since 10/15/86.

PERSONNEL COMMITTEE - James Dudley and Claire Fishman, Co-Chairpersons

MRS. FISHMAN - No report.

PLANNING AND ZONING COMMITTEE - W. Dennis White, Chairman

MR. WHITE said that the initial meeting on Thursday, January 29th was rescheduled for February 2, 1987, 6:30 p.m. in the Board room. Present were Donald Donahue, Dennis White, Sal Signore, Maria Nakian and Barbara McInerney. The Committee by a vote of 5 to 0, recommended that item #1 be approved for publication.

1. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE SALE OF A PORTION OF THE CITY'S RIGHT-OF-WAY ON SUBURBAN AVENUE TO BROADMOOR HOUSING, INC. FOR \$735,000.00. Submitted by Mayor Thom Serrani 7/22/86. Planning Board approved with proviso 7/29/86. Contingent upon Board of Finance approval. Held in Committee 9/8, 10/6, 11/3, 12/8/86 and 1/12/87.

MR. WHITE Moved for approval to publish. Seconded.

MR. HEINS said he had two concerns over this issue. He said that one of the things that this Administration has done was to expedite the effort to get bids on city property. Mr. Heins did not believe that this particular piece of property was submitted for other bids. He said that other bids should be considered.

MR. HEINS said that we should re-look at the price of this property. He said that this project is probably a \$100 million project. If Broadmoor can acquire Suburban Avenue, they will be able to go from 337 units to a minimum of 359 units. Also, it will allow them to go for MDX zoning and if that is approved, they will have the ability to put on 490 units. The value of this property to Broadmoor Housing, in his mind, is clearly in excess of \$735,000. Mr. Heins did not think that letting this property go for that price would be doing the citizens a service.

MR. HEINS said that he would be voting against publication.

PLANNING AND ZONING COMMITTEE: (continued)

MR. BLUM felt that we should not be taking up this item as the Planning Board has reservations about that street, and they want a guarantee from Broadmoor that housing will be put in that area. Also, the Board of Finance tabled this item with the recommendation that it go back to the Planning Board. Mr. Blum felt that we should have some guarantees about the housing and what type of housing will be built there. Broadmoor should put some affordable housing in their complex. Mr. Blum intended to vote against this because the Board of Finance has turned this item down at this time, pending the Planning Board's approval that housing go on Suburban Avenue.

MR. DONAHUE stated that the Board of Finance did not turn this item down; they deferred action on this item. The Planning Board already has recommended the sale of this property at \$735,000. Mr. Donahue said the bid process does not work in a situation where the surrounding property owners are the only ones who would have an interest in purchasing Suburban Avenue. Broadmoor Housing owns both sides of Suburban Avenue, and they would be the only group or individual interested in purchasing Suburban Avenue.

Mr. Donahue said that we have an appraisal saying that the property is worth \$735,000. Also, we have a second appraisal that says it is worth somewhat less than that because of telephone company Watts lines under that street. A public hearing will be held, and all these aspects will be taken into consideration. There is no need to hold this up or send it back to Committee.

MR. WIDER said that Broadmoor officials have been before his Committee. We did not want office buildings on that land. If we can sell them this property, we may be able to get 20% of the apartments as affordable housing. It is not a promise but a good possibility. Mr. Wider said that we should move ahead with this and he would vote for this.

MR. WHITE said that Mr. Donahue had said much of what he was going to say concerning the issue under consideration. Mr. White said there was a massive trunk line in a concrete conduit which may lower the price that we can get. Mr. White said that this should be considered this evening.

MR. RUBINO made a Motion to send this item back to Committee. Seconded.

MR. BLUM said that he would vote to return this item to Committee because of deferral by the Board of Finance and the stipulation that the Planning Board said that the plans must show the number of housing and what kind of housing will be put on Suburban Avenue.

MR. ZELINSKI said that the Agenda states, "Contingent upon Board of Finance approval." He asked if we could vote on an item such as this without the approval of the Board of Finance? If that is the case, then he would vote to return this item to Committee.

PRESIDENT GOLDSTEIN said this item is for publication; we're not voting to suspend publication. We are not taking any final action on this by voting to publish. Even if we did vote for final adoption, it would not become law until the Board of Finance voted. It would be wise for the Board to wait for their approval.

PLANNING AND ZONING COMMITTEE: (continued)

MR. WIDER said that we should encourage the Board of Finance to move ahead on this item. If we send this back to Committee, we are setting back the development of housing for another five to six months.

MRS. PERILLO Moved the question. Seconded. Carried, voice vote.

PRESIDENT GOLDSTEIN proceeded to a vote on sending item #1 back to Committee. The Motion was defeated by a vote of 10 yes, and 24 no votes

MR. MORRIS Moved the question. Seconded. Carried, voice vote.

PRESIDENT GOLDSTEIN called for a vote for publication on the proposed ordinance concerning the sale of portion of Suburban Avenue to Broadmoor Housing. The Motion carried by a vote of 28 yes, and 8 no votes.

2. REPORT FOR ESTABLISHMENT OF STRATEGY FOR SALE OF ALL CITY-OWNED ASSETS. Submitted by Rep. W. Dennis White, Chairman, Planning and Zoning Committee 11/25/85. Held in Committee 12/16/85 to 4/7/86, 6/2, 12/8/86 and 1/12/87. Held in Steering 4/16 and 6/18/86. Held on Pending Agenda 7/16 to 10/15/86.

HELD IN COMMITTEE.

PUBLIC WORKS AND SEWER COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Public Works and Sewer Committee scheduled a public hearing on Monday, January 26th, but was postponed due to the inclement weather to Thursday, January 29th. Present were Reps. Zelinski, Fishman, Lyons, and Pavia. We did not have a quorum and rescheduled the meeting to February 2, 6:30 p.m. Present were Reps. Mollo, Pavia, Fishman, Tooher, and Lyons. The Committee voted 5 to 0 to place item #1 on the Consent Agenda.

1. APPROVAL OF SEWER EXTENSION APPLICATION SUBMITTED BY DESIGNER HOMES, INC. REQUESTING AUTHORIZATION TO EXTEND THE SANITARY SYSTEM TO SERVICE THE PROPERTY SHOWN ON CARDS N-2, N-3, N-4, AND N-6, GRIK ROAD, AND CARDS E-17 AND E-18, TURN OF RIVER ROAD. The Sewer Commission approved this application in accordance with provisions of Resolution No. 910 at their meeting on 12/22/86. Submitted by George Connors, Administrative Officer, Sewer Commission 12/23/86.

APPROVED ON CONSENT AGENDA.

MR. LYONS said the Committee voted 5 in favor and none opposed to approve the following item. This item is not on the Consent Agenda.

2. FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING CONDOMINIUM AND COOPERATIVE APARTMENT REFUSE COLLECTION. Submitted by Rep. David Martin, (D) 19th District, Co-Chairman, Legislative and Rules Committee 10/8/86. Held in Steering 10/15/86. Returned to Committee 12/8/86. Approved for publication 1/12/87.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. LYONS Moved for final adoption. Seconded.

MR. ZELINSKI said that some of his constituents could not attend the second scheduled public hearing, and he had some questions he wanted clarified. Mr. Zelinski quoted from page 3 of the proposed ordinance, 3.b. "Owners that fail to comply with approved regulations shall not receive city collection of refuse nor shall they receive reimbursement for the expense of private refuse collection." He wanted to know what would qualify as a failure to comply with approved regulations that would prohibit the city from going ahead with the collection or reimbursement?

MR. LYONS said that if they failed to comply with the ordinance. An exact instance could not be cited. What is in the ordinance will be the law of the city. If you comply, you will be entitled, if you fail, you will not be entitled to collection or reimbursement.

MR. DAVID MARTIN cited an example, He said suppose the city decided to pick-up in 4 cubic yard dumpsters, but because of one particular condominium's arrangement, they could not fit a 4 cubic yard dumpster in their space and refused to get a 4 cubic yard dumpster and were going to have a 3 cubic yard, the city could say that they would not buy equipment to pick up your place only, so we are not going to pick you up and since you did not comply, we are not going to reimburse you. Mr. David Martin said that in the next provision, it says that the owners could appeal to the Board of Representatives for review.

MR. ZELINSKI said that in a letter that one of the associations received dated October 9th from Commissioner of Public Works John O'Brien, it states that the rates are based on an average of current costs for collection of up to 2 cubic yards of non-compacted refuse per residential unit each month. This volume allowance is slightly higher than the current average for multi-family dwellings in Stamford. Mr. Zelinski said that with that, if the particular unit involved, had over this specification of 2 cubic yards, would that stop the city from picking up the refuse or provide reimbursement for that? Mr. Zelinski said that this affected the people that called him.

MR. DAVID MARTIN said the reimbursement schedule in no way applies to paragraph 3 and all its subsections. There is a reimbursement schedule and they are reimbursed on that schedule regardless of whether they have 10,000 cubic yards at a penny a yard or one cubic yard at \$10,000 a yard. This particular section is only if the city were to directly try to pick-up or contract itself for picking-up and in no way applies to this particular situation at this time.

MR. ZELINSKI went on to subsection 4.h. quoting, "Owner with expenses less than provided in the reimbursement schedule shall receive an additional amount beyond their documented expenses of one-half the difference between their documented expenses and the reimbursement rate. This provision shall take effect beginning January, 1988." Mr. Zelinski wanted to know if there was any reason for the date January, 1988 and not immediately or concurring with the schedule in the ordinance which says, he believed, October, 1986.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. DAVID MARTIN said the Commissioner of Public Works along with the consultant, Sherry Dorfman, have been working to get refuse collectors to publish their rates and make them available. They were hoping to bring down the rates particularly for the condominiums and complexes that had very high rates. Mr. David Martin went on to say that the particular effort was complicated by this general provision and the agreement was to delay this provision one year. The point of this sub-paragraph is to provide an incentive in the future so that there will be a reason for the condominium owners to hold their cost down.

MR. ZELINSKI said a constituent asked a question regarding section 5, initial reimbursement schedule. When the original ordinance was received on November 28th, there was one set of rates, and in January, we received a revised schedule. Mr. Zelinski wanted to know why the rates were changed and who changed them?

MR. DAVID MARTIN said that the new rates are substantially identical to the old rates in their effect. The actual rates vary but if you calculate and compare the rates on any particular unit, you would find very minor differences. Mr. Martin preferred the revised rates. The original rate schedule was the one when the city was exploring the plan in October. However, the Law Department in conjunction with Public Works, determined and addressed a concern Mr. Martin had if there would be a problem of rate inversion; which is a person with 101 units would get paid less than a person with 99 units. That problem did occur and in order to make the rate more fair and equitable, this was redesigned to eliminate the rate inversion problem.

MR. ZELINSKI asked if the ordinance only applies to condominiums and cooperatives or does it also apply to all apartment dwellings? Apartments meaning over three units as it is referred in the ordinance. Would high-rise apartments be eligible for this ordinance?

MR. DAVID MARTIN said as originally drafted, apartments were included, but as in the ordinance language itself, it only refers to cooperatives and condominiums and apartments and commercial dwellings are not addressed in this ordinance.

MR. ZELINSKI went to page 3 of the ordinance, subsection 3.c. quoting, "The Board may overturn said decision by a majority vote of the full Board." He asked that has it not been the practice of this Board and past Boards that the majority vote would be of those that were present at the meeting and not the full 40 members. Mr. Zelinski wanted that clarified.

PRESIDENT GOLDSTEIN said that in an ordinance you can do anything you want; make any number, but she would say that the full Board would be the proper number rather than those present because then you can have less than a majority controlling.

MR. ZELINSKI asked what the cost for the first year would be?

MR. LYONS stated that it would be approximately \$400,000.00.

MR. ZELINSKI presumed that this would come out of the general operating budget. Mr. Zelinski said he was glad to see that after all these years, residents of condos and cooperatives are finally getting collection or reimbursement. He is not entirely satisfied with the ordinance and mentioned his reasons last month. He hoped that this ordinance works. He mentioned the Booz Allen report that was not accepted by the city, the Administration should not hire consultants if the reports are not accepted.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. DAVID MARTIN said that this problem has been with the City for years, and was very pleased that it appears, that the cornerstone will be put together tonight to solve 95% of the problem. He was proud that the Board has done this and in a fashion that is legal and consistent with the rest of the laws of the city.

MRS. BROMLEY Moved the question. . Seconded.

PRESIDENT GOLDSTEIN called for a vote on Moving the question. The Motion was defeated by a vote of 12 yes, 18 no and 1 abstention.

MRS. PERILLO was glad about getting this garbage issue partly settled. She was not completely satisfied because there are many others who need garbage pick-up that was discussed with the Booz Allen Report. She said that she would vote for the proposed ordinance tonight. Mrs. Perillo asked where a person would apply or get an application for reimbursement?

MR. LYONS said the city has already solicited individuals involved, and a form will be mailed to them to fill out.

MRS. McINERNEY said it was a positive approach. She said there were 650 condominium units that are for sale in the city and most of those units are now rentable units. How does one go about making sure that the garbage reimbursement is going to the owner occupied unit or was that considered by the Committee?

MR. LYONS said that it was considered but there is no way of determining. If it is listed as a condominium and owned by an individual, the individual will get it. That was the reason the apartments were removed because there is no way of compelling the owner to reimburse the tenant. Mr. Lyons said they could not come up with a solution.

MRS. McINERNEY said that that created problems for her. She did not think that was fair because people are paying for garbage collection privately. There is no way of reimbursing the tenant. She said based on that, she will have problems voting on this item. She said the ordinance and the reimbursement fee is a good program. It was good several years ago when proposed by the Clapes' Administration, it appears now that the Board has finally saw the light and agrees that when Mr. Spaulding proposed the fee reimbursement, it was the right way to go, and now the Democrats are following suit.

MR. BLUM said that his district has large apartments. There are large complexes that are rental apartments. He asked what is going to be done about them? He said that we should think about that now.

MRS. FISHMAN Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a voice vote on the Motion, and it was defeated.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. BOCCUZZI said that if Mrs. McInerney can recall, when Mr. Spaulding had some kind of reimbursement, her side of the aisle was against it. Also, the reimbursement was a small amount that he did not think that anyone would have voted for it. This ordinance spells out from "A" to "Z" how it will be done, who is to take care of it, and what the fee and reimbursement will be.

MR. DONAHUE said that this ordinance is much different from the proposal presented to the Board by the Clapes' Administration. That was a tax credit; this is a reimbursement for services and there are some very important distinctions in that. The Clapes or Spaulding proposal came before the Board with inaccurate information the first time it was presented. When asked two years later for more information to solve this problem, they gave the same back-up information that was inaccurate the first time around. Mr. Donahue said that all this has changed, and at that time, sought to prevent the arbitrary discontinuance of service by a Public Works Commissioner and that is addressed in this ordinance.

PRESIDENT GOLDSTEIN proceed to a vote for the final adoption of the proposed ordinance concerning condominium and cooperative apartment refuse collection. Mr. Terrence Martin will be noted as a yes vote. The ordinance was adopted by a vote of 32 yes, 3 no, and 1 abstention.

MR. LYONS Moved the Consent Agenda. Seconded. Carried by voice vote.

HEALTH AND PROTECTION - Scott Morris, Chairman

MR. MORRIS - No report.

PARKS AND RECREATION COMMITTEE - Thomas Pia, Chairman

MR. PIA said the Parks and Recreation Committee met on Wednesday, January 28, 1987. The meeting was scheduled for 7:30 p.m. but due to several other Committee meetings that evening, the Committee convened at 8:50 p.m. Present were Committee members Pat McGrath, Ruth Powers, Gerry Rybnick, William Heins, and Thomas Pia. Also present was Rep. Thomas Burke.

MR. PIA Moved the Consent Agenda: Items #1, 2, and 3.

1. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM FEBRUARY 16 TO MARCH 2, 1987 TO PUBLICIZE PRODUCTION OF SOUTH PACIFIC. Requested by Danelle Shuford, Student Chairman, Northstar Playmakers, Westhill High School, 125 Roxbury Road, Stamford, CT 06902 1/5/87. (Wes Hobby Director)

APPROVED ON CONSENT AGENDA noting that the date of hanging may be changed. (Date was changed to March 9 to March 23, 1987)

PARKS AND RECREATION COMMITTEE: (continued)

2. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM APRIL 13 TO APRIL 27, 1987 TO PUBLICIZE THE BARBER SHOP CHORUS AND QUARTET SPONSORED BY THE SCHOLARSHIP COMMITTEE AND ADVISORY COUNCIL OF ST. MAURICE PARISH. Requested by Jane D. Frattaroli, Publicity Chairperson, 74 Jeanne Court, Stamford, CT 06903 12/21/86.

APPROVED ON CONSENT AGENDA.

3. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM MAY 4 TO MAY 18, 1987 TO PUBLICIZE THE STAMFORD SPECIAL OLYMPICS CO-SPONSORED BY THE BOARD OF RECREATION AND THE STAMFORD EXCHANGE CLUB. Requested by Suzanne M. DePreta, Secretary, Stamford Special Olympics Committee, 18 Island Heights Circle, Stamford, CT 11/18/86.

APPROVED ON CONSENT AGENDA.

4. DISCUSSION ON ORGANIZATIONS REQUESTING PERMISSION TO HANG BANNERS. Submitted by Rep. Thomas Pia, Chairman, Parks and Recreation Committee 10/18/86. Held in Committee 11/3, 12/8/86 and 1/12/87.

HELD IN COMMITTEE.

5. MATTER OF OUT-OF-TOWNERS PLAYING IN THE STAMFORD YOUTH HOCKEY PROGRAM. Submitted by Mr. David W. Burtis, 32 Lenox Avenue, Stamford, CT 9/15/86. Held in Committee 10/6, 12/8/86 and 1/12/87. Held in Steering 10/15/86.

HELD IN COMMITTEE.

6. MATTER OF MEMORIAL STATUE FOR THE LATE RALPH VITTI AT THE E. GAYNOR BRENNAN GOLF COURSE. Submitted by Reps. Ruth Powers (D) 8th District and Thomas Pia (R) 7th District 11/20/86. Held in Committee 1/12/87.

HELD IN COMMITTEE.

7. DISCUSSION ON STERLING BARN THEATRE. Submitted by Reps. Thomas Pia and John Boccuzzi 12/15/86. Held in Committee 1/12/87.

HELD IN COMMITTEE.

MR. PIA Moved the Consent Agenda. Seconded. Carried by voice vote.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS - No report.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Lathon Wider, Chairman

MR. WIDER said that the Housing and Community Development Committee met on Thursday, January 29, 1987. Originally, the meeting was to be held on January 22, but due to inclement weather, it was postponed to January 29. The meeting was held at Cloonan Middle School at 7:00 p.m. Committee members present were Reps. Annie Summerville, Stan Esposito, Katie Glover, Victor Biancardi and Lathon Wider. Also present were Catherine Trentini, Richard Gitlin and Joyce Burgess from Community Development. This meeting was also a Public Hearing.

1. REPORT ON PUBLIC HEARING HELD TO REVIEW COMMUNITY DEVELOPMENT BLOCK GRANT LEGISLATION, REVIEW OF CITIZEN COMMENTS ON YEAR 13 COMMUNITY DEVELOPMENT PLAN, CITIZEN COMMENTS ON COMMUNITY DEVELOPMENT PERFORMANCE, AND YEAR 13 FUNDING PROPOSALS FROM AGENCIES AND/OR INDIVIDUALS. Submitted by Rep. Lathon Wider, Chairman, Housing and Community Development Committee 1/8/87.

MR. WIDER said his Committee listened to 25 requests for the \$901,000.00. The Committee will meet again to set-up a priority plan. Along with Staff, we will allocate the funds according to the priorities. After that, a resolution will be submitted.

URBAN RENEWAL COMMITTEE - Annie M. Summerville, Chairwoman

MS. SUMMERVILLE - No report.

ENVIRONMENTAL PROTECTION COMMITTEE - Audrey Maihock, Chairwoman

MRS. MAIHOCK said the Environmental Protection Committee met on January 27, 1987, 8:00 p.m. in Conference Room 1, Board of Education Building. Present were Audrey Maihock, Terrence Martin, Dennis White, Nicholas Pavia, John Zelinski, Mr. Ervin B. Steinberg and Len Gambino.

1. DISCUSSION ON MR. ERVIN B. STEINBERG'S LETTER OF DECEMBER 18, 1986, REGARDING SMOKESTACK EMISSION IN THE VICINITY OF RIDGEWAY SHOPPING CENTER. Submitted by E. B. Steinberg, 55 Bridge Street, Stamford, CT 06905.

MRS. MAIHOCK said that the discussion centered on Mr. Steinberg's complaint regarding the incident of air pollution in the Ridgeway area. First, Mr. Steinberg was informed that Enid Carruth, Interim Director of Health, advised us and apologized that it was not the usual procedure for someone calling in an air pollution complaint to the Health Department to be told that he or she should call the State himself. It was a misunderstanding by whomever spoke to Mr. Steinberg.

MRS. MAIHOCK said also that in investigating this resident's complaint, she discovered that the Health Department can report cases of air pollution to the State DEP, but a State Inspector was required to come to verify the Health Department's complaint before action is taken by the State on a pollution matter. Further, Mrs. Maihock said that in view of the fact that Stamford has become the third largest corporate headquarters in the Nation, it seemed to the Committee that there is an essential need for the City's Health Department to be able to deal with complaints about air pollution in the most expeditious manner to protect the health and general welfare of the residents and commuters.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MRS. MAIHOCK said that her Committee agreed to urge the DEP to grant delegation of authority to Stamford's Health Department to eliminate the necessity of verification of Health Department complaints to the DEP by State inspectors before the State will take action. She said the State inspectors appear to represent an unnecessary level of bureaucracy; we must have expeditious means of acting on air pollution complaints. Mrs. Maihock further stated that she hoped that Members of the Board would be supportive of the Health Department's request for proper equipment to measure air pollution. The equipment the Health Department has is not usable. Also, someone must be trained to use the equipment. Mrs. Maihock hoped that the State would grant the delegation of authority to the Health Department. The Committee agreed to send a letter to the State DEP supporting this delegation of authority.

MRS. McINERNEY said that it would be a good idea if the entire Board endorsed the concept of sending a letter to the State indicating that the City would like to have the authority to investigate air pollution. Perhaps, the President could write a letter on behalf of the Board.

PRESIDENT GOLDSTEIN stated that that could be done or for the next meeting, a Sense-of-the-Board Resolution could be drawn up. If Mrs. Maihock's Committee draws up a resolution, it will be placed on the Agenda and handled next month.

MR. WIDER said that he did not know that the State DEP held so much power until he ran into some problems in his district. If a letter is written, a vast area has to be covered; water, soil as well as air pollution. He said it would not be beneficial to send a letter with air pollution as the only concern.

PRESIDENT GOLDSTEIN stated that perhaps Mr. Wider could attend the next meeting of the Environmental Protection Committee and give his input on this matter.

TRANSPORTATION COMMITTEE - Thomas Clear, Chairman

MR. CLEAR - No report.

LABOR CONTRACTS LIAISON COMMITTEE - Thomas Burke, Chairman

MR. BURKE - No report.

SPECIAL COMMITTEESHOUSE COMMITTEE - Gerald Rybnick, Chairman

MR. RYBNICK - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - Joseph DeRose, Chairman

MR. DeROSE said that a review of the grant applications will begin by the Coliseum Authority during the month of March.

CHARTER REVISION COMMITTEE - Maria Nakian & Claire Fishman, Co-Chairpersons

MRS. NAKIAN said her Committee met on Tuesday, January 20, 1987. Claire Fishman, Scott Morris and Mrs. Nakian were in attendance. This was not a quorum.

1. STATUS REPORT ON THE 14TH CHARTER REVISION COMMISSION. Submitted by Reps. Claire Fishman and Maria Nakian, Co-Chairpersons, Charter Revision Committee 12/17/86. Held in Committee 1/12/87.

MRS. NAKIAN said they did have a report on all the recommendations made by the Charter Revision Commission. It was sent to all Board Members. The Committee will be meeting during the month of March after a report is received from the Commission. All Board members are invited to attend the meetings for input on the recommendations that will be made. Mrs. Nakian said a schedule of meetings will be sent to all Members.

PRESIDENT GOLDSTEIN said the changes are vast and significant and it is critical for Members of the Board to be present at the meetings whenever possible. Mrs. Fishman and Mrs. Nakian attended just about every meeting of the Charter Revision Commission and Mrs. Goldstein on behalf of the Board thanked Mrs. Fishman and Mrs. Nakian.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - David Blum and Scott Morris, Co-Chairmen

MR. MORRIS said the Special Committee to Assess Priority Issues met on Wednesday, January 14, 1987, at 9:00 p.m. in Conference Room I, Board of Education Building. Committee members present were Reps. Boccuzzi, Donahue, Esposito, Morris and Pia. Reps. McInerney, Blum and Rybnick were excused. Also in attendance were Rep. Clear, Chairman of the Transportation Committee, Rep. Perillo, David Anderson, President of Stamford Economic Assistance Corporation (SEAC) and Mr. Daniel McCormick, Senior Planner at SEAC.

1. DISCUSSION ON TRAFFIC AND TRANSPORTATION. Submitted by Reps. Scott Morris and David Blum, Co-Chairmen, Special Committee to Assess Priority Issues 12/29/86.

MR. MORRIS said a voluminous report was sent to all Members of the Board. A copy of this report is attached to these Minutes.

PRESIDENT GOLDSTEIN said that Mr. Morris sent out a good report.

RESOLUTION - None

PETITIONS - None

ACCEPTANCE OF THE MINUTES

1. JANUARY 12, 1987 REGULAR BOARD MEETING - Not ready.

COMMUNICATIONS FROM OTHER BOARDS AND INDIVIDUALS

PRESIDENT GOLDSTEIN conveyed on behalf of the Board to Ms. Rinaldi, best wishes to her father for a speedy recovery; all the Members have him in their thoughts, and wish him a real speedy recovery.

OLD BUSINESS - None.

NEW BUSINESS

MR. BURKE asked about the time table regarding the move to the new quarters.

MS. SUMMERVILLE said that she and President Goldstein met today with Tom Canino who is handling the renovations there. She does not know of a definite date but it appears that it may be the last of March or the first of April. From Mr. Canino's standpoint, the end of March or the first of April is being pushed. Ms. Summerville said that perhaps at the March meeting, we will learn more.

PRESIDENT GOLDSTEIN said that a special reception is being planned and program for the initial meeting in the new Government Center.

MR. ZELINSKI asked if there was any reason why it was taking so long for the Board to move to the new Government Center?

MS. SUMMERVILLE said that the Board is far from the last to move to the Center. She said that it appears that other jobs have been stopped to work on our quarters. The people working on this project are really trying to get us there as quickly as possible. We must have patience. Ms. Summerville said it was better to wait than to move and find things not exactly as you would have wanted. There were a few things that were discovered that the Board would not have been happy with and plans had to be changed.

MR. SIGNORE said that he did not find a problem with staying in the present location.

PRESIDENT GOLDSTEIN asked that all Members of the Steering Committee meet after adjournment to discuss the date of the next Steering meeting.

ADJOURNMENT

There being no further business to come before the Board, upon a Motion made, Seconded and Carried by voice vote, the meeting was adjourned at 9:15 p.m.

By Anne A. Kachaluba
Anne A. Kachaluba, Acting Administrative
Assistant and Recording Secretary
19th Board of Representatives

APPROVED:

Sandra Goldstein
Sandra Goldstein, President
19th Board of Representatives

SG:ak
Enclosures

PLANNING & ZONING COMMITTEE, ITEM #1 - MOTION TO APPROVED FOR PUBLICATION, PROP. ORDINANCE RE SALE OF PORTION OF SUBURBAN AVE. TO BROADMOOR HOUSING - APPROVED.

STAMFORD BOARD OF REPRESENTATIVES 02/02/87 20:33:39
VOTE # 2 YES 28 NO 8 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 N Y Y Y N Y Y N * Y N N N N Y Y Y Y * Y Y Y Y Y * Y Y Y Y Y Y N * Y Y Y Y

PUBLIC WORKS & SEWER COMMITTEE, ITEM #2 - RE: CONDO REFUSE. MOTION TO MOVE THE QUESTION - DEFEAT

STAMFORD BOARD OF REPRESENTATIVES 02/02/87 20:49:07
VOTE # 3 YES 12 NO 18 ABSTAIN 1 NOTVOTING 5

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 - Y N Y * N Y Y N Y N Y Y Y * N Y - N N * - N Y N A Y - N * Y - N N

PUBLIC WORKS & SEWER COMMITTEE, ITEM #2 - MOTION FOR FINAL ADOPTION, PROPOSED ORDINANCE CONCERNING CONDOMINIUM & COOPERATIVE APARTMENT REFUSE COLLECTION - APPROVED.

STAMFORD BOARD OF REPRESENTATIVES 02/02/87 20:57:29
VOTE # 4 YES ~~31~~ NO 3 ABSTAIN 1 NOTVOTING 1

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 N Y N Y A Y * Y Y Y Y N * - Y Y Y Y Y Y Y * Y Y Y Y