

MINUTES OF REGULAR BOARD MEETING

MONDAY, SEPTEMBER 7, 1988

20TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 20th Board of Representatives of the City of Stamford was held on Wednesday, September 7, 1988, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:45 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by Rep. Nicholas Pavia R-10 District and State Rep. 145 District.

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

ROLL CALL was taken by Acting Clerk of the Board Mary Lou Rinaldi. Ms. Summerville, Clerk of the Board was absent. There were 33 members present and 7 absent. Absent were Frank Mollo (excused), William McManus, Annie Summerville (excused), Jeremiah Livingston, Mildred Perillo (excused), David Jachimczyk and David Martin (excused).

The Chair declared a quorum.

MACHINE TEST VOTE: After test votes were taken by the President, the machine was in good working order. Ms. Rinaldi will be voting from Ms. Summerville's station.

MOMENTS OF SILENCE:

MRS. MAIHOCK requested a Moment of Silence for the following three persons, and her sincere sympathy extended to each of the families of the following:

see pg 46 for corrections
"For the late Robert W. Otto. Mr. Otto died on August 27, 1988. He was a former Art Department Chairman at Rippowam High School. Mr. Otto lived in Stamford for more than 30 years. He was head of the Art Department for 12 years, and retired in the early 1970's. He created beautiful scenery for many of the schools' theatrical productions. Mr. Otto was very loved by his students. He felt an extraordinary mission to inculcate a love for art in every student. I express my gratitude and that of many parents who highly respected Mr. Otto and who are indebted to him for his selfless interest and determination to guide his students into fulfilling and successful lives. He was a teacher par excellence whom we shall never forget."

"For the late George B. Leyden of Ridgecrest Road. Mr. Leyden died August 27, 1988. He was employed by IBM for 30 years. He was a U.S. Navy veteran of the Korean War. Mr. Leyden was very interested in keeping Stamford a good community."

MOMENTS OF SILENCE: (continued)MRS. MAIHOCK: (continuing)

"For the late Mrs. Betty K. Miller of Shelter Rock Road. Mrs. Miller died September 4, 1988. She was employed by IBM as one of the early professional women in system services in the computer field. She was very active in volunteering in Boy Scout Troop 1, the Long Ridge Swim Team, Stamford education programs and media centers in the Stamford Schools. She was also active in the American Association of University Women. We greatly appreciate her many contributions to our City."

MR. BLUM for the late Mr. Thomas Clear, Sr. "Mr. Clear died on August 10, 1988, at the age of 78. He was born April 9, 1910 in Stamford. He was the son of James F. and Julia Buckley Clear. He was also the husband of the late Elizabeth Miller Clear, the father of a former Board member, Thomas Clear, Jr. and former Corporation Counsel Michael Clear.

"Mr. Clear graduated from Stamford High School in 1927 and in 1931, he became a math teacher in the Stamford High School. In 1935, David Blum came into his sophomore year and Mr. Clear was his advisor. A teacher and advisor like Mr. Thomas Clear will be sadly missed in this City of Stamford. Mr. Clear went on to be a principal in the former K. T. Murphy School, and was also appointed by former Governor Abraham Ribicoff and John Dempsey to represent Connecticut in Washington, D.C. in the annual National Conference of Citizenship."

MR. BLUM for the late Mr. Louis M. Altman. "Mr. Altman was 90 years old and active in the Jewish Community. Mr. Altman died at his home in Stamford. He was born in Woodhaven, N. Y. October 26, 1897. He came to live in the City of Stamford in 1907. He practiced law in this City for 67 years, retiring in 1987. He was a member of the Stamford and Connecticut Bar Associations. Also, a member of many athletic organizations because he played quarterback, half-back and end in numerous organizations and colleges here in Stamford. He was a lifetime member of the Zionist Organization of America, past president of the local Zionist District. He was a Hadassah associate. A Moment of Silence for Mr. Louis Altman."

MR. MORRIS joined Mr. Blum in a Moment of Silence for Thomas F. Clear, Sr., the father of Mr. Morris' former colleague in the 17th District, Thomas F. Clear, Jr. Mr. Morris said when he first campaigned in 1985, he was moved at how many of the long-time residents of Springdale remembered Mr. Clear either as a teacher or as a principal and had a very high, favorable regard for him after all the years. Mr. Morris met Mr. Clear once or twice and Mr. Morris said Mr. Clear was a very fine gentleman and will be missed in the City of Stamford.

MR. MORRIS said it was painful and a sad chore that he has to request a Moment of Silence for two young people; both natives of Stamford whose vibrant and active lives, so full of promise, were tragically cut short last month.

"For the late Gary M. Plotkin, a contemporary of mine, age 33 who passed away on August 18. Gary was a classmate at Temple Sinai religious school from first grade all the way through the ninth grade. Although I had not seen him in several years, I remember Gary as a diligent, conscientious student who was not only dedicated to learning and discovering as much as he could about his religious and cultural heritage, but was committed in assisting his classmates and friends whenever and wherever possible. Even as a youngster, he was a giving and caring person."

MOMENTS OF SILENCE: (continued)

MR. MORRIS: (continuing) "That diligence and prepsensity to achieve led him to Yale University from which he graduated in 1977 and to Columbia Law School from which he graduated in 1982. At the time of his passing, he was an attorney and an associate vice president with Saloman Brothers, Inc. of New York City. My deepest sympathy to Gary's parents Estelle and Paul of 65 Glenbrook Road, his brother Dana of Chicago and his sister Diana LeBlanc of Peabody, Massachusetts.

"For the late Roberta Jean Luery, age 20 who died on August 21. I have known the Luery family since I was a very small child, having grown up with Roberta's oldest brother Michael and remembering well when she was born which will be 21 years ago next week. Roberta was indeed the apple of her family's eye, and it is incredible that how in such a short life she was able to touch so many people so positively and with such amazing energy. She really radiated warm and love and she was so very much fun to be with.

"Roberta had quite a record of scholastic accomplishments which includes graduation from Stamford High School in 1985 where she was a National Honor Student and played varsity tennis. At Washington University in St. Louis, where she was going to be entering her senior year, she majored in French, was a member of the varsity tennis team and was a member of Phi Beta Phi Sorority. She was also bas mitzvah and was confirmed at Temple Sinai. Roberta lives on in her family and in her friends. We are her legacy and as long as we remember her and think of her and think about her and talk about her, it will be as if she never left us. Her mother Anita, her father Bob, her sister Andrea, her brothers Russell and Michael, her sister-in-law Carol and her grandmother Bertha Meyers and the other members of her family can hopefully take comfort in the fact that her memory will continue to be honored and that she will never be forgotten."

MR. LYONS said that he joined Reps. Blum and Morris in extending deepest sympathy and condolences to the Clear family.

MR. ZELINSKI for the late Mrs. Frances Brenner. "Mrs. Brenner was active in the community. She was the founder and president of the Sisterhood of Agudath Sholom Synagogue. She was the founder and president of the Hebrew Ladies Educational League, and a founder and honorary director of the Jewish Home for Aged of Fairfield County. She was also on the Board of Directors of the Jewish Family Services and was honored as their 'Women of the Year'. She is survived by her husband Morris and she was the aunt of our Attorney General Joseph Lieberman."

MR. ZELINSKI for the late Michael Garaffa. "Mr. Garaffa was a life-long Stamford resident. He was 55 years young. He was active in St. Bridget's Church and served on the Lay Advisory Board, was a Eucharistic Minister, and a member of the Holy Name Society. He is survived by his wife Maryann, one son Michael, three daughters Lynmann, Jacqueline, and Sally Ann."

STANDING COMMITTEES

STEERING COMMITTEE: Chairperson Sandra Goldstein

REPORT.

MR. BOCCUZZI Moved to waive the reading of the Steering Committee report.
Seconded. Approved by voice vote.

The Steering Committee met on Wednesday, August 17, 1988, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:40 p.m. by Chairwoman Sandra Goldstein who declared a quorum.

Present at the meeting:

Sandra Goldstein, Chairwoman	Donald Donahue	Ellen Bromley
John Boccuzzi	Ruth Powers	Robert DeLuca
Audrey Maihock	Mildred Perillo	John Zelinski
Thomas Burke	Stanley Esposito	Sandra Schlachtmeyer
Annie Summerville	Nicholas Pavia	John Roman, WSTC
Mary Lou Rinaldi	Maria Nakian	Anne Kachaluba

APPOINTMENTS COMMITTEE - Ordered on the Agenda were the three names on the Addenda to the Tentative Steering Agenda. Ordered on the Pending Agenda was Mr. Richard Sontag for Smith House Board of Directors. Ordered off the Agenda were the names of Sally Levene (R) for Zoning Board of Appeals Alternate and Nancy Cummings for Coliseum Authority. Ms. Cummings name was withdrawn by the Mayor-per her request.

FISCAL COMMITTEE - Ordered on the Agenda were the eight items appearing on the Tentative Steering Agenda.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were seven of the nine items appearing on the Tentative Steering Agenda; also, two items appearing on the Pending Agenda being (L&R20.12) proposed ordinance Amending Ord. 453 re helicopters and (L&R20.28) proposed ordinance for abatement of real estate taxes for Group Home at 321 Glenbrook Road. Ordered on the Pending Agenda were two items appearing on the Tentative Steering Agenda and those were (L&R20.34) proposed ordinance Amending Chapter 231 of the Code re vehicles and traffic and (L&R20.37) Matter of contract re Stamford Theatre Properties, Stamford Center for the Arts and the Coliseum Authority.

PERSONNEL COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

PLANNING AND ZONING COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

PUBLIC WORKS AND SEWER COMMITTEE - Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda.

HEALTH AND PROTECTION COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

STEERING COMMITTEE REPORT: (continued)

PARKS AND RECREATION COMMITTEE - Ordered on the Agenda were two of the four items appearing on the Tentative Steering Agenda. Ordered off the Agenda was the Feasibility of expanding the Parks and Recreation Commission from five to seven members. Ordered on the Pending Agenda was the Matter of establishing a trust fund for the improvement of public parks in the city.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

URBAN RENEWAL COMMITTEE - No items appeared on the Tentative Steering Agenda.

ENVIRONMENTAL PROTECTION COMMITTEE - No items appeared on the Tentative Steering Agenda.

TRANSPORTATION COMMITTEE - No items appeared on the Tentative Steering Agenda.

LABOR CONTRACTS LIAISON COMMITTEE - No items appeared on the Tentative Steering Agenda.

HOUSE COMMITTEE - No items appeared on the Tentative Steering Agenda.

COLISEUM AUTHORITY LIAISON COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - No items appeared on the Tentative Steering Agenda.

ETHICS COMMITTEE - Ordered on the Agenda was the item appearing on the Tentative Steering Agenda.

RESOLUTIONS - Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda.

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, seconded and approved, the meeting was adjourned at 8:15 p.m.

Sandra Goldstein, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

Mrs. Perillo was absent; Mrs. McGrath reported on the Committee meeting.

MRS. McGRATH said the Appointments Committee met on Tuesday, August 30, 1988, at 7:30 p.m. Committee members present were Mildred Perillo, Robert DeLuca, John Boccuzzi, Naomi Schoenfeld, Patricia McGrath, Thomas Pia, Annie Summerville and Thomas Burke.

APPOINTMENTS COMMITTEE: (continued)

MRS. McGRATH placed items 2 and 3 on the Consent Agenda.

HUMAN RIGHTS COMMISSIONTERM EXPIRES

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| 1. <u>MS. CAROLYN NICOLINI</u> (D)
109 Tresser Blvd. Apt. 14-H | Replacing Miguel Garcia. | 12/1/90 |
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NAME WITHDRAWN

MRS. McGRATH stated that Ms. Nicolini sent a letter to the Board and to the Mayor withdrawing her name due to personal reasons.

HUMAN RIGHTS COMMISSION

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| 2. <u>MR. MICHAEL MEYER</u> (R)
233 Bouton Street West | Replacing Sybil Taccone
who resigned. | 12/1/90 |
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APPROVED ON CONSENT AGENDAPERSONNEL APPEALS BOARD

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| 3. <u>MR. JAMES E. ROSECRANS</u> (D)
55 Breezy Hill Road | Reappointment | 12/1/92 |
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APPROVED ON CONSENT AGENDA

MRS. McGRATH Moved to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

FISCAL COMMITTEE - Donald Donahue, Chairman

MR. DONAHUE said the Fiscal Committee met on August 31, 1988. Committee members present were Mr. Lyons, Mr. McManus, Mr. Jetta, Ms. Rinaldi, Mr. Esposito, Mr. Morris, and Mr. Donahue.

Mr. Donahue placed items 2, 3, 5, 7, and 8 on the Consent Agenda. All Secondary Committees concurred or their reports were waived.

1. \$430,000.00 - DEPARTMENT OF PUBLIC WORKS - AMENDMENT TO THE CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1988/89 - CODE 330-215 HUBBARD AVENUE ROAD IMPROVEMENTS - additional appropriation for needed improvements. Recommended source of funding to be determined at a later date. Request by Mayor Thom Serrani 8/8/88. Planning Board approved 8/16/88. Board of Finance approved 8/17/88.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

MR. DONAHUE Moved for approval of this item. The Fiscal Committee voted unanimously to approve.

MRS. BROMLEY Moved to waive the Secondary Committee report. Seconded. APPROVED by voice vote.

Mr. Donahue's Motion was Seconded.

FISCAL COMMITTEE: (continued)

MR. BLUM said that this item had a lot of publicity. He asked how this item became a #1 priority? He said that he had sent numerous letters to the Public Works Department regarding Glenbrook Road from Ely Avenue to Church Street. The road is very bad and in much need of repairs. Mr. Blum said that all of Glenbrook Road is bad.

MR. DONAHUE said that Hubbard Avenue is not and was not the #1 priority in the city; it appeared as #4 on the Public Works priority list. Mr. Donahue said this item was removed from the budget process by the Planning Board. The paperwork for the reapplication of this work was being processed by Public Works before all the publicity in the media. This item received little attention at the first go around because it was applied for under the wrong division in the Public Works Department. Glenbrook Road from Ely Avenue to Church Street is on the paving list and should be done before the end of October.

MR. RUSSO urged all his colleagues to vote to approve this item. He said that Hubbard Avenue is a main thoroughfare to the Stamford Hospital and the repairs are very much needed.

MR. PAVIA said that Mr. Blum should have his Committee men write a letter to the Advocate if all else fails. Mr. Pavia said that he and Mr. Russo have been working on this since they were elected. Mr. Pavia said that it was a combined effort on the part of all the parties involved.

MR. DeROSE said that this item was passed over during budget time and he assumed that it was for fiscal reasons. He asked what has transpired between budget time and now to warrant this emergency appropriation? Mr. DeRose said that it was his understanding that on the Public Works priority list, this item was #16 and not 4. He said that he could be mistaken and could be corrected if that the case. Mr. DeRose said that Toms Road has been talked about for at least 15 or 20 years. That was item #2 on the priority list. This road is extremely dangerous; it has a very bad curve, and there have been many many accidents on this road. Mr. DeRose said that he had no problems with supporting repairs on Hubbard Avenue. Mr. DeRose said that he is bothered because Hubbard Avenue was #16 on the list as compared to item #2 which is Toms Road which falls in the 15th District. He hoped the Board would keep that in consideration when and if that items comes before the Board.

PRESIDENT GOLDSTEIN said that she is sure that each representative has a street in the district that needs repair.

MR. LYONS Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote on approving \$430,000 for the Department of Public Works for Hubbard Avenue repairs. APPROVED by voice vote.

2. \$151,991.00 - BOARD OF EDUCATION - AMENDMENT TO THE CAPITAL PROJECTS FOR (closeout & transfer) FISCAL YEAR 1988/89 BY CLOSE OUT AND TRANSFER - CODE 810-876 K. T. Murphy Lead Removal - additional appropriation requested to abate lead paint hazards at the school. \$151,991 to be closed out of Code 810-646 Roof restoration Stillmeadow School and transferred to Code 810-876 K. T. Murphy Lead removal. Previously approved source of funding by bonds. Request by Mayor Thom Serrani 8/8/88. Planning Board approved 8/16/88. Board of Finance approved 8/17/88.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

3. \$73,737.00 - MUNICIPAL LIABILITY TRUST FUND - CODE 247 VARIOUS MLTF GRANTS - additional appropriation representing the following grants from the State of Connecticut; Emergency electric power requirements for shelter sites; Hazardous material response training database. To be allocated as follows:
- | | |
|---|-----------------|
| Code 247.2650 New equipment and hazardous material training | \$30,000 |
| Code 247.2940 Conferences, travel and training | 18,737 |
| Code 247.5150 Professional consultants | 25,000 |
| | <u>\$73,737</u> |
- Request by Mayor Thom Serrani 8/3/88. Contingent upon Board of Finance approval. Board of Finance deferred 8/17/88.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

4. \$16,000.00
\$23,674.00 - DEPARTMENT OF PUBLIC WORKS - CODE 301.1110 ADMINISTRATION SALARIES - additional appropriation to fund clerical position in the 10th floor reception area. Request by Mayor Thom Serrani 6/30/88. Board of Finance approved \$16,000 on 8/17/88. Held in Committee 8/8/88.

Above also referred to PERSONNEL COMMITTEE.

MR. DONAHUE said the Board of Finance reduced the original amount. The Committee voted 5 in favor and 2 opposed to approve this item. Moved.

MR. MORRIS Moved to waive the Secondary Committee report. Seconded. APPROVED by voice vote.

MR. JETTA Moved to send this item back to Committee. Seconded.

Mr. Jetta said the reason there were two votes against this appropriation was not the fact that it was against spending the money, it was that in years' past, this was a part-time position. He said that presumably this money was reflected in a part-time account in either the Public Works or Mayor's office, and was passed on in the budget this year as well. Mr. Jetta said that there was money in an account that could be transferred into the account for this position. Perhaps, if not the entire \$16,000 a portion could be transferred. When Commissioner O'Brien was asked about this, he admitted that he was not familiar with where this was requested in the budget. Mr. Jetta said that if this item could be pursued a little more, that money could be saved for the city.

MR. DONAHUE said the Board of Finance reduced the request from \$23,674 to \$16,000 to reflect some of the concerns that have been raised. It was stated at the meeting that this position was not funded in last year's budget. This position not only serves the Public Works Department, it also serves other departments on the 10th floor. To fill this post is a matter of security and efficiency. Mr. Donahue said there was no reason to send this back to Committee.

PRESIDENT GOLDSTEIN called for a vote to return this item to Committee. DEFEATED by voice vote.

FISCAL COMMITTEE: (continued)

MR. DeLUCA asked if this was going to be a full-time position at the salary of \$23,674?

MR. DONAHUE said this position has been staffed full-time.

MR. DeLUCA asked if the job was a clerical one or required a college degree or secretarial school?

MR. DONAHUE said it was a clerical job, security and other duties are performed by the person at that desk.

MR. DeLUCA said that people with college degrees are not being paid \$23,000. It seemed to him that this position was a clerical one. Graduates from secretarial schools start at \$20,000.

MR. DONAHUE said the position level and salary level was established by the Personnel Commission.

PRESIDENT GOLDSTEIN called for a vote. APPROVED by a vote of 23 yes and 8 no votes.

5. PROPOSED RESOLUTION FOR LOCAL CAPITAL IMPROVEMENT PROGRAM DESIGNATING CODE 310-161 CITYWIDE RESURFACING AS THE APPROVED CAPITAL PROJECT FOR THE PURPOSE OF RECEIVING LOCAL CAPITAL IMPROVEMENT PROJECTS FUNDS, AND IN SO DOING, REDESIGNATING THE FUNDING OF THE PROJECT FROM \$750,000 BONDS TO: \$506,232 State Grant and \$243,768 bonds. Requested by Mayor Thom Serrani 7/22/88. Board of Finance approved 8/17/88.

APPROVED ON CONSENT AGENDA

6. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF CHILDREN AND YOUTH SERVICES TO ACCEPT FUNDS FOR STUDENT MEDIATION PROGRAM. Request by Acting Mayor Gerald J. Rybnick 7/15/88.

MR. DONAHUE Moved that this item be approved by unanimous vote of the Fiscal Committee. Seconded.

MRS. MAIHOCK asked what the mediation consists of; was it students mediating with students?

MR. DONAHUE stated that this is the fifth year of our participation in the program. There are persons in the city and also in the Youth Service Bureau who go out into the community and provide mediation services to young people. Also other young people are getting involved in settling disputes among young people.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by voice vote with 1 no vote, Mrs. Maihock.

7. PROPOSED RESOLUTION AUTHORIZING AGREEMENT WITH THE CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION TO ESTABLISH AN AIDS PREVENTION AND EDUCATION OUTREACH PROGRAM. Request by Mayor Thom Serrani 8/1/88.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

8. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION. Funds will be utilized for drug and alcohol awareness activities. Request by Mayor Thom Serrani 7/25/88.

APPROVED ON CONSENT AGENDA

MR. DONAHUE Moved for approval of the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the Consent Agenda. APPROVED by voice vote.

MR. DONAHUE Moved to Suspend the Rules to consider an item not on the Agenda. Seconded. APPROVED by voice vote.

9. PROPOSED RESOLUTION CONCERNING STATE PAYMENT-IN-LIEU-OF-TAXES. Filing of application by the City in an amount not to exceed \$941,629. Submitted by Mayor Thom Serrani, 8/10/88.

MR. DONAHUE Moved that the resolution be approved. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by a voice vote with one no vote, Mrs. Maihock.

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

MRS. NAKIAN said the Legislative and Rules Committee met on Monday, August 29, 1988, at 7:30 p.m. Present were Committee members Nakian, Esposito, Maihock, Powers, Rubino, Senie and Zelinski. Also present was Mary Sommer, Corporation Counsel, on item 1, State Sen. Richard Blumenthal, Scott Morris, Co-Chair of the Special Issues Committee and Tim Beeble; on item #5, Allan Brown, Risk Manager; on #7, Guy Farina, Counsel for the Demolition Board and Renee Kahn of the Neighborhood Historic Preservation group and on item #8, Tom Gillick of the Planning Board.

Mrs. Nakian placed items 3 and 6 on the Consent Agenda.

1. (L&R20.35) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE CREATION OF THE CREATIVE HOUSING INITIATIVE OF STAMFORD. Submitted by Mayor Thom Serrani 8/31/88. Held in Committee 8/8/88.

MRS. NAKIAN said this ordinance is in response to Public Act 88-305 which was enacted by the State Legislature this year. This is to provide an incentive program to encourage the development of affordable housing. The State Legislation provides the Housing Partnership be created in each municipality. The members are appointed by the mayor and consist of representatives from government agencies, housing groups, business and civic organizations.

Mrs. Nakian said they will identify the housing needs and opportunities, review zoning regulations, establish priorities and development of a long-range plan to meet identified housing needs, and starting an activity that will create additional affordable housing. The definition of activity is broad enough to include any kind of actual building of affordable housing, any renovation projects, any review of zoning laws; a wide range can be covered.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. NAKIAN said that once this is begun, the municipality is eligible for Department of Housing funding and for Department of Environmental Protection open-space land grants. Once the activity is completed and there is evidence that this is part of a long-range effort on part of the municipality, the municipality will be eligible for a 25% increase in road funds for both the year the project is finished and for the next three years.

Mrs. Nakian said there are three amendments proposed. These were at the suggestion of the Mayor who is the Chairman, by State Legislation, of this Committee. It was agreed to use generic terms so that there is more latitude in putting people on. This would allow staff members on rather than Commission members so that there will be no need to hire additional staff. The research worked needed can be done by the present city staff.

Mrs. Nakian said the first amendment and all the amendments would be on page 2 of the proposed ordinance: the first is a new paragraph (c) adding, "One member from the Board of Finance." The motion was Seconded.

PRESIDENT GOLDSTEIN called for a vote on the first amendment. APPROVED by voice vote.

MRS. NAKIAN said the next paragraph, the present (c) would be lettered "(d)" and it would read, "One representative from each of the following City of Stamford Boards, Commissions, Departments or Programs;" The word "departments" has been added. The motion was Seconded.

PRESIDENT GOLDSTEIN called for a vote on the above amendment. APPROVED by voice vote.

MRS. NAKIAN stated that under (d), i. would read "Planning", deleting the word "Board." ii. would read "Zoning", deleting the word "Board." iii. is Environmental Protection, deleting the word "Board." iv. would read "Stamford Community Development" deleting the word "Program." Line v. is "Fair Rent Commission" which is now deleted. The motion was Seconded.

PRESIDENT GOLDSTEIN called for a vote on the above amendments. APPROVED by voice vote.

MRS. NAKIAN Moved to reletter (d) to (e), (e) to (f), (f) to (g) and the new (g) will read, "Two representatives of local public interest or housing groups," deleting "such as the Stamford Housing Coalition".... Reletter (g) to (h).

PRESIDENT GOLDSTEIN called for a vote on the amendments. APPROVED by voice vote.

MRS. NAKIAN Moved for publication of the proposed ordinance concerning creation of creative housing initiative of Stamford. Seconded.

MRS. MAIHOCK said the ordinance does not give us an idea what the cost to the taxpayers will be for our partnership activities. She was concerned about (g) on page three of the ordinance which reads, "To complete an activity, development or project designed to create additional affordable housing in the City of Stamford." She said that was very ambiguous as to what the exact cost will be to Stamford taxpayers. She said she did not like the open-ended arrangements.

LEGISLATIVE AND RULES COMMITTEE: (continued)

PRESIDENT GOLDSTEIN called for a vote on the publication of the ordinance as amended. APPROVED by voice vote with two no votes; Mr. Jetta and Mrs. Maihock.

FOR PUBLICATION

2. (L&R20.3) ~~FOR FINAL ADOPTION~~ - PROPOSED ORDINANCE REGULATING STREET VENDORS. Submitted by Reps. Maria Nakian and David Martin 11/17/87. Held in Committee 12/7/87, 3/7 and 4/4/88. Held on Pending 1/13/88. Approved for publication 5/2/88. Approved for republication 6/6/88. Returned to Committee 7/11/88. Held in Committee 8/8/88.

MRS. NAKIAN said this item has been on the Agenda for a while. The proposed ordinance was approved two months ago, but the question was over waiving publication. Mrs. Nakian Moved for publication of the proposed ordinance as sent to all members of the Board. Seconded.

MR. PIA said he was opposed to any kind of vendors in the City of Stamford. He read much in the newspapers regarding the vendors and he sees Stamford becoming another New York with the vendors. He said that he feels this ordinance is particularly written for the Ferguson Library area. He feels that people walking should not have the vendors pushing their wares on them. He said he was not in favor of street vendors.

MR. BEUM said the economic situation in Stamford and the country is changing. The vendors have to make a living, and now we are putting legislation on the books controlling the vendors. We can not do away with the vendors unless the law is enforced. He said he thought it was a bad law at this time. Legislation is on the books now and it should stay that way.

MR. BURKE said the level of street vendors in the Stamford is that the economic times are so bad that they are now taking out box ads in the Advocate advertising imitation Seiko and Rolex watches being sold at the corner of Bedford and Broad Streets. He said when vendors take out ads in competition with stores, he said it does take some regulation.

MR. LYONS Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the publication of the proposed ordinance regulating street vendors. APPROVED by a vote of 30 yes and 3 no votes.

3. (L&R20.32) PROPOSED RESOLUTION CONCERNING THE APPROVAL OF A LEASE AGREEMENT BETWEEN THE CITY OF STAMFORD AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR SURPLUS I-95 HIGHWAY PROPERTY, BROWN AVENUE. Submitted by Mayor Thom Serrani, 6/6/88. Planning Board approved 6/30/88. Board of Finance approved 7/19/88. Held in Committee 8/8/88.

APPROVED ON CONSENT AGENDA

4. (L&R20.22) RESOLUTION FOR APPROVAL OF LEASE BETWEEN THE CITY OF STAMFORD AND THE STAMFORD MUNICIPAL EMPLOYEES FEDERAL CREDIT UNION FOR 2,306 SQUARE FEET OF OFFICE SPACE ON THE SIXTH FLOOR OF THE GOVERNMENT CENTER FOR THE ANNUAL RENT OF \$1.00. Held in Committee 5/2/88. Planning Board approved 4/19/88. Board of Finance deferred 6/9 & 7/19/88. Held on Pending Agenda 5/18/88. Held in Committee 7/11 and 8/8/88.

HELD IN COMMITTEE

LEGISLATIVE AND RULES COMMITTEE: (continued)

5. (L&R20.11) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SEC. 9.3 OF THE CODE OF ORDINANCES CONCERNING THE MARKING AND USE OF CITY VEHICLES. Submitted by Reps. John Boccuzzi, Robert DeLuca, Mildred Perillo and Thomas Pia 1/4/88. Held on Pending Agenda 1/13 and 5/18/88. Held in Committee 3/7, 4/4, 5/2, 7/11 and 8/8/88.

HELD IN COMMITTEE

6. (L&R20.38) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORDINANCE NO. 610 SUPPLEMENTAL CONCERNING THE CREATION OF A GOVERNING BODY FOR THE SMITH HOUSE FACILITIES. Omitted in the original ordinance was one of the powers listed in the State of Connecticut Public Health Code. Submitted by Alice L. Perry, Asst. Corporation Counsel, 7/22/88.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, THOMAS BURKE.

7. (L&R20.39) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 90 OF THE CODE OF ORDINANCES CONCERNING HAZARDOUS BUILDINGS. Submitted by Maria Nakian, Co-Chairperson, Legislative & Rules Committee 7/28/88.

HELD IN COMMITTEE

8. (L&R20.12) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ORDINANCE NO. 453 SUPPLEMENTAL CONCERNING HELICOPTERS. Submitted by Reps. Mildred Perillo D-9 and Maria Nakian D-20, 12/11/87. Held in Steering 12/16/87. Held on Pending Agenda since 1/13/88.

HELD IN COMMITTEE

9. (L&R20.28) FOR PUBLICATION - PROPOSED ORDINANCE REQUESTING ABATEMENT OF REAL ESTATE TAXES FOR GROUP HOME LOCATED AT 321 GLENBROOK ROAD, OPERATED BY AGI, INC., ADULT GROUP INDEPENDENCE. Requested by Agnes Long, Executive Director, AGI, Inc., Adult Group Independence, 115 Skyline Lane, Stamford, CT 06903, 5/5/88. Held in Committee 6/6/88. Held on Pending Agenda 6/15/88.

MRS. NAKIAN said this item was on the agenda for a while. The Group Home did not apply to the Assessor to be taken off the tax rolls. This has been done. The Committee voted 5 to 1 to approve this for publication. Moved. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the proposed ordinance for publication. APPROVED by voice vote with one no vote, Mrs. Maihock.

MRS. NAKIAN Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

MR. BURKE wanted the record to show that he abstained on item #6.

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. MORRIS said the Personnel Committee met on Tuesday, August 23, 1988, at 7:40 p.m. in the Democratic Caucus Room. Committee members present were Reps. Thomas Burke, David Jachimczyk, Scott Morris, Nicholas Pavia, Naomi Schoenfeld, and John Zelinski. Reps. Janet Weintraub and Kathleen Reilly were excused.

Also attending were the following: for item 1, Alice L. Perry, Esq., President of the Asst. Corporation Counsels Union (AFSCME Local 1303-191; Thomas Fava, Vice President of the Municipal Administrators Association; Vito Aulenti, President of the Cusotdians Union (AFSCME LOCAL 1083); Peter Thor, union representative for AFSCME; Richard Robinson, Esq., Asst. Corporation Counsel and Deborah Morgan Steeves, Esq., Senior Asst. Corporation Counsel.

In attendance for item 2 were Ms. Steeves; John Mallozzi, Chairman of the Board of Finance; Dannel Malloy, Esq., Vice Chairman of the Board of Finance; and Thomas Conforti, member of the Board of Finance.

A complete report of the Personnel Committee meeting was sent to all members of the Board. Attached to these Minutes is the report.

1. DEVELOPMENT OF GUIDELINES FOR PLACEMENT OF POSITIONS IN THE UNCLASSIFIED SERVICE. Submitted by Rep. Scott A. Morris, Chairman, Personnel Committee 5/4/88. Held in Committee and reports made 6/6, 7/11 and 8/8/88.

HELD IN COMMITTEE - See attached report.

2. REQUEST FOR PENSION FOR MARY HOLAHAN, CLERK, BOARD OF FINANCE. Requested by Mary Holahan, 8/3/88.

HELD IN COMMITTEE - See attached report.

PLANNING AND ZONING COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Planning and Zoning Committee met on Wednesday, August 31, at 7:00 p.m. Present were Reps. Donahue, Nakian, McManus, Pavia and Lyons. The Committee voted 5 in favor and none opposed for publication of item 1.

1. FOR PUBLICATION - PROPOSED ORDINANCE FOR ACQUISITION OF REAL ESTATE LOCATED ON GREEN STREET, STAMFORD, CONNECTICUT. This is for the purchase of the Askew property on Green Street. This would be a part of the Greenbelt development along the Rippowam (Mill) River. The purchase price is \$34,246. Submitted by Mary E. Sommer, Corporation Counsel 8/8/88. Planning Board approved 8/16/88. Board of Finance approved 8/17/88.

MR. LYONS Moved for publication. Seconded.

MR. PIA asked what the appraised price is for the property?

MR. LYONS said that he did not have the figure but would check and give the information to Mr. Pia.

PRESIDENT GOLDSTEIN called for a vote on the publication of the proposed ordinance. APPROVED by voice vote.

PUBLIC WORKS AND SEWER COMMITTEE - Ellen Bromley & Joseph DeRose, Co-Chairpersons

MRS. BROMLEY said the Committee met on Wednesday, August 24. Present were members David Jachimczyk, Bobby Owens, John Zelinski, Thomas Russo, Joseph DeRose and Ellen Bromley. Also attending was Rep. Robert DeLuca, Paul Pacter, Commissioner of Finance, Richard Robinson, Asst. Corporation Counsel and John O'Brien, Commissioner of Public Works. Appearing later were Jeanette Semon and Dr. McBride.

1. FOR FINAL ADOPTION - PROPOSED ORDINANCE REGARDING HAULAWAY FEES FOR INCINERATOR ASH. Submitted by Reps. Stanley Esposito R-11 and Robert DeLuca R-14, 4/7/88. Held in Committee 5/2, 6/6 and 8/8/88. Approved for publication 7/11/88.

MRS. BROMLEY said the Committee voted 5-0-1 to approve for final adoption. Mrs. Bromley said the reason behind this ordinance is the horrendously sky-rocketing cost of hauling away ash from the incinerator. Companion legislation was passed a while ago dealing with the hauling away of bulky waste. The proposed ordinance regarding the haulaway fees for the incinerator ash would pass through the horrendous increase in haulaway costs to those generating the bulk of the waste.

Mrs. Bromley said it was very difficult to approve this. The Committee worked on it for many months. A public hearing was held two months ago and was well attended. Members of industry and haulers raised many questions. At the last meeting, the questions were discussed by Comm. Pacter, Comm. O'Brien and Richard Robinson, Asst. Corporation Counsel. A change was made in the enactment time. If approved this evening, the ordinance will become effective January 1, 1989 to enable the haulers to get through their long-term contracts.

Mrs. Bromley read the ordinance. Each members received a copy. Mrs. Bromley Moved for final adoption of the ordinance. Seconded.

MR. ESPOSITO asked that members of the Board vote based on the facts not on hearsay or misinformation. The haulaway ash ordinance asks that commercial users of the city's incinerator pay for the cost of hauling incinerator ash to landfill sites as did the ordinance regarding the haulaway of debris from the transfer station. Mr. Esposito stated that both these ordinance address a fiscally responsible way to deal with the rising costs of haulaway. He stated that in a letter dated August 16, 1988 from Finance Commissioner Paul Pacter, indicates that there will be a budget shortfall for fiscal '89 in the area of \$2 million. If this ordinance is not adopted, the Commissioner of Public Works will have to request an additional appropriation for funds which will then be spread over all the taxpaying public as done in the past. The problem with this approach is that when this happens, the homeowner subsidizes business and industry which accounts for the lion's share of the total amount of garbage brought to the city's incinerator by private commercial collections. Mr. Esposito said that this type of subsidy is wrong; the homeowner, not business and industry, receives double taxation.

Mr. Esposito stated that it was said that businesses will move out of Stamford if this legislation is passed. He did not think this so; business and industry that has a stake in the community will not leave because we are charging their haulers for garbage haulaway. This ordinance will have financial implications on property owners. If this ordinance is approved, we would not have to allocate an extra \$2 million in tax revenues. The savings would have an affect on all property owners.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. ESPOSITO (continuing) said this ordinance would institute a pay as you go policy. How can we go back to our constituents and tell them that we did not vote for this legislation which would not only lower their taxes but also relieve them of the double burden of having to subsidize those who place the most burden on the incinerator.

Mr. Esposito hoped that all members would vote for this ordinance. He said an abstention is basically a no vote.

Mr. Esposito said that no one knows exactly what the current profit margin is for the services provided by the haulers. The haulers could choose to absorb some of the increased costs, but human nature being what it is, lets us assume that they will pass along the cost to the clients. Only a direct pass through charge is legitimate inasmuch as none of their service has changed. This ordinance would create a checkpoint for the clients because if a container can only hold 100 lbs of garbage which when burned reduces to 25 lbs of ash, the pass through cost to the client can only be for 25 lbs maximum. This helps protect the clients, homeowners and businesses alike from paying for garbage which isn't theirs.

Mr. Esposito stated that out-of-town garbage is brought to the incinerator. The taxpayers are paying for this haulaway because there is no fee. Attempts have been made to curtail this practice but to no avail. When the haulers are required to pay a fee for dumping out-of-town garbage, they will think twice about it. This ordinance would help to curtail this practice. If this does not help to eliminate the practice, it will at least help the taxpayers and businesses who are paying for garbage that is not theirs.

Mr. Esposito said that business advocates disagree with the approach and call this ordinance a band aid approach to solving the problem. He disagreed. This ordinance is a financially sound elixer which will solve a \$2 million problem and will continue to respond to the problem of haulway in the future should prices continue to rise.

Mr. Esposito stated that the State has mandated that all cities have a recycling program in place by January of 1991. Movement in this direction is slow because there are no incentives to recycle. He said that businesses can cut down on their charges and on the burden placed on the incinerator by recycling. This ordinance encourages recycling and discourages sending recyclable material to the incinerator.

Mr. Esposito said this ordinance will lower taxes for property owners throughout the city and shift the financial responsibility to the entities which heavily use the incinerator. Each month that we delay in this current fiscal year, it cost us over \$165,000 per month. This ordinance is a non-partisan ordinance which will help the entire community and has approval from the Commissioner of Public Works and the Commissioner of Finance. Mr. Esposito urged his colleagues to vote for approval of this ordinance.

MR. PIA said that he agreed with some of the points brought out by Mr. Esposito. He said that he was also a taxpayer and did not want to pay for someone else's garbage. Mr. Pia said he is the father of a small businessman. Mr. Pia said that he has a 100 pound container filled with cardboard, and would very much like to recycle the cardboard if he knew where the station is. If a 100 pounds of paper is burned, Mr. Pia doubted if there would be 25 pounds of flyash from the paper.

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. PIA (continuing) said nothing has been mentioned regarding the condominiums in the City of Stamford; what is going to happen regarding them; has the contract been read and how much money will it cost the city to pick up the garbage from the condos. Mr. Pia stated that anyone in marketing or financial planning knows that the cost will be passed on to the shelves of the particular establishment.

Mr. Pia said a lot more work should be done on this ordinance. Mr. Pia felt he did not want to be double taxed. He said he would be happy if the city would pick up his two garbage containers as he does not generate more than two containers of garbage. The city is suppose to pick up the garbage. Mr. Pia said that he would like to see the cardboard and paper recycled instead of paying \$125.00 for the container. Burning of this material is killing another tree which he is not in favor of. Mr. Pia said that putting the burden on the small businessman is not the answer; something else has to be done. The businessman is paying taxes and if more and more expenses are put on his shoulder, he will have to close up his doors.

Mr. Pia said the haulers with out-of-town garbage will have to be patrolled. The taxpayer indirectly will be paying the bills; through taxation or when buying goods.

MR. ZELINSKI Moved to return the proposed ordinance to Committee. Seconded. Mr. Zelinski stated some of the points for returning this item to Committee; 1. the language in the proposed ordinance was not drafted by the Corporation Counsel's office. There are questions dealing with commercial users. Does that identify the commercial waste collectors or might it refer to their commercial customers? Another point Mr. Zelinski addressed is per hundred weight of garbage dumped will be approximately one-fourth of the fee for hauling ash since the incinerator is said to reduce the weight by three-quarters; however, the language in the ordinance does not say that.

Mr. Zelinski said in addition, the ordinance before the Board does not spell out the procedure nor does it place the responsibility for setting the fee or for adjusting the fee from time to time as the cost of haulaway changes. Mr. Zelinski stated this has to be clarified. He asked Mr. O'Brien what amount was going to be charged; there is no amount in the ordinance. Mr. O'Brien stated it would be up to the Public Works Department to do this. Mr. Zelinski said this has to be set out in language that we can understand and the public could understand. He said the public was not given adequate opportunity to come to speak before the Committee. A public hearing was held, but all the ramifications were not dealt with until it was exposed in the news media the affects on the taxpayers who reside in districts that have private collectors. Mr. Zelinski said there should be more input from the public and he sees no reason what it should not be returned to Committee for a month.

MR. JETTA said this measure brings some legitimate reforms in charging for haulaway costs, but we are not there yet. He said the haulers accounted for 60% of the haulaway and paid 40% of the cost. He wants to see in Committee some legitimate reforms so the actual costs are reflected in the charges; not paying more or not paying less; paying for what is used.

MR. LYONS Moved the question. Seconded. APPROVED by voice vote.

PRESIDENT GOLDSTEIN called for a vote on returning the proposed ordinance to Committee. The motion was DEFEATED by a vote of 26 no and 7 yes votes. (The computer printout of this vote was inadvertently deleted after the vote was announced)

PUBLIC WORKS AND SEWER COMMITTEE (continued)

MR. BLUM said that commercial haulers also pick up the garbage in districts that do not have city pick-up. These haulers also pick up from commercial businesses. Mr. Blum said the cost of services rose and usually the taxpayer has to pay for the increases. Mr. Blum said that he rents and he is sure when the fees increase, the landlord will increase the rents. He said no one is safe from any increases. The Public Works Department has to think about recycling. Mr. Blum said the ordinance should be studied more.

MR. DeLUCA said the ordinance was feasible in the opinion of the Law Department. Richard Robinson, Asst. Corporation Counsel attended a Committee meeting and reviewed the ordinance. Mr. DeLuca said if the ordinance is passed this evening, we will be helping our taxes; additional appropriations would not come before the Board; the user's fee would offset some of the tax increases we have to incur.

Mr. DeLuca said the ordinance was reviewed by the Commissioner of Public Works and the Commissioner of Finance. A lot of research was done on this ordinance. This ordinance can only help us; it would not hurt us. Mr. DeLuca said that in correspondence received from SACIA and other businesses, comments are that we want to soak the commercials and businesses because they have the deep pockets. Those people do not mention the fact that in the last 20 years, the residential property owners have been paying approximately 55% of our tax base versus 45% from business. Mr. DeLuca stated that in the next re-evaluation, it is projected that 65% of the tax base will be borne by the residents and 35% by business. He stated this ordinance will not be double taxation for the businesses. By approving this ordinance, we help everyone.

see pg. 46
MRS. MAIHOCK said that she has misgivings on the *effect* affect this ordinance will have on the residents of North Stamford. She said that she was assured by Commissioner Pacter that this ordinance will not be adverse to the interest of the people of North Stamford. She said she expects the city to take remedial action if costs to North Stamford people exceed Mr. Pacter's expectations.

MR. RUBINO Moved the question. Seconded. APPROVED by voice vote.

PRESIDENT GOLDSTEIN called for a vote on the final adoption of the proposed ordinance regarding haulaway fees for incinerator ash. APPROVED by a vote of 26 yes, and 4 no votes with 2 abstentions.

2. MATTER OF THE BEAUTIFICATION OF THE INCINERATOR. Submitted by Mayor Thom Serrani 4/19/88. Held in Committee 6/6, 7/11 and 8/8/88.

HELD IN COMMITTEE

3. MATTER OF SEWAGE TREATMENT DISCHARGE AND STORM SEWER DISCHARGE INTO LONG ISLAND SOUND. Submitted by Reps. Ellen E. Bromley, Scott Morris and Maria Nakian 8/4/88.

MRS. BROMLEY stated that the matter was put on the Agenda prior to the complete coverage by the newspaper on the issue. Dr. McBride and Jeanette Semon attended the meeting, and both gave a comprehensive, indepth view of the situation. Both had a more optimistic view for next year. They both believed the sewage was coming from elsewhere and the problem is probably corrected there.

HEALTH AND PROTECTION COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS said her Committee met on August 24, 1988, at 7:30 p.m. Present were Committee members Senie, Rubino, Burke, Summerville and Powers. Rep. Russo was in the building attending another meeting. Audrey Maihock was also present.

1. FOR FINAL ADOPTION - PROPOSED ORDINANCE OUTLAWING POSSESSION OF DANGEROUS ANIMALS IN THE CITY OF STAMFORD. Submitted by Reps. Audrey Maihock R-19 and Ruth Powers D-8, 5/13/88. Held in Committee 6/6 and 7/11/88. Approved for publication 8/8/88.

HELD IN COMMITTEE

MRS. POWERS said a public hearing was held with approximately 20 people attending. The major concern was that Albert Kilian be allowed to continue his work. The Committee will be visiting his premises and next month, the Committee will invite a representatives from the American Herpetological Society to the meeting. Mrs. Powers also received an inquiry from the Town of Somers, New York regarding this item.

2. MATTER OF FEEDING WATER FOWL AT HOLLY POND AND ON OTHER PUBLIC PROPERTIES. Submitted by Reps. Stanley Esposito R-11, James Rubino R-7, and Ruth Powers D-8, 8/11/88.

HELD IN COMMITTEE

MRS. POWERS stated that attending the meeting regarding this item was Phyllis Erlandson, Sanitarian and Paul Mazik, retired Sanitarian from the Health Department. They spoke about the health hazards involved. They suggested that we pass an ordinance outlawing the feeding of animals where posted. This would be a considerable help to them. The Committee voted 5-0-0 to take the action and has asked the Corporation Counsel's office to draft an ordinance.

PARKS AND RECREATION COMMITTEE - Robert DeLuca & Thomas Pia, Co-Chairpersons

MR. DeLUCA said the Parks and Recreation Committee met on Tuesday, August 23, 1988, at 7:30 p.m. in the Republican Caucus Room. Attending were Committee members Pia, Perillo, Owens and DeLuca. Also, attending was Asst. Corporation Counsel Richard Robinson.

MR. DeLUCA placed items 2 and 3 on the Consent Agenda.

1. PROPOSED RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE STAMFORD GOLF AUTHORITY AND THE CITY OF STAMFORD. Submitted by Robert DeLuca, Co-Chairperson, Parks and Recreation Committee 3/21/88. Held in Committee 5/2, 6/6, 7/11 and 8/8/88.

HELD IN COMMITTEE

MR. DeLUCA said the Committee would appreciate any comments on the lease from members of the Board.

PARKS AND RECREATION COMMITTEE: (continued)

2. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM SEPTEMBER 23 TO OCTOBER 2, 1988 TO PUBLICIZE THE PRODUCTION OF "GODSPELL." Requested by Steven Due and Sue Harrington, St. John's Lutheran Church, 884 Newfield Avenue, Stamford, CT 06905, 7/28/88.

APPROVED ON CONSENT AGENDA

3. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM OCTOBER 31 TO NOVEMBER 12, 1988 TO PUBLICIZE "CELEBRATE MATURITY." Requested by Jeanette Phillips, Exec. Director, Commission on Aging, City of Stamford, 888 Washington Boulevard, Stamford, CT 06901, 7/8/88.

APPROVED ON CONSENT AGENDA

MR. DeLUCA Moved for approval of the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote.

MR. DeLUCA Moved to take up an item not on the Agenda. Seconded. APPROVED by voice vote.

4. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM SEPTEMBER 4 TO SEPTEMBER 18, 1988 TO PUBLICIZE CAMPAIGN. Requested by Anthony J. Tomanio, Executive Director, United Way of Stamford, 62 Palmer's Hill Road, Stamford, CT 06902, 8/26/88.

MR. DeLUCA Moved to approve the banner request. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the request. APPROVED by voice vote.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - John Zelinski, Chairman

MR. ZELINSKI said his Committee met on Wednesday, August 31, 1988 at 7:30 p.m. Present were Chairman Zelinski and Rep. Russo. Excused were Reps. Evanko, Reilly, and Bromley. Absent were Reps. Burke and Powers. Also present were Reps. Rubino and Robert Mendela from the Welfare Department. A quorum was not present.

1. MATTER OF THE NEED FOR A LOCAL VETERANS COUNSELOR. Submitted by Rep. James Rubino R-7, 6/9/88. Held in Committee 7/11/88. Report made and Held in Committee 8/8/88.

HELD IN COMMITTEEHOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Frank Mollo, Chairman

1. MATTER OF HAVING CHILD PROTECTIVE DEVICES ON WINDOWS IN PUBLIC HOUSING. Submitted by Rep. Frank Mollo, Chairman, Housing and Community Development Committee 7/6/88. Held in Committee 8/8/88.

HELD IN COMMITTEE

URBAN RENEWAL COMMITTEE - Annie M. Summerville, Chairwoman - No report.

ENVIRONMENTAL PROTECTION COMMITTEE - Stanley Esposito, Chairman - No report.

TRANSPORTATION COMMITTEE - Mary Lou Rinaldi, Chairwoman - No report.

LABOR CONTRACTS LIAISON COMMITTEE - Thomas Burke, Chairman - No report.

MR. BURKE stated that this would be his last meeting. He will be relocating to Virginia. He thanked all the members of his Committees and said that albeit there were not many meetings, but they all thought very seriously about the labor contracts. Mr. Burke thanked all the Chairmen and various people on the various committees on which he served. He also thanked President Goldstein for her many kindnesses over the years and her fairness and patience. He said it has been a privilege to serve with the people on this Board and on the last three Boards on which he served and he shall never forget the members. He said he has made many friends and that, "Old politicians don't die, they just go into executive session." Mr. Burke thanked all for their kindnesses.

MRS. MAIHOCK on behalf of all, extended best wishes and a fond farewell to a very respected colleague, Mr. Burke. She thanked him for his conscientious service to the city and for his contribution to the Board in so many ways and for his personable presence which endeared him to all. Mrs. Maihock said he will be missed and may his new life be filled with many blessings and great happiness.

MR. BOCCUZZI said that as a member of the opposing side, he never felt that he was in opposition to Mr. Burke. Mr. Boccuzzi considered Mr. Burke a great friend, a great politician and a person who always voted for what was good for the City of Stamford. Mr. Boccuzzi wished Mr. Burke and his family well and hoped that Mr. Burke comes back to visit.

PRESIDENT GOLDSTEIN stated that a reception will be held to bid farewell to Mr. Burke.

President Goldstein on behalf of the Board stated that Mr. Burke's leaving will be a great loss for the City and the 13th District. She thanked him for his service on the Board and for the City.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - David Blum, Chairman

1. MATTER OF PROMOTING TOURISM IN THE CITY OF STAMFORD. Submitted by David Blum, Chairman, Coliseum Authority Liaison Committee 2/4/88. Held in Committee 3/7, 4/4, 5/2 and 8/8/88. Reports made and Held in Committee 6/6 and 7/11/88.

HELD IN COMMITTEE

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - David Jachimczyk & Scott Morris,
Co-Chairpersons

No report.

ETHICS COMMITTEE - Maria Nakian and Ruth Powers, Co-Chairpersons

1. FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES (1985) CONCERNING THE CODE OF ETHICS. Submitted by Ruth Powers and Maria Nakian, Co-Chairpersons, Ethics Committee 1/8/88. Held in Committee 2/1, 3/7, 4/4, 6/6, 7/11 and 8/8/88. Held in Steering 4/13/88.

MRS. NAKIAN said the Committee has been working on this ordinance with the Board of Ethics for several months. Much work on this ordinance has been done with the office of the Corporation Counsel. This ordinance governs ethics in the City of Stamford. The Committee is proud and feels that it covers all of the questions raised over the past few months. Basically, it is a reorganization of the present code. The purpose of the ordinance is to make clear what is a conflict-of-interest and what are prohibited acts or conduct for city employees and government officials. Mrs. Nakian said there were several things included without actually defining financial interest or personal interest, it is clear that both of these are equally prohibited; it also covers the case of conflict-of-interest versus apparent conflict-of-interest by stating that whatever appears or could be reasonably interpreted as a conflict would be covered. It is done in a way that does not limit the Board of Ethics to one specific instance. The code will be applicable for the next how many years.

MRS. NAKIAN Moved for publication of the ordinance. Seconded.

Mrs. Nakian said they met last Thursday and Richard Robinson offered to obtain the newest version of the Code for tonight's meeting and inadvertently, two things were left out. A copy of the amendments were received by all members this evening.

Mrs. Nakian Moved to amend on page 3, fourth line down, a period after the word "city." To be inserted after that a subsection (b) which is to read, "An officer or employee shall not grant any special consideration, treatment or advantage to any person beyond that which is available to other citizens of the city generally." Also, the last line of the paragraph on top of page 3, "Subsections 5a and 5b of this ordinance do not prohibit:" becomes subsection (c). The motion was seconded.

PRESIDENT GOLDSTEIN called for a vote on the amendments. APPROVED by voice vote.

MRS. NAKIAN Moved another amendment; on page 10, first paragraph, last line after "requirements." a new sentence is to be added: "No member of the Board of Ethics may initiate a complaint." The motion was seconded.

PRESIDENT GOLDSTEIN called for a vote on the amendment. APPROVED by voice vote.

MR. LYONS Moved to amend on page 11, first full paragraph, fourth line down, change "three" to "four" concurring votes to find probable cause. Seconded.

Mr. Lyons said that he has reservations about three out of five members to bring a formal complaint. This allows one party whether Democrat or Republican to bring charges.

ETHICS COMMITTEE: (continued)

MR. LYONS said a built-in safeguard for everyone would be to at least have a member of the other party involved in the charges.

MRS. NAKIAN said this was discussed in Committee at great length. She said the Board of Ethics first proposed extending the Board to either seven members or adding two alternate members. As this was discussed, they felt there were good reasons for doing neither of those and preferred to leave it at five members and change the requirement that there be four out of five members for probable cause. Mrs. Nakian said the way the Board of Ethics works it is an excellent Board and every decision made by them has been unanimous. Mrs. Nakian said it was hard to disagree with them that a case would ever arise where the situation will come up that Mr. Lyons mentioned. For that reason, the Board agreed to leave it at three votes to find probable cause.

PRESIDENT GOLDSTEIN called for a vote on Mr. Lyons' amendment. APPROVED by a vote of 19 yes, 10 no votes and 1 abstention.

MRS. NAKIAN Moved for publication of the ordinance. She said the Committee voted 3 in favor and none opposed. Seconded.

see pg. 46.
MRS. MAIHOCK said that the effective date of the ordinance was October 15. She said October 15 is on a Saturday and wanted to know if that had any adverse affect? *effect*

MRS. NAKIAN said she did not believe it did; she believed it was covered in the Charter that if the date falls on a week-end, it goes to the next date. The date can be changed and it would not be a material change.

PRESIDENT GOLDSTEIN called for a vote to approve the proposed ordinance as amended. APPROVED by voice vote.

RESOLUTIONS

MRS. NAKIAN Moved to take up a resolution not on the Agenda. Seconded. APPROVED by voice vote.

1. SENSE-OF-THE-BOARD RESOLUTION OPPOSING THE APPLICATION OF METRO MOBILE CTS BEFORE THE CONNECTICUT SITING COUNCIL FOR THE CONSTRUCTION OF A CELL SITE ON WATER COMPANY PROPERTY UNTIL PROPER APPLICATION HAS BEEN MADE TO THE APPROPRIATE CITY OF STAMFORD BOARDS AND DEPARTMENTS. Submitted by Reps. Janet Weintraub and Dominick Cardillo, 18th District, David Martin and Audrey Maihock, 19th District, Maria Nakian and Naomi Schoenfeld, 20th District and Michael Fedele and Thomas Burke, 13th District 9/7/88.

MRS. NAKIAN said the situation arose within the past week where members of the neighborhoods around the Stamford Water Company discovered that the Water Company was leasing some of their property to Metro Mobile which is one of the two cellular telephone groups operating in Connecticut. The Water Company is leasing the property so that the cellular company can build a tower which is 160 feet high, a 173 feet by the time the antennas are on. There would be two platforms with 8 antennas, and a building to house the electronic equipment.

RESOLUTIONS: (continued)

MRS. NAKIAN (continuing) stated this is currently before the CT Siting Council which has the authority in the State to site all public utilities and can take precedence over local zoning and regulations. Mrs. Nakian said that there is a provision in the State Statutes stating that while the siting council does have the ultimate jurisdiction, they do consider local regulations and local zoning laws.

The purpose of the resolution is to ask Connecticut Siting Council to postpone the hearing which is scheduled for October 3 until Metro Mobil submits to the various Stamford departments applications; to the Health Department concerning the microwave transmission, and the Zoning Board so a review is made. This would be a commercial enterprise in a residential zone.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by voice vote.

MR. BLUM Moved to Suspend the Rules to take up a resolution not on the Agenda. Seconded. APPROVED by voice vote.

2. SENSE-OF-THE-BOARD RESOLUTION REQUESTING THAT THE HEADQUARTERS OF MACHLETT LABORATORIES REMAIN IN THE CITY OF STAMFORD. Submitted by Reps. David Blum, D-12, Jerry Livingston, D-5, John Zelinski, Jr., D-11, David Martin D-19, Scott Morris D-17 and Kathryn Senie D-17, 9/7/88.

MR. BLUM Moved the resolution for approval. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by voice vote.

PETITIONS - None.

MINUTES

1. JULY 11, 1977 REGULAR BOARD MEETING - Approved.
2. AUGUST 8, 1988 REGULAR BOARD MEETING - Approved as corrected by Mrs. Maihock.


COMMUNICATIONS - None.

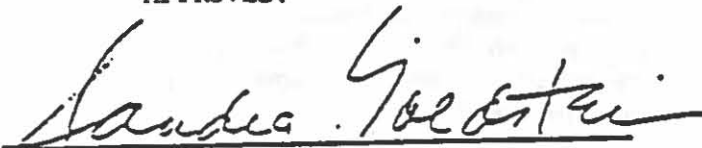
OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 10:55 p.m. after the motion to adjourn was made, Seconded and Approved.

APPROVED:


Anne A. Kachaluba, Administrative Assistant
and Recording Secretary
20th Board of Representatives


Sandra Goldstein, President
20th Board of Representatives

SG:AMS:ak
Enclosures