

MINUTES OF REGULAR BOARD MEETING

MONDAY, DECEMBER 5, 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 Monday, December 5, 1988, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:30 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by Rep. Garry Clemmons, D-3rd District.

"Heavenly Father, as we assemble here this evening, we thank You for the opportunity that You took the time to stop by our individual dwellings and to allow us, once again, to be in the land of the living.

"We ask that You also sit in attendance with us this evening as we attempt to set aside our philosophical and some of political differences to try to come into one common bond, and that is to do service for those that we have been chosen to do service for.

"We thank You for all the many wonderful things that You have done and continue to allow for us to be mindful of all the many wonderful blessings that You will continue to bestow upon us as we continue to be obedient. 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 39 members present and 1 absent. Absent was Kathryn Senie.

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:

REP. JOHN ZELINSKI for the late Samuel Pierson. "Mr. Pierson was a close friend. He was the first president of the Stamford Board of Representatives. He was a highly decorated war veteran as well as a successful realtor. Mr. Pierson was awarded the bronze star for his wartime service. He was the past Chairman of the Stamford Town Welfare Committee and was also an active member of the Stamford Hospital and served on the Planning Board there. He is survived by his wife, two sons, a daughter and a sister."

REP. JOHN ZELINSKI for the late Harvey Marschall. Mr. Marschall was a purchasing agent for Pitney Bowes and was the uncle of one of our former colleagues Rep. Santy.

MOMENTS OF SILENCE: (continued)

REP. AUDREY MAIHOCK for the late Samuel Pierson. "I also would like to second Mr. Zelinski's memorial to Mr. Pierson. He certainly was a wonderful, compassionate man, and a great asset to our city."

REP. SCOTT MORRIS for the late Samuel Pierson. "I also would like to join Rep. Zelinski and Rep. Maihock in a Moment of Silence for Mr. Pierson. He was a fellow member of mine of the Rotary Club of Stamford and was a thoroughly enjoyable and very nice man, and I will certainly miss him."

REP. JEREMIAH LIVINGSTON for the late Samuel Pierson. "I also would like to join the previous speakers. Mr. Pierson was a friend of mine and he will surely be missed."

REP. NICHOLAS PAVIA for the late Joseph Santi. "Mr. Santi was a resident of the 10th District. He was the husband of Cecilia Rutledge Santi. He is survived by a son, James J., brothers Elisa Palmucci and Clito Santi and two grandchildren. Mr. Santi was a fine man and will be missed."

PRESIDENT GOLDSTEIN introduced Vivienne Brown, the new secretary in the Board of Representatives' office.

PRESIDENT GOLDSTEIN announced that she appointed Elaine Mitchell as Vice Chair of the Housing and Community Development Committee.

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, November 16, 1988, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called order at 7:35 p.m. by Chairwoman Sandra Goldstein who declared a quorum.

Present at the meeting:

Sandra Goldstein, Chairwoman
Scott Morris
Stanley Esposito
Audrey Maihock
John Boccuzzi
John Zelinski
Mildred Perillo

Robert DeLuca
Ruth Powers
Maria Nakian
Joseph DeRose
Thomas Pia
Nicholas Pavia
David Martin

Annie Summerville
Frank Mollo
William McManus
John Roman, WSTC
Beth Cooney, Advocate
Sandra Schlachtmeyer
Anne Kachaluba

Reps. Donahue, Rinaldi and Blum asked to be excused due to illness.

APPOINTMENTS COMMITTEE - Ordered on the Agenda were the three items appearing on the Tentative Steering Agenda. Also the two items appearing on the Addenda to the Tentative Steering Agenda.

FISCAL COMMITTEE - Ordered on the Agenda were 9 of the 12 items appearing on the Tentative Steering Agenda. Ordered off the Agenda were three items on the Tentative Steering Agenda because the Board of Finance did not meet on these items. Also, ordered off the Agenda was an item appearing on the Addenda and that was ordered off also because the Board of Finance did not meet on the item. The items were \$113,500 Transportation Center, amendment to the capital projects budget for communication system. \$1,864,596.82 Sewer Commission, amendment to capital projects by closeout and transfer, \$548,231.56 Sewer Commission, and \$49,802 Parks and Recreation Department salaries for new director.

LEGISLATIVE AND RULES COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered off the Pending Agenda was (L&R20.17) proposed ordinance amending Chapter 169 of the Code.

PERSONNEL COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda. Also the three items appearing on the Addenda to the Tentative Steering Agenda. Ordered off the Pending Agenda was the request for a pension for Mary Holahan, Clerk, Board of Finance.

PLANNING AND ZONING COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda and one item appearing on the Addenda to the Tentative Steering Agenda.

PUBLIC WORKS AND SEWER COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda and two of the four items appearing on the Addenda to the Tentative Steering Agenda. Ordered off the Addenda were two items: Matter of recent ordinance passed dealing with incinerator ash haulaway and Matter of City efforts to collect newspapers for recycling.

HEALTH AND PROTECTION COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda were the four items appearing on the Addenda to the Tentative Steering Agenda.

PARKS AND RECREATION COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was the one item appearing on the Addenda to the Tentative Steering Agenda.

EDUCATION, WELFARE AND GOVERNMENT 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.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - No items appeared on the Tentative Steering Agenda.

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

ENVIRONMENTAL PROTECTION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda and one appearing on the Addenda to the Tentative Steering Agenda.

STEERING COMMITTEE REPORT: (continued)

TRANSPORTATION COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was the one item appearing on the Addenda to the Tentative Steering Agenda.

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

COLISEUM AUTHORITY LIAISON COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered off the Pending Agenda was the Matter of promoting tourism in the City.

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

ETHICS COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was one item appearing on the Pending Agenda.

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 9:15 p.m.

Sandra Goldstein, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

MRS. PERILLO said the Appointments Committee met on Tuesday, November 29, 1988, at 7:00 p.m. Present were Mildred Perillo, Robert DeLuca, Annie Summerville, Thomas Pia, William Belcher, Patricia McGrath, Naomi Schoenfeld and John Boccuzzi.

Mrs. Perillo placed items 1 through 5 on the Consent Agenda.

COLISEUM AUTHORITYTERM EXPIRES

- | | | |
|---|---------------------------|---------|
| 1. <u>MS. CADIE VOS</u> (R)
30 Windermere Lane | Replacing Becky Mitovich. | 7/14/91 |
|---|---------------------------|---------|

APPROVED ON CONSENT AGENDACOLISEUM AUTHORITY

- | | | |
|---|--|---------|
| 2. <u>MR. JAMES ROMANILLO</u> (D)
606-608 Fairfield Avenue | Replacing Dennis Greising
who resigned. | 7/14/90 |
|---|--|---------|

APPROVED ON CONSENT AGENDAHUMAN RIGHTS COMMISSION

- | | | |
|---|-------------------------------|---------|
| 3. <u>MS. CHERYL FUNARO</u> (R)
500 Newfield Avenue 2D | Replacing Anita Cason-Butler. | 12/1/90 |
|---|-------------------------------|---------|

APPROVED ON CONSENT AGENDA

APPOINTMENTS COMMITTEE: (continued)STERLING FARMS GOLF AUTHORITYTERM EXPIRES

4. MR. JOHN VALMIS (D) Replacing Charles DeLuca. 1/1/89
16 Bouton Street

APPROVED ON CONSENT AGENDABOARD OF ETHICS

5. DR. MELVIN GROVE (D) Replacing Ann Weiss whose 6/30/93
790 Newfield Drive term expired.

APPROVED ON CONSENT AGENDA

MRS. PERILLO Moved 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 Wednesday, November 30. Present were members Messrs. Esposito, Mollo, Martin, Lyons, Ms. Rinaldi, Messrs. Morris, McManus, Livingston and Donahue.

Mr. Donahue placed items 1, 2, 3, 5, 6 and 7 on the Consent Agenda. The Secondary Committees concurred.

1. \$1,422,536.00 - LABOR CONTRACT APPROPRIATIONS - CODE 999 - additional appropriation for Municipal Administrators Association contract for years 1987/88 and 1988/89.
For year 1987/88 retroactive \$ 471,254.00
For year 1988/89 951,282.00
\$1,422,536.00
Request by Mayor Thom Serrani, 10/31/88.
Board of Finance approved 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA

2. \$1,281,025.00 - LABOR CONTRACT APPROPRIATIONS - CODE 999 - additional appropriation for Teamsters contract for years 1987/88 and 1988/89.
For year 1987/88 retroactive \$ 371,177.00
For year 1988/89 909,847.00
\$1,281,025.00
Request by Mayor Thom Serrani, 10/31/88.
Board of Finance approved 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

3. \$ 779,430.00 - LABOR CONTRACT APPROPRIATIONS - CODE 999 - additional appropriation for Custodians contract for years 1987/88 and 1988/89.
- | | |
|------------------------------|-------------------|
| For year 1987/88 retroactive | \$282,909.00 |
| For year 1988/89 | <u>496,521.00</u> |
| | \$779,430.00 |
- Request by Mayor Thom Serrani, 10/31/88.
Board of Finance approved 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

APPROVED ON CONSENT AGENDA

4. \$ 100,000.00 - STAMFORD EMERGENCY MEDICAL SERVICES - CODE 470.4385 - Stamford E.M.S. Foundation - additional appropriation needed to complete operations for the fiscal year 1988/89. Present funding will only carry into the month of December. Request by Mayor Thom Serrani, 10/25/88.
Board of Finance approved 11/10/88.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. DONAHUE said the Committee voted unanimously to approve this item. Moved.
Seconded by the Health and Protection Committee.

MR. DeLUCA said the original breakdown was for \$325,000. It showed \$159,000 for salaries. Mr. DeLuca wanted to know how many people were involved under salaries"

MR. DONAHUE stated it was for three shifts with three two-manned vehicles throughout the city; that would be six persons per shift. He said that there were probably additional personnel to fill in for vacations and sicktime.

MR. DeLUCA questioned the lines regarding education and tuition. He asked what the difference was between education and tuition?

MR. DONAHUE said in the Police Department budget, there is a line for mandated training and a line for college tuition. The personnel can elect to take courses toward college degrees and beyond what they have when hired; also, there are so many mandated hours of training required.

MR. DeLUCA asked about line item "auto" and one with "vehicle repair and maintenance."
Mr. DeLuca wanted some clarification on these two lines.

MR. DONAHUE said that he would get a clarification on these two lines for Mr. DeLuca.

MR. DeLUCA said many of the volunteer groups have fund raisers for capital expenditures. He asked if EMS was doing anything as far as fund raising projects were concerned?

MR. DONAHUE said EMS is involved in setting up their own private foundation. They are seeking capital donations throughout the city from the corporate sector. Mr. Donahue said he did not believe that any funds that we provide went to any capital projects; most of the funds went into operating.

FISCAL COMMITTEE: (continued)

MR. DONAHUE said EMS is always trying to obtain funds to purchase new vehicles as needed and to replace supplies, radios, etc. The present vehicles are only about a year old.

Mr. Donahue said EMS has received permission from the State to bill for services provided under Blue Cross/Blue Shield from persons covered also, from Medicare and Medicaid persons. EMS is trying to raise funds in many ways.

PRESIDENT GOLDSTEIN called for a vote to approve \$100,000 for EMS services. APPROVED by voice vote.

5. \$ 200.00 - STAMFORD YOUTH PLANNING & COORDINATING AGENCY (SYPCA) - CODE 205.7525 DIRECT SERVICES FOR YEAR 1988/89 - additional appropriation to cover donation made by Xerox Corporation. Donation was for Teen Talk Show. Request by Mayor Thom Serrani 11/1/88. Board of Finance approved 11/10/88.

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE, MR. JETTA.

6. \$ 26,862.00 - HEALTH DEPARTMENT - CODE 576.VARIOUS - AIDS MINORITY INITIATIVE - additional appropriation for funds to provide education on AIDS. This is a 100% reimburseable grant.
- | | |
|--|---------------|
| Code 576.1130 Part time salaries | \$ 8,100 |
| Code 576.2930 Office supplies | 3,762 |
| Code 576.2940 Conferences and training | 1,000 |
| Code 576.5150 Professional consultants | <u>14,000</u> |
| | \$26,862 |
- Request by Mayor Thom Serrani 11/1/88.
Board of Finance approved 11/10/88.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

7. \$ 218,382.00 - HEALTH DEPARTMENT - CODE 573.VARIOUS - WOMEN, INFANTS, AND CHILDREN (WIC) PROGRAM - additional appropriation representing approved contract amount from CT State Dept. of Health Services for WIC Program fiscal year 1988/89 (October 1, 1988 through September 30, 1989).
- | | |
|---|--------------|
| 573.1110 salaries | \$160,000 |
| 573.1310 social security (FICA) | 12,100 |
| 573.1330 medical and life | 30,026 |
| 573.1390 general insurance (Workman's comp) | 550 |
| 573.2610 maintenance of equipment | 300 |
| 573.2740 telephone | 1,900 |
| 573.2923 copying and printing | 750 |
| 573.2930 office supplies & expenses | 1,500 |
| 573.2940 conference & training | 1,756 |
| 573.3738 health certification | 8,500 |
| 573.2916 administrative expense | <u>1,000</u> |
| | \$218,382 |
- Request by Mayor Thom Serrani 11/1/88.
Board of Finance approved 11/10/88.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

8. \$ 8,852.00 - ENVIRONMENTAL PROTECTION BOARD - CODE 110.1110 SALARIES - additional appropriation to provide funds in salary account to maintain full staffing through the balance of the fiscal year. Request by Mayor Thom Serrani, 10/31/88. Board of Finance approved 11/10/88.

Above also referred to PERSONNEL COMMITTEE.

MR. DONAHUE Moved for approval. The Committee voted 8 in favor and one opposed to approve. Seconded by the Personnel Committee.

Mr. Donahue said there was a vacancy in the Environmental Protection Board when they were before the Board of Finance during the last budget process. The Board of Finance was assured the position would be filled but reduced the budget to reflect the time it would take to fill the position. This amount is to fund an approved position for the balance of this year.

MR. McMANUS said he realized a person was onboard and must be paid. His point on this item was that money was budgeted that was not going to go anywhere. He said a good example would be the police chief; the money was budgeted but the salary did not have to be spent, and when the spot was filled, it was filled by someone within the department making that salary unspent.

Mr. McManus stated for control purposes, these types of operating spending items for events that happen that were not anticipated in the budget should be offset against positive events. The departments would have to take a look at the city overall and see what type of opportunities are available.

PRESIDENT GOLDSTEIN proceeded to a vote on \$8,852 for the Environmental Protection Board salaries. APPROVED by a voice vote with two no votes, Mr. Jetta and Mr. McManus.

9. \$ 8,000.00 - BOARD OF FINANCE - CODE 103.5150 PROFESSIONAL CONSULTANT - additional appropriation needed to cover contract with auditors due to \$8,000 budget reduction. Request by Mayor Thom Serrani 11/1/88. Board of Finance approved 11/10/88.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. DONAHUE said the Committee voted 7 in favor and two opposing, Moved for approval. Seconded by the Education, Welfare and Government Committee.

MR. McMANUS said this amount was the same amount cut out at the budget meeting. He opposed this because it is apparent there was no effort made to go back to the auditors to get any kind of reduction. Mr. McManus said there was always room for some changes in approaching a job. He said if we defeat this this evening, we will force the Board of Finance to go back asking for a different rate. If they came in with another figure, at least an attempt was made for a different rate.

MR. BLUM asked why in-house services could not be used if this account was short or why they did not go elsewhere for a different rate? Mr. Blum said if this was a budget reduction why was it not left out?

FISCAL COMMITTEE: (continued)

MR. DONAHUE stated this Board reduced the Board of Finance budget by \$8,000. The city is required to have an outside independent auditor to review the financial status of the city. When the budget was voted on, the city already had a signed contract with an agreed price which was \$8,000 more than the Board of Representatives gave to the Board of Finance.

MR. LYONS said in Committee, he voted against the item. He said it showed poor planning on part of the Board of Finance, and did not know if the Board of Finance tried to renegotiate the contract or made any effort to live within their means. Mr. Lyons said it would be a poor signal for the Board of Representatives to approve this item. He said they should try to live without the \$8,000. The Board of Representatives received a cut and we are living within the budget; also other departments are living within their budgets. Mr. Lyons urged to vote against this item.

MR. BOCCUZZI stated that if the Fiscal Committee knew at budget time that a contract was signed, why was it decided to cut \$8,000?

MR. DONAHUE did not recall the logic for the cut to the Board of Finance during budget deliberations. He said the \$8,000 figure cut was equivalent to the reduction in the Board of Representatives' budget by the Board of Finance.

MR. LYONS asked what the total budget was for the Board of Finance? Was it greater than the \$90,000 and was there any areas where reductions could have been made?

MR. DONAHUE said cuts could have been made on the budget reduction line or in other line items but since the Board of Finance budget is very small with part-time help, there is little room for reductions elsewhere.

MR. McMANUS said he wondered about a commitment being made before the budget process; the signing of the contract before the approval of the budget.

MR. DONAHUE stated it was a multi-year contract.

PRESIDENT GOLDSTEIN called for a vote to approve \$8,000 for the Board of Finance for professional consultant. DEFEATED by a vote of 20 no and 19 yes votes. 21 votes needed to approve. Mrs. Maihock and Mr. McManus wanted to be recorded as no votes.

MR. DONAHUE Moved to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote. Mr. Jetta wished to be recorded as a no vote on item #5.

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

No report.

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. MORRIS said the Personnel Committee met twice; the first meeting was held on Tuesday, November 28, 1988. Committee members present were Reps. William Belcher, David Jachimczyk, Bartan Kennedy, Scott Morris, Naomi Schoenfeld and John Zelinski. Members of the Board present were Reps. Sandra Goldstein, President of the Board and Patricia McGrath. Also attending were Thomas Barrett, Labor Negotiator for items 1, 2 and 3. Mary Harrington, President of the Dental Hygienists for item 1, Rosemarie Bloiso, Negotiator for the Dental Hygienists for item 1, Joan Davey, President, Stamford Registered Nurses Local 465 for item 2, Judy Gerardi, Secretary, Stamford Registered Nurses Local 465 for item 2, and approximately 24 members of the Nurses' union, Peter Thor, Staff representative for Council 4 AFSCME, Richard Augustynowicz, President of the Stamford Police Association for item 3, and Alice Perry, President of the Asst. Corporation Counsels' union for item 4.

The second meeting was held Monday evening, December 5, prior to Caucus at 6:45 p.m. Committee members present were Reps. William Belcher, Scott Morris, Naomi Schoenfeld and John Zelinski. Also, Judy Gerardi, Secretary, Registered Nurses and Joan Davey, President of the Nurses union. Also present were several members of the union.

Mr. Morris placed item 1 on the Consent Agenda.

1. RATIFICATION OF DENTAL HYGIENISTS CONTRACT FOR THE PERIOD OF JULY 1, 1987 TO JUNE 30, 1989. Effective 7/1/87, wage increase of 5%; effective 7/1/88, wage increase of 5%. Also, other changes in agreement. Submitted by Mayor Thom Serrani 10/31/88. Board of Finance recommended approval 11/10/88.

APPROVED ON CONSENT AGENDA

2. RATIFICATION OF FACTFINDER'S REPORT BETWEEN THE CITY OF STAMFORD AND CITY OF STAMFORD REGISTERED NURSES LOCAL 465 OF COUNCIL #4, AFSCME, AFL-CIO. Deadline for action by the Board is December 24, 1988. If any part rejects the report, the matter goes to Binding Arbitration. If neither party rejects the report by 12/24/88, it will become the binding contract. The Fact Finder recommends a two year contract from 7/1/87 to 6/30/89; a 8.4% increase the first year for Public Health & School nurses and a 10.1% increase for the second. Also recommended is an 8% increase the first year for Staff nurses at Smith House and a 14.7% increase the second. Also other recommendations were made in the Report. Submitted by Thomas J. Barrett, Labor Negotiator, 10/27/88. Board of Finance voted to make no recommendation to the Board 11/10/88.

MR. MORRIS said the Committee met this evening to vote on the item. The vote was 4 in favor, none opposed and no abstentions. Mr. Morris Moved for approval. Seconded.

Mr. Morris said all members received correspondence from Mr. Barrett regarding this report. The Fact Finder indicated there was an error in the report on Issue #9. The Fact Finder's intent was to support the City's language in the issue but not to require a contribution for insurance from the employees. That matter is corrected.

Mr. Morris said he was unable to write a report this month. He said the approximate cost to the city in the first year of the contract in terms of salary increases would be \$101,854; the approximate cost in the second year of the contract would be \$148,601.

PERSONNEL COMMITTEE: (continued)

MR. ZELINSKI stated he is a member of the Personnel Committee and he attended the Committee meeting. He was leaning toward voting against the ratification of the report. He said his reason was because of the substantial percentage increases as compared to other city contracts recently approved.

He said after listening to the nurses that attended the Committee meeting, and receiving additional information, he believed that we should approve the Factfinder's report. He said the percentage increases as recommended, would be \$101,854 the first year and \$148,601 the second year. Mr. Zelinski quoted from the Factfinders' report, "that nursing has indeed changed; that the change should be reflected in the modification in the salary position of nurses. There has been a substantial change in the nature of nursing work. The evidence provided by the union indicates that this change has been acknowledged by the industry generally, causing a increase in nursing rates. The record clearly indicates that nursing salaries have increased at a faster pace than most of the major public employment job categories. The increase proposed by the union anticipates that the current volatility in the nursing and health care industry will continue to drive up nursing salaries during the next year and has apparently based its salary proposal in anticipation of the continuation of this trend. Therefore, the salary increase this Fact Finder recommends is one that will make adjustments for changes unique to nursing as things currently stand."

Mr. Zelinski said the proposed increase keeps the Stamford nurses close to the current rate being paid to nurses. More information was obtained this evening that made comparisons to pay rates in various nursing positions; from \$35,000 going up to almost \$45,000. He urged his colleagues to approve the Factfinders report and that each contract should be judged individually. Approving this is not an indication to other unions in the city for 10 and 14% increases. The nurses situation is a unique one.

MR. DeLUCA said the two cover letters received regarding the Dental Hygienists and Nurses contracts were the most misleading letters that he has ever seen. He said he hoped that Scott Morris, the Chairman of the Personnel Committee would sit down with Tom Barrett the Labor Negotiator for a conference that would result for the future the meaning of all contracts spelled out; their meanings. The information supplied by the Labor Negotiator was misleading. The inequities were not spelled out and this was an injustice done to the nurses. He said that he would vote for the report and hoped it would be approved by the Board.

MR. MARTIN Moved a resolution to approve this report rather than approving this in a simple matter. The resolution was received by all members.

PRESIDENT GOLDSTEIN said it would be in order to use the resolution as the motion if Mr. Morris agrees.

MR. MORRIS agreed.

MR. MARTIN read the Sense-of-the-Board Resolution. A copy of the resolution is on the next page and also attached to the back of these Minutes.

MAYOR
THOM SERRANI



20TH BOARD OF REPRESENTATIVES

CITY OF STAMFORD
Office of Board of Representatives

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BOARD OF REPRESENTATIVES

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SANDRA GOLDSTEIN

CLERK
ANNIE M. SUMMERVILLE

MAJORITY LEADER
JOHN J. BOCCUZZI

Minority Leader
James M. Rubino

ASST. MAJORITY LEADERS
MICROD PERILLO
RICHARD L. LYONS

Asst. Minority Leaders
Audrey Maihock
Nicholas S. Pavia

ADMINISTRATIVE ASSISTANT
ANNE A. KACHALUBA 977-5032

CAUCUS ROOM - 977-4024

SENSE-OF-THE-BOARD RESOLUTION

CONCERNING NURSES FACTFINDER'S REPORT

WHEREAS, there is a growing shortage of nurses in Stamford, and

WHEREAS, nursing is becoming an increasingly hazardous occupation due to the increase of deadly communicable diseases, and

WHEREAS, the nursing profession has undergone dramatic changes in recent years, and

WHEREAS, these changes are unique to the nursing profession.

NOW THEREFORE BE IT RESOLVED by the Board of Representatives that we hereby approve the Factfinder's report concerning a contract for Stamford Registered Nurses Local 465 of Council #4, AFSCME, AFL-CIO.

BE IT FURTHER RESOLVED that the Board of Representatives approves the Factfinder's report in recognition of the changes that have occurred in the nurses profession and this contract is not indicative of expected future wage increases for this or other unions.

Submitted by Rep. David Martin D-19th District
Rep. Donald Donahue D-8th District

APPROVED: December 5, 1988.

Sandra Goldstein
Sandra Goldstein, President
20th Board of Representatives

SG:ak

PERSONNEL COMMITTEE: (continued)

The motion was Seconded.

MR. BOCCUZZI said in due respect to the rest of the unions, he was not in favor of the percentage increases given to the nurses. Mr. Boccuzzi said there were many unions to deal with that come in for 5, 5½, 6, or 6½, and in the nurses contract there is 8.4%, 10.1%, 8 and 14.7% increase. These figures are out of line.

Mr. Boccuzzi said that each city employee works under one kind of a strain or another; whether it be nurses, firemen, policemen, etc. It is part of the job. To say that the nurses working under a different strain is not a fact to approve the report.

Mr. Boccuzzi said that a few years back on their contract, part of the contract was supposedly to be a one-shot deal for somewhere around \$750 was received that was not to be part of their salary. He said that is part of the salary now plus an increase on top of that figure. He said that he could not vote for the increase in this report and tell other unions to come in at a lower percentage. The numbers are here. He said the resolution is nice but when other unions come in they will not look at the resolution and will be looking for higher increases. The unions will not sign with the city and will go to factfinders or binding arbitration. Mr. Boccuzzi said the nurses will be receiving a lot of other benefits in addition to the salary increases.

MR. MARTIN Moved to substitute the resolution for the formal motion made on the Floor. Seconded.

MR. MARTIN said he would not vote for increases of this kind in the future. The resolution states that. The resolution recognizes the changes that have occurred in the nurses profession.

MR. ZELINSKI said he agreed with the resolution but he did not believe that we should substitute on the the original motion. He said this should not be attached to the factfinders report. The factfinders report is from an impartial party and is for ratification. Mr. Zelinski said if the report is approved then it would be appropriate to vote on the resolution. He said he did not think it should be part of the report; it was not in the original report and from a legal standpoint, we could be making a serious mistake. The purpose would be served if the resolution is approved after the ratification of the report.

PRESIDENT GOLDSTEIN said the resolution would not be attached to the report; it is the motion to approve the substitute motion.

MR. ESPOSITO Moved the question. Seconded.

PRESIDENT GOLDSTEIN said the question is on approving the substitute motion which is the resolution received by all. This would not be approving the contract. President Goldstein said the vote would be on wording; not substance.

MR. MARTIN said that before we would be voting yes or no to approve the factfinders report. He substituted the resolution as the method of approving it. The vote would be on whether the Board wants this resolution to be used to approve the report.

PERSONNEL COMMITTEE: (continued)

MR. BLUM had a Point of Order. He said that we cannot attach a resolution to a factfinders report. We must vote yes or no on the factfinders report, and then a vote can be taken on the resolution.

PRESIDENT GOLDSTEIN called for a vote to substitute the resolution for the original motion. APPROVED 25 yes and 13 no votes with 1 abstention. On the Floor at present, would be the resolution before the Board.

MR. ESPOSITO Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote to Move the question. APPROVED by voice vote.

PRESIDENT GOLDSTEIN called for a vote on the main motion to approve the factfinders report. APPROVED by a vote of 36 yes and 3 no votes. Ms. Mitchell wished to be recorded as a yes vote.

3. RATIFICATION OF AGREEMENT BETWEEN THE CITY OF STAMFORD AND THE POLICE ASSOCIATION FOR A NEW TWO YEAR CONTRACT FROM JULY 1, 1987 TO JUNE 30, 1989. The agreement calls for a 6½% raise in each year retroactive to July 1, 1987. The Agreement provides other changes in longevity payments, uniform allowance, etc. Submitted by Mayor Thom Serrani 11/15/88. Board of Finance to issue opinion.

MR. MORRIS said the Committee voted 4 in favor and none opposed and no abstentions. Mr. Morris Moved for approval. Seconded.

THE CHAIR noted that Mrs. Reilly left the Floor for discussion on item #3.

MR. MORRIS said the salary cost for the first year would be approximately \$600,000 and the second year, the cost would be approximately \$639,696.

MR. DeLUCA asked if any mention was ever made during negotiations regarding age requirements before pension is collected?

MR. MORRIS stated that issue never came up during the Committee meeting.

MR. DeLUCA said he had no qualms regarding the pay increase or other benefits, but he is disturbed about the fact that for years, he has tried to comment to the negotiator that any new police coming onboard, cannot collect pensions until they reach the age of 48 or 55. Mr. DeLuca said the police refuse to put this in the new contract. He said after 20 years of service, the policeman can collect his pension.

Mr. DeLuca said a few years back, the firemen changed the contract for the new ones coming in, that a pension could not be collected until the age of 48; the police refuse to include this and they do not give the city any consideration. Because of the pension age for the police, Mr. DeLuca said that in the past he voted no on the contracts and will continue to vote no if the age limit is not changed.

PRESIDENT GOLDSTEIN called for a vote on the ratification of the Police Agreement and the city. APPROVED by a voice vote with one no vote, Mr. DeLuca. Mrs. Reilly left the floor on the discussion and vote on the police contract.

PERSONNEL COMMITTEE: (continued)

4. 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, 8/8, 9/7, 10/3 and 11/14/88.

HELD IN COMMITTEE

MR. MORRIS Moved the Consent Agenda. Seconded.

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

PLANNING AND ZONING COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Committee met on Tuesday, November 29, 1988. Present were Reps. Belcher, Donahue, Nakian, Jachimczyk, Reilly, Lyons, McManus and Pavia.

Mr. Lyons placed item 2 on the Consent Agenda.

1. MEETING WITH THE PLANNING BOARD TO RECEIVE AN OVERVIEW OF THE PLANNED DESIGNED DISTRICT. Submitted by Rep. Joseph DeRose D-15, 8/30/88. Held in Steering 9/14 and 10/19/88.

HELD IN COMMITTEE

2. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE SALE OF LAND ADJACENT TO THE NEW HOPE FIRE COMPANY. This is for the sale of 6,080' square feet of property on Arthur Place to the New Hope Fire Company for one dollar (\$1). Submitted by Mayor Thom Serrani 10/24/88. Planning Board approved 11/15/88. Contingent upon Board of Finance approval.

APPROVED ON CONSENT AGENDA

3. STATUS REPORT OF CITY ASSESSOR'S PLANS REGARDING MANDATORY RE-EVALUATION OF REAL PROPERTY IN THE CITY OF STAMFORD. Submitted by Rep. Sandra Goldstein D-16, 11/14/88.

HELD IN COMMITTEE

MR. LYONS said the Committee with the Board intends to meet with the assessor to make sure that some of the problems that arose during the last reassessment do not happen again. Mr. Lyons said the Committee believes the situation is well in hand and moving forward aware of the problems that occurred in 1981. City Assessor Frank Kirwin was present at the meeting, also Deputy Assessor Ed Faski was present as was Mr. Rose from the KBS Information Systems.

A contract has been entered into with KBS Information Systems for the re-evaluation of the 35,000 parcels of property in the city. There are three field inspectors in the field at present beginning at commercial properties. The residential properties will start in the spring of next year and will be finished by September of 1989.

When the re-evaluation is finished, each resident will receive a copy of the new valuation. Also will be received a statement regarding a formal procedure if they want to contest the valuation or discuss it. This procedure was not present in 1981. It is hoped that this procedure will alleviate some problems.

PLANNING AND ZONING COMMITTEE: (continued)

MR. LYONS stated that on the commercial properties, the 300 largest commercial taxpayers in the city will be brought in and their evaluation will be jointly appraised by the assessor and deputy tax assessor. It is hoped that this resolves before hand some of the law suits that resulted from the last re-evaluation.

The Committee will be meeting in a few months with the Assessor and Deputy Assessor. Mr. Lyons was impressed with what he heard regarding the re-evaluation.

MR. LYONS Moved the Consent Agenda. Seconded.

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

PUBLIC WORKS AND SEWER COMMITTEE - Joseph DeRose, Chairman

MR. DeROSE said the Committee met on Thursday, December 1. Attending were Reps. DeRose, McManus, Kennedy, Owens, Jachimczyk, Weintraub, Zelinski and Russo. That was 100% attendance.

Mr. DeRose placed item #2 on the Consent Agenda.

1. MATTER OF RATE INCREASES FOR GARBAGE CARTING. Submitted by Reps. Sandra Goldstein D-16 and John J. Boccuzzi D-3, 11/10/88.

HELD IN COMMITTEE

Mr. DeRose said also attending the meeting was Corporation Counsel Mary Sommer, Finance Commissioner Paul Pacter, Acting Superintendent of Highways Norman Liu, Mayor Serrani, also State Sen. Dick Blumenthal and State Rep. George Jepsen. The meeting was well attended in addition to those people mentioned. There were at least 24 members of the Board and many people in the audience believed to be private carters.

Mr. DeRose said the purpose of the meeting was for Commissioner Pacter to reiterate the figures that were considered controversial; the city versus the private carters.

Mr. DeRose said the figures presented by Commissioner Pacter were well received by the Committee and seemed to be extremely valid. Mr. DeRose said no vote was taken and this item will be held until a satisfactory resolution of the problem is made.

PRESIDENT GOLDSTEIN indicated that as a result of the meeting, there has been a number of changes made in the rates for residential homes. The Committee and the Chairman are to be complimented.

2. PROPOSED RESOLUTION CONCERNING PARTICIPATION IN A REGIONAL RECYCLING PROGRAM. Submitted by Mayor Thom Serrani 11/16/88.

APPROVED ON CONSENT AGENDA

PUBLIC WORKS AND SEWER COMMITTEE: (continued)

3. SENSE-OF-THE-BOARD RESOLUTION SUPPORTING THE BEAUTIFICATION OF THE CITY'S INCINERATOR. Submitted by Mayor Thom Serrani 4/19/88. Held in Committee 6/6, 7/11, 8/8, 9/7, 10/3 and 11/14/88.

MR. DeROSE stated this item is withdrawn. The initiator is no longer interested in pursuing the matter.

Mr. DeRose Moved the Consent Agenda. Seconded.

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

HEALTH AND PROTECTION COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS stated the Health and Protection Committee met on Monday, November 28. Present were Committee members Rubino, Powers, Russo, Pia, Schoenfeld and Summerville. Rep. Senie was excused. Also present were Board members Maihock, Esposito and Owens. A complete Committee report was sent to all members and is attached to these Minutes. Mrs. Powers placed item 2 on the Consent Agenda.

1. FOR PUBLICATION - PROPOSED ORDINANCE REGULATING FEEDING OF ANIMALS ON CITY PROPERTY WHERE POSTED. Submitted by Reps. Stanley Esposito R-11, James Rubino R-7 and Ruth Powers D-8, 8/11/88. Held in Committee 9/7, 10/3 and 11/14/88.

MRS. POWERS said the Committee voted 5-0-0 to approve and so Moved. Seconded.

MR. MARTIN said a \$90.00 fine for feeding the ducks was excessive being that we only charge a \$5.00 fine for a parking ticket which we all know is illegal. Mr. Martin Moved to amend the proposed ordinance by changing the \$90.00 fine to \$25.00. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the amendment. APPROVED by voice vote with one no vote.

MR. RUBINO said he was a submitter of the ordinance. He said the ordinance will not solve the problem of the rats. The solution to the problem to abate the harborage for the rats will take a tremendous capital outlay which is not available at this time. This ordinance is a stop-gap measure.

MR. ZELINSKI referred to the ordinance where it states "The feeding of animals on public property..." He asked what the definition of animals was?

MRS. POWERS stated the ordinance did not contain a definition of animals.

MR. ZELINSKI stated that based on that, he would assume animals to include dogs and cats. He said if this ordinance is approved, we would prohibit the public from walking on public property and feeding their own dog or cat. He stated he thought this ordinance was ridiculous. He thought this ordinance was concerned with the rat problem. He could not visualize how this ordinance would stop the rat problem at Cove Island or other areas in the city. Mr. Zelinski hoped that the Health Department would come back and address the rat problem and what they intend to do regarding the problem.

Mr. Zelinski Moved this ordinance be returned to Committee.

HEALTH AND PROTECTION COMMITTEE: (continued)

MR. ZELINSKI said several years ago, an ordinance was approved prohibiting the feeding of pigeons. A woman continued to feed them. The case was brought to court and the judge threw it out of court. The judge said the local legislative body had no jurisdiction to mandate the citizens should not feed animals.

The motion was Moved and Seconded to return this item to Committee.

MRS. POWERS said this item has been discussed each month since it was put on the Agenda in August and a considerable amount of research has been made. She said to return this to Committee would serve no purpose; the Committee met with the Health Department and also the Parks and Recreation Department.

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

PRESIDENT GOLDSTEIN called for a vote to return item 1 to Committee. The voice vote was DEFEATED.

MR. ESPOSITO said the ordinance was proposed in order to deal with the rat problem at Holly Pond. He said that by feeding the water fowl in that location and other areas in the city where there are water courses, we encourage the birds to stay here year around; we disrupt the migratory pattern of the birds. Mr. Esposito said the ducks compete with the rats for the food given to them. A report from the Department of Environmental Protection states that by stopping the food supply is the best and most economical way to get rid of the rats. That in conjunction with trapping and poisoning by the Health Department should do the job.

Mr. Esposito said because of the tremendous water fowl population in Holly Pond, the bacteria level has increased sharply. The bacteria gets into the fish and aquatic life in the pond; many people harvest the fish. Mr. Esposito said we have to point out to children the dangers of this type of feeding and the danger to the environment. The public has to be educated in general. He urged the members of the Board to vote for publication of the proposed ordinance.

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

PRESIDENT GOLDSTEIN called for a vote to publish the proposed ordinance regulating feeding of animals on city property where posted. APPROVED by voice vote with 5 no votes, Mr. Fedele, Mr. Jetta, Mr. Pia, Mrs. Maihock and Mr. Zelinski, and 2 abstentions, Mr. Owens and Mr. Blum.

2. PROPOSED RESOLUTION CONCERNING FEES AT THE CITY DOG POUND. Submitted by George W. Mayer, Chief of Police, 10/17/88. Approved for publication 11/14/88.

APPROVED ON CONSENT AGENDA

3. MATTER OF REMOVAL OF SCHOOL CROSSING GUARDS IN CERTAIN AREAS OF THE CITY. Submitted by John R. Zelinski, Chairman, Education, Welfare and Government Committee 10/12/88. Report made and Held in Committee 11/14/88.

HELD IN COMMITTEE

HEALTH AND PROTECTION COMMITTEE: (continued)

4. REPORT FROM STATE REGARDING SAFETY AND PROTECTION OF MOTORISTS ON I-95 AND THE MERRITT PARWAY IN STAMFORD. Submitted by Rep. Thomas Pia R-7, 11/16/88.

HELD IN COMMITTEE

MRS. POWERS Moved the Consent Agenda. Seconded.

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

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

MR. PIA said the Parks and Recreation Committee scheduled for Monday, November 28, was cancelled due to lack of information.

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, 8/8, 9/7, 10/3 and 11/14/88.

HELD IN COMMITTEEEDUCATION, WELFARE AND GOVERNMENT COMMITTEE - John Zelinski, Chairman

MR. ZELINSKI said the Education, Welfare and Government Committee met on Wednesday, November 30, 1988. Present were Chairman Zelinski, Vice Chairman Reilly, Committee members Reps. Powers, Evanko, Kennedy and Russo. Also attending were Reps. Pia, Rubino and Goldstein. Members of the public present were Louis Padilla, Ms. Main, Mrs. Bianchini, Ms. Bukowski, Mr. Pope, also, Registrars of Voters Vinnie McCauley and Nancy Tatano.

1. STANDARDIZATION OF POLLING PLACES FOR ALL ELECTIONS. Submitted by Rep. Thomas Pia R-7, 11/10/88.

HELD IN COMMITTEE

MR. ZELINSKI said comments were heard from the Registrars of Voters. The Registrars will be coming back with the incorporation of the state senate and state representative lines with the local lines. Copies of polling places for local and state districts were sent out. Mr. Zelinski said he will be reporting further on this item.

2. MATTER OF TRANSPORTATION FOR THE HANDICAPPED. Submitted by Rep. James Rubino R-7, 10/18/88. Held in Committee 11/14/88.

HELD IN COMMITTEE

MR. ZELINSKI said the Committee will look into the Dial-A-Ride program and will ask if the program can incorporate in their program not only those over 62 but also handicapped and disabled persons.

Mr. Zelinski said that the Committee will also look into the Community Development Program and possibly a local civic organization will help to sponsor a program whereby discount books are offered to riders of the taxis.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE: (continued)

MR. ZELINSKI (continuing) He said the Committee will also be looking into the Title 19 program by the State which may also be incorporated to work out for some type of funding.

MS. RINALDI stated that the Transit District is in the process of doing a development plan study for elderly and disabled transportation services. A status report will be sent to all Board members shortly which may be of help.

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - Frank Mollo, Chairman - No report.

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

ENVIRONMENTAL PROTECTION COMMITTEE - Stanley Esposito, Chairman

MR. ESPOSITO said a meeting of the Environmental Protection Committee was held on November 29, 1988 at 7:00 p.m. Attending were Chairman Stan Esposito and Committee member Audrey Maihock. Also attending was Robert Neu, Director of Parks and Recreation, Peter Dombrowski, Director of Environmental Health and Rick Peterson, Sanitarian of the Health Department.

A complete Committee report was sent to all members of the Board and is attached to these Minutes.

1. MATTER OF SUPPORTING A TREE PLANTING PROGRAM. Submitted by Reps. Sandra Goldstein D-16 and Stanley Esposito R-11, 11/2/88.

MR. ESPOSITO said that Mr. Neu explained that part of the current Parks and Recreation budget is earmarked for the planting and preservation of trees in the current fiscal year. The Parks and Recreation Department has no current plans in place for a major tree planting effort either alone or in conjunction with local corporations that would be over and above its present budget and manpower allowed.

2. MATTER OF DISPOSAL OF BIO-MEDICAL WASTE IN THE CITY OF STAMFORD.
Submitted by Rep. Stanley Esposito, R-11, 10/17/88. Held in Committee 11/14/88.

HELD IN COMMITTEE

MR. ESPOSITO stated that Peter Dombrowski of the Health Department said currently there is no ordinance, either locally or in Hartford which regulates the disposal of this waste. Mr. Dombrowski stated that his department is in favor of local legislation which would require entities who generate this type of waste to be required to separate the waste from other refuse, label it and then either disinfect it by autoclave or be responsible for removing it directly to the city's incinerator for incineration.

MRS. MAIHOCK said the Committee meeting was a very interesting one and she regretted that all the members of the Board of Representatives were not present for the presentation and to see the exhibits brought to the meeting.

TRANSPORTATION COMMITTEE - Mary Lou Rinaldi, Chairwoman

MS. RINALDI said the Transportation Committee did not meet. A meeting will be held on Tuesday, December 13, with Thomas Finn present to discuss the problem.

1. REPORT ON INTENT OF STAMFORD TRANSIT DISTRICT IN COORDINATING ALL DIAL-A-RIDE PROGRAMS AND EXTENDING SERVICE NORTH OF THE MERRITT PARKWAY.
Submitted by Reps. Maria Nakian D-20, David Martin D-18 and David Blum D-12, 5/13/88. Held in Committee 6/6, 10/3 and 11/14/88. Held on Pending 7/13/88.

HELD IN COMMITTEESPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - David Blum, Chairman - No report.

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

No report.

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

MRS. NAKIAN said the Ethics Committee met on Monday, November 28, at 7:00 p.m. with Reps. Nakian, Powers and Maihock in attendance.

1. FOR REPUBLICATION - 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. Approved for publication 9/7/88. Held on Pending 10/19/88.

MRS. NAKIAN said the proposed ordinance was approved for publication in September. A public hearing was held which resulted in several changes which the Committee felt were substantive enough to meet with Corporation Counsel to discuss them. This was done by the Co-Chairpersons of the Committee. As a result, three changes were proposed.

At the Committee meeting held on the 28th, the Committee was working with the draft that was received in the middle of November which contained all the substantive changes. The Committee approved those changes and also approved were several changes the Law Department had made in the wording since the ordinance was published. There were also a few minor changes of words the Committee made to make the ordinance conform in language.

MRS. NAKIAN Moved for a running motion to amend the proposed ordinance
Seconded.

ETHICS COMMITTEE: (continued)

MRS. NAKIAN said an amendment was made on page 1, deleted was the last sentence, "The purpose of this code is to establish ethical standards of conduct for all such officers and employees." On page 3, Section 5. Prohibited Interests, paragraph B., the Law Department proposed the language which is available to other citizens of the city previously and in several cases throughout the ordinance. It read, "which is available to other citizens of the city generally." That language did not say what the Law Department wanted it to. This is found in several places.

On page 5, a substantive change deals with an employee who works for anyone who has a matter pending before an agency of which this person is a member. Under Section B. where you must disclose a conflict of interest. Added was the sentence, "Participation includes but is not limited to discussion and/or voting on the matter."

MR LYONS wanted a clarification on the following: He read B. "An officer or employee who is employed or under retainer by a person having a matter pending before the agency of which the officer or employee is a member shall disclose that fact and shall abstain from participation in the matter.. Participation includes but is not limited to discussion and/or voting on the matter."

MRS. NAKIAN cited an example. "If you were a member of the Board of Representatives and also an attorney in a Stamford law firm and that firm had matters pending before the Board, you would disclose the fact that you were not voting on the matter which is what we have always done. We only clarify what participation is.

Mrs. Nakian said the conflict was always there and we are spelling out what the conflict is.

MR. BLUM asked if an officer of the city is a member of an organization that receives funding from the city, would that officer be voting or participating on that particular item?

MRS. NAKIAN said she did not believe that was specifically covered here. She said that in most cases Mr. Blum was talking about serving on a Board.

MR. BLUM said the Commissioner of Finance is the Director of the Coliseum Authority and is also a member of the Stamford Center of the Arts and a director there.

MRS. NAKIAN said this particular case is an officer or employee who is employed or under retainer to someone else. It could possibly cover the case of an employee who has two jobs. This paragraph has nothing to do with serving on a Board in a public capacity.

MR. BLUM asked if there was any place in the proposed code that would cover what he spoke about previously?

MRS. POWERS stated there was not, but, however, if there is a problem, a request can be made to the Board of Ethics to make a determination.

ETHICS COMMITTEE: (continued)

MR. LIVINGSTON said he wanted some clarification. He mentioned if a person was a member of the Board of Representatives and also a member of a non-profit organization like a director on the Ferguson Library Board, would that be considered a conflict of interest to vote on budget matters concerning the Library?

MRS. POWERS said the paragraph only refers to people that are employeeed. It does not refer to volunteer boards, commissions, and non-profit organizations.

MRS. NAKIAN said Section 7, paragraph 2. "for purposes and on terms generally available to other persons." The "generally" was at the end of the sentence. Section 8. the same change, "not common to the general interest of other citizens of the city."

Page 7, paragraph 2, a change was made as a result of the public hearing; the ordinance read \$50.00. You cannot receive a gift that has a value of more than \$50.00. A change was made to read "per calendar year," A gift could be received each day for \$50.00 and that would not be a violation. The "per calendar year" makes it more specific.

MR. BLUM asked if that could mean political gifts?

MRS. NAKIAN said that political gifts are one of the exceptions to the ordinance. In Section 9, under 4. reads, "Political contributions received in compliance with law." Mrs. Nakian said paragraph 2 does not prohibit political contributions.

Section 10, paragraph A., several commas were removed in the paragraph.

MR. ZELINSKI asked to go back to page 7, paragraph 2, he said that he was sure that we are aware that as representatives, are invited to various functions, open houses, etc., we have no idea what the cost is. He did not know if that would be a violation of the code. He wanted to know if any thought was given to that matter?

MRS. NAKIAN said that was discussed. A gift having a value of less than \$50 per calendar year, the \$50.00 does not pertain to the meal or invitation. Also, the key is that could not reasonably be considered to affect the action. The fact that all 40 members of the Board are invited to a reception was indictive that we could not reasonably be seen as voting a particular way on any matter that may come before the Board.

PRESIDENT GOLDSTEIN said she thought this matter should be clarified at the public hearing. She found the matter to be confusing.

MRS. NAKIAN said on page 8, paragraph C., the paragraph deals with making a disclosure to the Board of Ethics or the Board of Ethics requiring any information when they are acting upon a case referred to them. A last sentence was added, "Failure to supply information as requested shall result in a violation of this code."

Mrs. Nakian said if you are under investigation by the Board of Ethics and you refuse to supply the information they need, that in itself would be a violation of the Code of Ethics.

MR. LYONS asked if they have to self-incriminate themselves?

ETHICS COMMITTEE: (continued)

MRS. NAKIAN said they were entitled to do so on the basis of constitutional rights, a governing state or federal law.

MR. LYONS said he did not understand the last sentence. If a person did not want to give information and he stands on his constitutional rights.

MRS. NAKIAN said that in talking with Corporation Counsel, it was understood that in any other case except where you are allowed to stand on your constitutional right, you could take the lack of supplying the information as a violation of the code.

PRESIDENT GOLDSTEIN said that would be a good issue to clarify at the public hearing.

MRS. NAKIAN said on page 10, it should read "Town and City Clerk." This is in three places on that page.

Page 11, paragraph 2. Investigations, a. Probable Cause, this went on for ten lines before you came to the subject. It was made into three sentences so it would make sense.

MR. DeLUCA said if the Board is going to delete, defer or reject any part of a complaint, should not the complainant be notified of any changes? He said that if he were a complainant and appeared only to find out the complaint has been changed or modified.

MRS. NAKIAN said that was never in the ordinance; that will be considered at the public hearing. The change in the sentences did not change anything whatsoever other than putting them in their proper form to make the paragraph clearer. Previously you would read ten lines before you would get to the subject and verb.

MR. DeLUCA said he had a problem with the last line on the page and continues to the next page (12). "Any such amendment shall be in writing and a copy shall be sent, by registered or certified mail, to the respondent..." Mr. DeLuca said it does not say anything about sending a copy to the complainant.

MRS. NAKIAN stated that Mr. DeLuca made some good points. She said she did not believe the Law Department made any changes to the old ordinance in this section or made a very few changes. Mrs. Nakian asked Mr. DeLuca to come to the public hearing or submit them in writing.

MR. DeLUCA asked if these changes could be considered at the public hearing?

MRS. NAKIAN said she noted the points made by Mr. DeLuca.

On page 12, there are three places where the same change was made. The change is a substantive one from the old ordinance. The old ordinance read, "There is probable cause to believe that a violation has occurred." The Law Department changed it to read "probable cause that a violation has occurred." It is no longer cause to believe but cause there is a violation.

On page 14, there is another change to Town and City Clerk.

On page 16, the ordinance shall take effect on February 1, 1989.

ETHICS COMMITTEE: (continued)

MRS. NAKIAN Moved for approval, the changes as stated. Seconded.

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

MRS. NAKIAN said the Committee voted 3 in favor and none opposed for approval for republication. Mrs. Nakian Moved for republication. Seconded.

PRESIDENT GOLDSTEIN called for a vote to republish. APPROVED by voice vote.

MR. ZELINSKI asked if a copy of the old ordinance could be sent to all Board members so a comparison could be made?

MRS. NAKIAN stated that a copy of the old ordinance is contained in the Code of Ordinance book.

RESOLUTIONS - None.

MINUTES

1. NOVEMBER 14, 1988 REGULAR BOARD MEETING - Not ready.

COMMUNICATIONS - None.

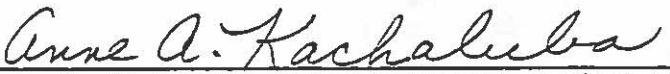
OLD BUSINESS - Reminder of Christmas Party. Next Board meeting will be January 9, 1989. Mrs. McGrath complimented the Public Works Department on the fine job they did on cleaning up the leaves.


PRESIDENT GOLDSTEIN extended best wishes for the holidays; Christmas, Hannukkah and the New Year.

NEW BUSINESS - None.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 10:35 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:ak
Enclosures

STAMVOTE - ATTENDANCE

20:00:15

12-05-1988

NO	NAME
1	PRS EVANKO, JUDITH
2	PRS NAKIAN, MARIA
3	PRS PIA, THOMAS
4	PRS OWENS, BOBBY
5	PRS MC GRATH, PATRICIA
6	PRS LYONS, RICHARD
7	PRS JETTA, KURT
8	PRS RYBNICK, GERALD
9	PRS MOLLO, FRANK
10	PRS BELCHER, WILLIAM
11	PRS MAIHOCK, AUDREY
12	PRS MARTIN, DAVID
13	PRS DE LUCA, ROBERT
14	PRS ESPOSITO, STANLEY
15	PRS MC MANUS, WILLIAM
16	PRS FEDELE, MICHAEL
17	PRS RUBINO, JAMES
18	PRS KENNEDY, BARTAN
19	PRS REILLY, KATHLEEN
20	PRS SUMMERVILLE, ANNIE

NO	NAME
21	PRS LIVINGSTON, JEREMIAH
22	N/P SENIE, KATHRYN
23	PRS CLEMMONS, GARY
24	PRS DONAHUE, DONALD
25	PRS PERILLO, MILDRED
26	PRS PAVIA, NICHOLAS
27	PRS MITCHELL, ELAINE
28	PRS CARDILLO, DOMINICK
29	PRS MORRIS, SCOTT
30	PRS WEINTRAUB, JANET
31	PRS ZELINSKI, JOHN
32	PRS SCHOENFELD, NAOMI
33	PRS DE ROSE, JOSEPH
34	PRS POWERS, RUTH
35	PRS BLUM, DAVID
36	PRS JACHIMCZYK, DAVID
37	PRS RINALDI, MARY LOU
38	PRS RUSSO, THOMAS
39	PRS BOCCUZZI, JOHN
40	PRS GOLDSTEIN, SANDRA

NOT PRESENT 1

PRESENT 39

STAMVOTE - VOTE PROCESSING

12-05-1988

20:01:02

TEST VOTE YES

NO	NAME
1	YES EVANKO, JUDITH
2	YES NAKIAN, MARIA
3	YES PIA, THOMAS
4	YES OWENS, BOBBY
5	YES MC GRATH, PATRICIA
6	YES LYONS, RICHARD
7	YES JETTA, KURT
8	YES RYBNICK, GERALD
9	YES MOLLO, FRANK
10	YES BELCHER, WILLIAM
11	YES MAIHOCK, AUDREY
12	YES MARTIN, DAVID
13	YES DE LUCA, ROBERT
14	YES ESPOSITO, STANLEY
15	YES MC MANUS, WILLIAM
16	YES FEDELE, MICHAEL
17	YES RUBINO, JAMES
18	YES KENNEDY, BARTAN
19	YES REILLY, KATHLEEN
20	YES SUMMERVILLE, ANNIE

N/P 1

N/V 0

YES 39

NO	NAME
21	YES LIVINGSTON, JEREMIAH
22	N/P SENIE, KATHRYN
23	YES CLEMMONS, GARY
24	YES DONAHUE, DONALD
25	YES PERILLO, MILDRED
26	YES PAVIA, NICHOLAS
27	YES MITCHELL, ELAINE
28	YES CARDILLO, DOMINICK
29	YES MORRIS, SCOTT
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34	YES POWERS, RUTH
35	YES BLUM, DAVID
36	YES JACHIMCZYK, DAVID
37	YES RINALDI, MARY LOU
38	YES RUSSO, THOMAS
39	YES BOCCUZZI, JOHN
40	YES GOLDSTEIN, SANDRA

NO 0

ABS 0