

MINUTES OF REGULAR BOARD MEETING

WEDNESDAY, MARCH 8, 1989

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, March 8, 1989, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut. This meeting was scheduled for Monday, March 6th but was postponed to the 8th due to inclement weather.

The meeting was called to order at 8:35 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by Rep. Jeremiah Livingston D-5. Mr. Livingston asked that all members of the Board join him in a prayer.

"Our Father, who art in heaven, hallowed by Thy name. Thy kingdom come. Thy will be done on earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil for Thine is the kingdom, power and glory forever and ever. 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 37 present and 3 absent. Absent were David Martin, William McManus and Mildred Perillo (excused). Note: Mr. Martin and Mr. McManus arrived later while the meeting was in progress.

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:

MR. JOSEPH DeROSE for the late Canio Santoro. "Mr. Santoro lived his entire life in the City of Stamford for the past 53 years to be exact. I have had the pleasure of knowing Canio Santoro for approximately 46 years. During that time, I came to know him as a man of unquestionable integrity; a devout husband to his late wife, Judy Markward Santoro, and to his widow, Pat Jimenez Santoro.

"Canio was a loving father to his daughter, LeeAnn, and to his son, Scott. He was a man who loved this city and served it well. His lengthy judicious involvement in local politics and his charitable acts of helping the poor through his participation in UNICO, an Italian-American service organization, is indicative of the man he was. Canio's death is a loss to the City of Stamford as well as to his family and friends. Let us remember him not only during this Moment of Silent prayer, but as an exemplary model to fashion ourselves after. May his elder mother who also survives him, finds comfort in his accomplishments."

MOMENTS OF SILENCE: (continued)

MR. MICHAEL FEDELE for the late Canio Santoro. "I also would like to request a Moment of Silence for the late Canio Santoro. He was a life-long resident of Stamford. Mr. Santoro died on February 10, after a long illness. Mr. Santoro's contributions to our city and its people were numerous. He served on the Stamford Zoning Board of Appeals, was a member of the City's Planning Board and the Stamford Police Commission where he served as Chairman. Mr. Santoro also served as Chairman of the Stamford Republican Town Committee and the Republican State Central Committee. All in all, Mr. Santoro provided over a quarter of a century of community service. He will be greatly missed by his family and his many friends."

MR. JOHN ZELINSKI for the late Canio Santoro. "I, too, would like to add my name to a Moment of Silence for the late Mr. Santoro."

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PRESIDENT GOLDSTEIN said she hoped everyone has had an opportunity to view the art work that is on display throughout the Chambers. The art work was done by youngsters in the Stamford School system. The work is extraordinary to look at and the work is wonderful. Thanks were extended to Anne Kachaluba and the people contacted to have the works put up throughout the Chambers.

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, February 15, 1989, 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	Richard Lyons	Scott Morris
John Boccuzzi	Robert DeLuca	Thomas Pia
Frank Mollo	Mildred Perillo	John Zelinski
Audrey Maihock	Joseph DeRose	David Martin
Mary Lou Rinaldi	James Rubino	Nicholas Pavia
Donald Donahue	Stanley Esposito	John Roman, WSTC
		Anne Kachaluba

APPOINTMENTS COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda were the two items appearing on the Addenda to the Tentative Steering Agenda.

FISCAL COMMITTEE - Ordered on the Agenda were the eight items appearing on the Tentative Steering Agenda and one item from the Pending Agenda and that was the Status report of the 1988/89 contingency fund.

STEERING COMMITTEE REPORT: (continued)

LEGISLATIVE AND RULES COMMITTEE - Four of the six items appearing on the Tentative Steering Agenda were ordered on the Agenda. Ordered on the Pending Agenda was (L&R20.39) for publication, proposed ordinance amending Chapter 90 of the Code concerning hazardous buildings. Ordered off the Agenda was (L&R20.45) for publication, proposed ordinance concerning municipality liability for ice and snow on public sidewalks. Ordered on the Agenda was one item appearing on the Pending Agenda (L&R20.12) for publication, proposed ordinance amending Ordinance No. 453 concerning helicopters.

PERSONNEL COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered on Pending was the Establishment of a Pay Plan for Nonunion Classified Employees pursuant to Charter Sec. 5-10-3(b).

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 was the one item appearing on the Tentative Steering Agenda. Ordered off the Addenda was the item, Proposed resolution concerning the intent to participate in and support a regional recycling program. This resolution was already placed in the Special Committee to Assess Priority Issues.

HEALTH AND PROTECTION COMMITTEE - Ordered off the Agenda were the two items appearing on the Tentatives Steering Agenda: Matter of removal of school crossing guards in certain areas of the city, (this has been resolved) and the Matter of feeding wildfowl on Holly Pond. This item was recently defeated by the Board.

PARKS AND RECREATION COMMITTEE - Ordered on the Agenda were the four items appearing on the Tentative Steering Agenda and one item appearing on the Addenda concerning the hanging of a banner.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - No items appeared on the Tentative Steering Agenda. There were two items on the Addenda and both were ordered off the Addenda. (Matter of coordination of Emergency Medical Services in the City and Police Department removing emergency equipment from patrol cars, etc.

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 were two of the three items appearing on the Tentative Steering Agenda. Ordered off the Agenda was the Matter of excess salt used on city roads. This item was disposed of.

TRANSPORTATION COMMITTEE - No items appeared on 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.

STEERING COMMITTEE REPORT: (continued)

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

ETHICS COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering 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 8:55 p.m.

Sandra Goldstein, Chairwoman  
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

Mrs. McGrath reported on the Appointments; Mrs. Perillo was excused from the meeting.

MRS. McGRATH said the Appointments Committee met on February 28, 1989, at 7:00 p.m. in the Government Center. Present were Naomi Schoenfeld, Ann Summerville, Mildred Perillo, William Belcher, Michael Fedele, Robert DeLuca, Thomas Pia and John Boccuzzi.

Mrs. McGrath placed items 1 and 2 on the Consent Agenda.

COMMISSION ON AGINGTERM EXPIRES

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|--|--|---------|
| 1. <u>MS. CHARLENE WILLIAMS</u> (D)<br>109 Tresser Blvd., Apt. 11A | Replacing Christel Truglia<br>who resigned | 12/1/89 |
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APPROVED ON CONSENT AGENDAZONING BOARD OF APPEALS

- |  |  |         |
|--|--|---------|
| 2. <u>MR. PAUL CALLAHAN</u> (D)<br>135 Courtland Avenue, #27 | Replacing Theodore Payne who<br>did not seek another term. | 12/1/93 |
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APPROVED ON CONSENT AGENDA WITH TWO ABSTENTIONS; MR. OWENS AND MRS. MAIHOCK.

MRS. McGRATH Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED with two abstentions on item #2, Mr. Owens and Mrs. Maihock.

FISCAL COMMITTEE - Donald Donahue, Chairman

MR. DONAHUE said the Fiscal Committee met on March 1, 1989, with all members in attendance; Ms. Rinaldi, Messrs. McManus, Lyons, Morris, Mollo, Rybnick, Esposito, Martin, Jetta, Livingston and Donahue.

Mr. Donahue placed item #5 on the Consent Agenda.

FISCAL COMMITTEE: (continued)

1. \$ 75,000.00 - LAW DEPARTMENT - CODE 230-5150 PROFESSIONAL CONSULTANTS - additional appropriation for attorneys and appraisers' fees. Request by Mayor Thom Serrani 1/3/89. Contingent upon Board of Finance approval. Held in Committee 2/6/89. Board of Finance approved 2/23/89.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. DONAHUE said most of the money requested by the Law Department was being used for tax litigation cases and to hire outside attorneys for conflict-of-interest cases. The Committee recommended unanimously to approve the amount. Moved. Seconded.

MR. ZELINSKI Moved to waive the Secondary Committee report. Seconded. Approved by voice vote with no dissenting votes.

MR. ZELINSKI said he could not stay for this item because the Ethics Committee was meeting at the same time. Mr. Zelinski asked about the outside attorneys that handle the tax foreclosures; he wanted to know if the cost is eventually reimbursed by the court to the attorneys who in turn would then reimburse the city for the money paid originally?

MR. DONAHUE said that is done only in tax foreclosure cases.

MR. ZELINSKI stated that in the backup material, it stated that we paid out \$12,000 this fiscal year and received only \$600 back. Mr. Zelinski asked if the courts were tardy in getting the funds back to the attorneys to reimburse the city.

MR. DONAHUE said there were two types of cases. On a tax foreclosure that we win the case, we can also assess the persons involved for the fees of legal representation. However, if it is a simple tax appeal case, we may receive \$1 million additional tax revenue to the city for the cost of maybe \$10,000 or \$20,000 for legal representation. The additional revenue from the taxes received is worth the cost of the outside attorneys. Recommendations were made to use outside attorneys in many cases.

MR. ZELINSKI said the previous year's expenditure was \$100,097 and the budget was approved for \$80,000 and with the additional \$75,000, it means that this is approximately a 50% increase. Mr. Zelinski asked if the city was having a lot more foreclosures or just more expense in this particular account?

MR. DONAHUE said the Law Department usually comes in each year for additional appropriations in this account. The cost in this account is due to the demand, and outside expertise necessary for the cases. Mr. Donahue said it was difficult to compare from year to year.

MR. ZELINSKI asked if there were more foreclosures in this fiscal year?

MR. DONAHUE said he did not know the number of foreclosures from year to year.

MR. BLUM asked if we had enough attorneys in the Law Department to take care of the cases?

MR. DONAHUE said many of these cases go to outside counsel, and this is done only when necessary.



FISCAL COMMITTEE: (continued)

PRESIDENT GOLDSTEIN called for a vote to approve \$75,000 for the Law Department. APPROVED by voice vote with two abstentions, Mr. Rubino and Mr. Blum; no dissenting votes.

\$ 85,000.00

2. \$172,019.00 - STAMFORD E.M.S. FOUNDATION - CODE 470.4385 - additional appropriation required to fund the balance of fiscal year 1988/89. Total requested was \$237,019.32. \$65,000 approved by Board on 2/6/89. Request by Mayor Thom Serrani 1/30/89. Contingent upon Board of Finance approval. Held in Committee 2/6/89. Board of Finance approved \$150,000 on 2/23/89.

SALARIES.....	111,723.30
DIFFERENTIAL.....	3,670.64
DIRECTOR.....	14,323.50
SUPERVISOR.....	11,140.50
SECRETARY.....	7,002.60
LIABILITY INSURANCE.....	3,819.60
UNEMPLOYMENT COMPENSATION.....	3,819.60
BENEFITS: VAC., HOL., EDUCATION, SICK, OVERTIME.....	17,824.80
INSURANCE: MEDICAL, HEALTH, DENTAL, VISION.....	24,827.40
TUITION.....	3,819.60
AUTOMOBILE INSURANCE.....	2,096.96
WORKMANS COMPENSATION INSURANCE.....	15,915.00
PAYROLL SERVICES.....	477.45
PAGER SERVICES/RADIO SYSTEMS SERVICE.....	954.90
MEDICAL SUPPLIES.....	2,228.10
OFFICE SUPPLIES AND POSTAGE.....	636.60
FORMS.....	954.90
TELEPHONE.....	2,329.96
FUEL.....	2,546.40
VEHICLE REPAIR AND MAINTENANCE.....	3,246.66
AUTO SUPPLIES.....	477.45
EQUIPMENT REPAIR AND MAINTENANCE.....	2,546.40
CLOTHING AND UNIFORM.....	636.60
<b>TOTAL.....</b>	<b>\$237,019.32</b>

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. DONAHUE said the Committee voted unanimously to approve \$85,000. Moved. Seconded by Health and Protection Committee after approval of waiving Secondary Committee report.

MRS. MAIHOCK asked if this item would come before the Board again for an increased amount?

MR. DONAHUE said it was not anticipated that EMS would be coming back before the end of this fiscal year for additional funding. Additional funds will be made up through their new billing system.

PRESIDENT GOLDSTEIN called for a vote to appropriate \$85,000 for the EMS Foundation. APPROVED by voice vote with no dissenting votes.

FISCAL COMMITTEE: (continued)

3. \$ 20,000.00 - COMBINED DISPATCH - CODE 433.2650 NEW EQUIPMENT - additional appropriation requested to elevate tower mast on 888 Washington Boulevard to provide base station redundancy capabilities for police and fire radios. Request by Mayor Thom Serrani 1/30/89. Contingent upon Board of Finance approval. Defeated by Board of Finance 2/23/89.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

NO ACTION TAKEN: DEFEATED BY BOARD OF FINANCE

4. \$ 15,000.00  
~~\$-68,888-88~~ - COMBINED DISPATCH - CODE 433.5150 PROFESSIONAL CONSULTANTS - additional appropriation requested to continue the consultants services in combined dispatch operation. Request by Mayor Thom Serrani 1/30/89. Contingent upon Board of Finance approval. Board of Finance approved \$15,000 2/23/89.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. DONAHUE said the Committee voted unanimously to recommend approval. Moved. Seconded by Health and Protection Committee after approval of waiving Secondary Committee report.

MRS. MAIHOCK asked how long the consultant services will continue, how many consultants are involved and what is the amount of appropriations preceding item #4?

MR. DONAHUE said the work is being done by a consulting firm; they can bring in as many people as they want. A new system always has some glitches to be worked out and the consultants are onboard until we are absolutely sure that we can take over the system inhouse totally. Mr. Donahue could not definitely state how long the consultants would be staying on. Mr. Donahue said he was not sure about the original appropriation but thought it to be \$250,000. He said he could check on the amount for Mrs. Maihock.

PRESIDENT GOLDSTEIN called for a vote to approve \$15,000 for Combined Dispatch. APPROVED by voice vote with one abstention, Mr. Blum and no dissenting votes.

5. \$ 1,000.00 - POLICE DEPARTMENT - CODE 410.1201 OVERTIME - additional appropriation to cover donation towards drug enforcement effort; C.O.P.E.-P.A.C.T. Request by Mayor Thom Serrani 1/30/89. Contingent upon Board of Finance approval. Board of Finance approved 2/23/89.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

6. \$ 2,300.00 - ENVIRONMENTAL PROTECTION BOARD - CODE 110.2923 COPYING AND PRINTING - additional appropriation for additional costs due to public hearings and litigation. Costs are reimbursable upon resolution of litigation but not to the Environmental Protection Board. Request by Mayor Thom Serrani 1/30/89. Contingent upon Board of Finance approval. Board of Finance approved 2/23/89.

Above also referred to ENVIRONMENTAL PROTECTION COMMITTEE.

MR. DONAHUE said the Committee voted unanimously to approve \$2,300. Moved. Seconded by the Environmental Protection Committee's concurrence.

PRESIDENT GOLDSTEIN proceeded to a vote to approve \$2,300 for the Environmental Protection Board. APPROVED by voice vote with no dissenting votes.

7. PROPOSED RESOLUTION OF MUNICIPALITY ABATING TAXES AND AUTHORIZING EXECUTION OF TAX ABATEMENT CONTRACT WITH OWNER OF HOUSING FOR LOW AND MODERATE INCOME PERSONS OR FAMILIES. To date the State grant has covered the actual taxes due. Submitted by Mayor Thom Serrani 1/23/89.

MR. DONAHUE said the Committee voted unanimously for approval. Moved. Seconded.

MRS. MAIHOCK stated that on the Agenda, it states, "To date the State grant has covered the actual taxes due." She said that she presumes that once this tax abatement is approved, it will continue to be approved for years thereafter.

MR. DONAHUE said that was true according to the Finance Commissioner.

PRESIDENT GOLDSTEIN proceeded to a vote on the resolution. APPROVED by voice vote with one no vote, Mrs. Maihock.

The Chair noted that Mr. McManus joined the meeting. There were 38 members present.

8. \$1,434,875.00 - BOARD OF EDUCATION - AMENDMENT TO THE CAPITAL PROJECTS BUDGET - additional appropriation and transfer for K. T. Murphy Elementary School lead abatement and Phase II Construction.

Additional appropriation for lead abatement/acct. #810-876 -	\$ 315,459
Additional appropriation for Phase II Renovation/	
acct. #810-162 (included is 1% art requirement)	- 559,416
Transfer from #810-066 to #810-162	- 560,000
	<u>\$1,434,875</u>

Request by Mayor Thom Serrani 2/9/89. Planning Board approved 2/14/89. Contingent upon Board of Finance approval. Board of Finance approved 2/23/89.

To be financed by: Taxation	\$ 100,000
Bonds	774,875
Transfer from #810.066 Toquam	560,000
	<u>\$1,434,875</u>

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.



FISCAL COMMITTEE: (continued)

MR. DONAHUE left the Floor. Ms. Rinaldi, Vice Chair of the Fiscal Committee reported on this item.

MS. RINALDI said Fiscal unanimously approved the item. Moved. Seconded by the Education, Welfare and Government Committee after approval of waiving of Secondary Committee report.

MR. BLUM said the \$100,000 should not come out of the contingency fund; it should come from a transfer. All capital projects should come from funds that are bonded.

PRESIDENT GOLDSTEIN stated it was not in our jurisdiction to deal with the matter; the Board of Finance, Commissioner of Finance and the Mayor deal with how the projects are to be funded. The Board of Representatives cannot determine how the project will be financed.

MR. LYONS Moved the question. Seconded. APPROVED by voice vote with no dissenting votes.

PRESIDENT GOLDSTEIN called for a vote to approve \$1,434,875 for the K. T. Murphy School. APPROVED by voice vote with no dissenting votes.

9. STATUS REPORT OF THE 1988/89 CONTINGENCY FUND. Requested by Rep. Robert DeLuca R-14, 12/7/88. Report made and Held in Committee 1/9/89. Held on Pending Agenda 1/18/89.

MR. DONAHUE said that one report was received by all members and a new report is being prepared and will be sent to all members of the Board.

Mr. Donahue Moved to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with no dissenting votes.

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

MRS. NAKAIN said the Legislative and Rules Committee met on Monday, February 27, 1989, at 7:30 p.m. Present were Committee members Nakian, Martin, Fedele, Maihock, Powers, Rubino, Senie, Weintraub and Zelinski. Rep. Esposito was excused. Also, present was Mary Sommer, Corporation Counsel, and on item #1, Sandra Schlachtmeyer and Atty. Howard Kaplan, Percy Langstaff, Noreen Haygood, Richard Redniss and several other people from the Stamford Land Conservation Trust.

Present on item #3, Reps. DeLuca and Perillo, Sherry Williamson and Allan Brown, Risk Manager.

Mrs. Nakian placed item 2 on the Consent Agenda.

1. (L&R20.46) FOR PUBLICATION - PROPOSED ORDINANCES CONCERNING TAX ABATEMENT FOR PROPERTIES OWNED BY STAMFORD LAND CONSERVATION TRUST. Request by Howard Kaplan, Attorney, Wofsey Rosen Kveskin and Kuriansky, 600 Summer Street, Stamford, CT 06901, 12/16/88. Held in Committee 2/6/89.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MRS. NAKIAN said this item deals with abatement of tax property acquired by the Stamford Land Conservation Trusts. Eight pieces of property are in question. The properties have been acquired at various time going back to 1974 until 1986. The properties have been taken off the Grand list by the Tax Assessor and now we are granting tax abatement for the period of time between the time they were acquired and when they were taken off the Grand list.

Mrs. Nakian said each member received eight separate ordinances along with copies of the tax bills. The Committee approved for publication by a vote of 8-0-1. Moved. Seconded.

MR. ESPOSITO said that he understand that these properties were to provide open space for the city and public at large. His concern was that the green space is not accessible to the public. He said he did not believe the public has passive use of the property. The public has no access to these properties and he is concerned that these properties come off the tax rolls. Mr. Esposito said he was in favor of publication but would closely review the ordinances before he voted for final adoption.

MRS. NAKIAN said that Mr. Esposito's concerns were also concerns of the Committee. The Committee asked the Researcher to track each parcel of land and Mrs. Schlachtmeyer prepared a map showing where the parcels were. The map had on it all land owned by the Nature Conservancy, all land owned by the State and all land owned by the City; park land. A number of the parcels were adjoining large pieces of public land and were therefore adding to a sizeable bit of land that could be set aside for public use. Some pieces were questionable that had long accessways. These pieces had no taxes owed.

Mrs. Nakian said it was a difficult issue; a balance has to be made for open space against the desire to keep the properties on the tax rolls. Mrs. Nakian said that in the future, we could possibly see more of this.

MR. BLUM asked why it took so long to request tax abatement?

MRS. NAKIAN said that was also a concern of the Committee. It was not actually seven years; the most for any individual piece of property was three years. The Committee made it known to the Land Trust that there was strong objection on the way they went about this matter and in the future, every effort should be made to come in promptly for removal from the tax rolls and request from the Board abatement.

PRESIDENT GOLDSTEIN proceeded to a vote on publication of tax abatement for the Stamford Land Conservation Trust. APPROVED by voice vote with two no votes, Mr. Jetta and Mr. DeLuca and six abstentions, Mr. Pavia, Mr. McManus, Mr. Rubino, Ms. Reilly, Mr. Lyons and Mrs. Maihock.

2. (L&R20.48) FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR GATEWAY COMMUNITIES, INC. FOR PROPERTY AT 102/104 CLINTON AVENUE. Requested by Lois Sontag, President, Gateway Communities, Inc., 18 West Park Place, Stamford, CT 06901, 1/9/89. Approved for publication 2/6/89.

APPROVED ON CONSENT AGENDA WITH FIVE NO VOTES: MR. JETTA, MR. DeLUCA, MR. LIVINGSTON, MS. SUMMERVILLE AND MS. RINALDI AND ONE ABSTENTION: MRS. MAIHOCK.

LEGISLATIVE AND RULES COMMITTEE: (continued)

3. (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, 5/18 and 10/19/88. Held in Committee 3/7, 4/4, 5/2, 7/11, 8/8, 9/7, 10/388 and 2/6/89.

HELD IN COMMITTEE

4. (L&R20.49) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING ARTICLE II SECTION 214-30 OF THE CODE OF ORDINANCES CONCERNING EXCAVATION BONDS. This would require a bond for all excavations. Submitted by Mayor Thom Serrani 2/6/89.

HELD IN COMMITTEE

5. (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 1/13/88 & 1/19/88. Held in Committee 9/7 and 10/3/88.

HELD IN COMMITTEE

MRS. NAKIAN said an opinion was received by all members stating this was a zoning matter. The item will be removed from the Agenda at the next Steering Committee meeting.

MRS. NAKIAN Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with Mr. Jetta, Mr. DeLuca, Ms. Summerville, Ms. Rinaldi and Mr. Livingston voting no and Mrs. Maihock abstaining.

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. MORRIS said the Personnel Committee met on Wednesday, March 1, 1989, at 7:15 p.m. Committee members present were Reps. Scott Morris, Naomi Schoenfeld, John Zelinski, David Jachimczyk, Bartan Kennedy and William Belcher. Rep. Nicholas Pavia was excused.

1. SENSE-OF-THE-BOARD RESOLUTION CONCERNING THE DEVELOPMENT OF GUIDELINES FOR THE PLACEMENT OF POSITIONS IN THE UNCLASSIFIED SERVICE. Submitted by Scott A. Morris, Chairman, Personnel Committee 12/7/88. Held in Committee 1/9 and 2/6/89.

MR. MORRIS said his Committee approved the resolution unanimously. Moved. Seconded.

MR. BLUM questioned one part of the resolution where it stated that policy setting positions - positions that have the authority to establish municipal policy; be placed in the unclassified service. Mr. Blum questioned that Mr. Bernstein, Personnel Director, sets policy and is in the classified positions. Mr. Blum mentioned other employees that set policy. He wanted to know if these employees will not become unclassified.

PERSONNEL COMMITTEE: (continued)

MR. MORRIS stated that the Director of Personnel does not set policy; he implements policy and may recommend policy; the policy making entity for the Personnel Department is the Personnel Commission. The same is true for the Parks and Recreation Department; policy is set the the Parks and Recreation Commission.

MR. DeLUCA questioned d) of the resolution; it states, "Grant funded durational positions of less then three years, as mandated by Ordinance No. 602". Mr. DeLuca asked if this meant that positions of three years or more, becomes a classified position?

MR. MORRIS said that could be assumed.

MR. DeLUCA Moved to amend the resolution, item d) to read, "All grant funded positions." The remainder of the sentence be deleted. Mr. DeLuca said that all grant funded positions should remain in the unclassified service. The Motion was Seconded.

MR. MORRIS said he did not think the amendment was workable, stating there were many grant funded positions in existance that are in the classified service, that are funded for a fairly long period of time. He said Ordinance No. 602 was for positions for less than three years because these positions could not be vested into the pension system.

Mr. Morris said there were grant funded positions that are now in the classified service.

MR. LYONS said what is in position now cannot be changed but what is in the future, the city has the opportunity to not have them classified if grant positions.

MR. DeLUCA said he was surprised to learn that grant funded positions have become classified. He hoped this could be prevented in the future with his amendment.

MR. BLUM said this resolution was a union breaking resolution, and he was against it totally.

MR. BOCCUZZI said he was in favor of Mr. DeLuca's amendment. Mr. Boccuzzi was always against grant funded positions after grants ceased and the position remained in the system. After the grant ceases, the position has to be funded through taxation; there is not control. Mr. Boccuzzi said people taking grant funded positions must realize that they are only guaranteed work while the grant is being offerred to the city. If the grant is withdrawn or stopped, the City has no obligation to accept the people on the City payroll. Mr. Boccuzzi said he will support Mr. DeLuca's amendment and asked that his fellow members also support the amendment. This would be one way of controlling the city's payroll.

PRESIDENT GOLDSTEIN proceeded to a vote on approving Mr. DeLuca's amendment; d) to read, "All grant funded positions." APPROVED by a vote of 25 yes and 11 no votes.

PERSONNEL COMMITTEE: (continued)

PRESIDENT GOLDSTEIN called for a vote to approve the Sense-of-the-Board resolution as amended. APPROVED by a voice vote with three no votes; Mrs. Weintraub, Mr. Blum and Mrs. Nakian.

PLANNING AND ZONING COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Planning and Zoning Committee met on and held a public hearing on March 1, 1989 at 7:00 p.m. Present were Reps. Nakiah, Reilly, Jachimczyk, Donahue, Lyons, Belcher, and Pavia.

Mr. Lyons placed item #1 on the Consent Agenda.

1. FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING 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). Planning Board approved 11/15/88. Board of Finance approved 1/18/89. Approved for publication 12/5/88. Revised ordinance approved for publication 2/6/89. Held in Committee 1/9/89.

APPROVED ON CONSENT AGENDA

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

PRESIDENT GOLDSTEIN called for a vote to approve the ordinance. APPROVED by voice vote with no dissenting votes.

PUBLIC WORKS AND SEWER COMMITTEE - Joseph DeRose, Chairman

MR. DeROSE said the Public Works and Sewer Committee met on Wednesday, February 22, 1989. Attending were Reps. DeRose, Kennedy, Russo, Weintraub and Zelinski. Commissioner Paul Pacter also attended.

1. MATTER OF RATE INCREASES AND SURVEY REGARDING COMMERCIAL AND RESIDENTIAL GARBAGE FEES. Submitted by Reps. Sandra Goldstein D-16, John Boccuzzi D-3, Stanley Esposito R-11 and Commissioner of Finance Paul Pacter, 11/10/88. Reports made and Held in Committee 12/5/88, 1/9 and 2/6/89. (Note, later in the meeting a Sense-of-the-Board resolution was introduced and approved)

MR. DeROSE said there was discussion on the questionnaires sent to homeowners and commercial establishments served by private collectors. The results from the meeting was a Sense-of-the-Board resolution for presentation to the Board. Each Board member received a copy. The resolution to be presented was the one that read "revised 3/8/89."

Mr. DeRose said the resolution is a plea to the haulers to reconsider the new fees and refine the rates, if warranted, now that they have the tipping fee data.

Mr. DeRose on behalf of the Committee Moved for acceptance of the resolution. Seconded.

PRESIDENT GOLDSTEIN proceeded to a vote to approve the resolution. APPROVED by voice vote with two no votes; Mr. Jetta and Mr. Owens.



PUBLIC WORKS AND SEWER COMMITTEE: (continued)

MR. DeROSE said a cover letter and the resolution will be sent out to all private haulers that serve the city. A copy of the letter and resolution is attached to these Minutes.

HEALTH AND PROTECTION COMMITTEE - Ruth Powers, Chairwoman - No report.

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

MR. DeLUCA said the Parks and Recreation Committee met on Monday, February 27, 1989, at 7:00 p.m. Present were Committee members DeLuca, Pia, Perillo, McGrath, Fedele and Rybnick. Also present was John Roman of WSTC.

Mr. DeLuca placed items 2, 3 and 4 on the Consent Agenda.

1. APPROVAL OF PROPOSED FEES FOR 1989 FOR THE PARKS AND RECREATION DEPARTMENT. Parks and Recreation Commission approved the fees 1/4/89. Submitted by Robert F. Neu, Director, Parks and Recreation Department, 1/10/89. Held in Committee 2/6/89.

Mr. DeLuca said his Committee recommended approval with some changes. The Parks and Recreation Department requested the fee to be \$5.00 for resident and property owners. The Committee vote for a \$3.00 fee for this item. Mr. DeLuca Moved for approval of the \$3.00 fee for parking stickers for resident and property owners. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the \$3.00 fee. APPROVED by voice vote with no dissenting votes.

MR. DeLUCA said the Department requested zero for senior citizen parking stickers. The Committee's recommendation was \$ 1.00. Mr. DeLuca Moved for a \$1.00 fee. Seconded.

MR. ZELINSKI spoke regarding the \$1.00 fee for senior citizens. He said the seniors have contributed much to Stamford and he favored no charge for the senior citizens for beach stickers. He said the cost is more than adequately covered by the \$3.00 fee that other residents pay. He said he believes the cost of the stickers are under a dollar and the city gets a \$2.00 profit from each resident that buys a sticker. He favors no charge for the seniors' beach stickers.

MR. DeLUCA stated the reason the Department requested zero was that they hoped the \$5.00 fee for resident stickers would be implemented; however, since the \$5.00 fee was not implemented, the Committee felt \$1.00 was right. After talking to some seniors, the seniors had no hang-ups about paying the dollar fee.

PRESIDENT GOLDSTEIN called for a vote to approve the \$1.00 senior citizens fee for stickers. APPROVED by voice vote with 1 no vote, Mr. Zelinski.

President Goldstein asked Mr. DeLuca to proceed with the changes and a vote would be taken if there were any problems.

MR. DeLUCA said on summer resident parking stickers, the Department requested \$25.00, the Committee recommended \$50.00.

PARKS AND RECREATION COMMITTEE: (continued)

MR. DeLUCA going on to vending trucks; the Department requested \$200 a season, the Committee recommended \$250.00.

MR. ESPOSITO said he believed this was a lucrative operation especially in the summertime. He said we should not sell ourselves short; \$250 can be made in a few hours on a hot summer day. Mr. Esposito Moved to amend the rate to \$500 for vending trucks.

MR. LYONS said the vendors serve a purpose at the parks and beaches. He said \$250 is more than adequate.

MR. JETTA said by raising the fee by 250%, we were price gouging.

MR. DeLUCA said that going to a \$500 fee is too much out-of-line.

MR. BOCCUZZI asked if a permit is given to a truck, are there any other regulations or are they just given the permit?

MR. DeLUCA said they received the permit.

MR. BOCCUZZI asked if any regulations could be imposed by the Parks and Recreation Department. Mr. Boccuzzi said that some trucks in the park, park in no parking areas and obstruct the travel on the streets. Also, when the trucks leave, you can tell where they were parked. Mr. Boccuzzi said that perhaps Mr. Neu can be informed and some regulations made that when a permit is issued, they would have to clean up and not interfere with the traffic flow.

MR. DeLUCA stated he would follow through on Mr. Boccuzzi's comments.

PRESIDENT GOLDSTEIN called for a vote to amend the vending truck fees from \$250 to \$500. DEFEATED by voice vote with three yes votes, Mr. McManus, Mr. Esposito and Mrs. Maihock. The fee will be \$250.00.

MR. DeLUCA went on to Tennis Fees for non-residents; the Department requested \$4.00 per hour, the Committee recommended \$6.00. For nighttime tennis, the Department requested \$6.00, the Committee recommended \$8.00.

On picnic fees, Cove Island playground, the Department request was for \$50.00 and \$75.00, the Committee recommended for Stamford families and non-profit organizations, weekdays \$50.00 and weekends \$75.00 and for all others such as corporations or outside groups, \$100 for weekdays and \$200 for weekends.

On Rosa Hartman Park, the Department requested from 9AM to closing weekdays, \$40.00 and weekends \$55.00, the Committee recommended for Stamford families and non-profit organizations \$20.00 and \$35.00; all others would be \$100 and \$200.

On Chestnut Hill Parks for Stamford Families and non-profit organizations, remains the same. All others would be \$100 and \$200.

PARKS AND RECREATION COMMITTEE: (continued)

MR. ZELINSKI asked why Dorothy Heroy Park was excluded from the fees?

MR. DeLUCA stated that Dorothy Heroy Parks is too small to accomodate any type of a picnic in the area.

MR. ZELINSKI said he has visited the park and had seen large groups of people that took over a picnic area there; also, he noticed out-of-town plates on the cars; from New York and New Jersey. He said he differed with Mr. DeLuca. Mr. Zelinski said he wanted Dorothy Heroy Park to be included in the fees. He said it was not fair that one park should be discriminated against and could not be used by Stamford residents; other people or organizations could go to the park and use it and not pay for it.

Mr. Zelinski Moved to include Dorothy Heroy Park in the picnic fees group. Seconded.

MR. DeLUCA said he had to speak against that motion. Mr. DeLuca said that based on conversation with the Departments, they felt it was not feasible, and they would enforce the out-of-towners from using the park.

MS. SUMMERVILLE stated that there are many organizations within the city who love going to Heroy Park; the pool is wonderful. She said she had attended many activities there and that is the park that she prefers. Ms. Summerville said the Department should have given the Committee more input regarding the use of the Park. She urged all members of the Board to vote on Mr. Zelinski's motion. She said that people living in the inner-city like to go out to get fresh air.

MRS. MAIHOCK asked about the status of Scofieldtown Park. This park was deleted from the picnic fees.

MR. DeLUCA said Scofieldtown Park is not feasible for picnics. There are problems at the Park and this item will be on the agenda in the near future.

MRS. NAKIAN asked if currently, there was an charge for Dorothy Heroy Park?

MR. PIA said there was never any charge at Dorothy Heroy Park.

MRS. NAKIAN said there is space at the Park. She said she would have to agree with Mr. Zelinski; while there is room there, we would have to charge accordingly. The charge is fair for the group and the general public.

MR. PIA suggested that members pay a visit to the park to use the facilities. Mr. Pia said for years he has been trying for stickers to be used for this park so that city residents would be the only ones to use the park. He said the parking area is very small. Also, Roxbury Little League has the use of the facility on the weekends. There are usually a lot of children and parents and families there especially when the League is playing ball.

Mr. Pia said the picnic area is really not a picnic area although there are some table there. The terrain is not good, and the road going into the park is atrocious. There have been many accidents there. There is an embankment there that is dangerous. Mr. Pia said many of these things have been discussed by the Board of Recreation when he was Chairman.

PARKS AND RECREATION COMMITTEE: (continued)

MR. PIA said by having park stickers, out-of-towners will be kept out of the park. Mr. Pia said there were homes on both sides of the park and a gate cannot be put up to restrict the amount of people using the park. He said that anyone can come to the park for a picnic but parking is a problem.

Mr. Pia stated that there is wetland there. At once time, it was suggested that the city buy more land to expand the park, but money was not available.

MR. LYONS said he was confused; one member said the park is not large enough; and one said the park is unsafe. If that is so, the park should not be open. Mr. Lyons said if the park is capable of handling groups as Cove Island is, there should be a charge. He was in favor of a charge for group permits and the \$20 and \$35.00 fees.

*corrected*  
MR. ZELINSKI said in his motion, the fee should be the same as Chestnut Hill Park; \$20~~0~~.00 for weekdays and \$35.00 for Saturdays and ~~\$100 and \$200 for non-residents.~~  
*all others \$100 for weekdays and \$200 for weekends.*

MR. LYONS stated if a sticker can be enforced there, it should be enforced.

MRS. McGRATH said the members should listen carefully to Mr. Pia and other members of the Parks and Recreation Committee. The Committee did not avoid Dorothy Heroy or did not consider the park, the park was considered a month previously and this was Held in Committee because the Parks and Recreation Department came to the Committee and told us that we could not do that. Mrs. McGrath said the facility really should not be used for group picnics. Other parks can accomodate group but this one cannot. This park was taken off the group picnic fee schedule after recommendations were made by the Parks and Recreation Department.

MR. BLUM said one of his senior groups had a picnic at Dorothy Heroy Park. He said the road up there is bad and something should be done about. Mr. Blum said the Board should approve that a sticker be used at the park.

MR. OWENS said he had to apologize to the Committee for not attending the meeting; however, he did attend the meeting in January and stated then that he had problems with this. He said Rosa Hartman park has no added attractions but Dorothy Heroy Park does whether the parking facilities are minute or not. Mr. Owens said much money is spent to upkeep the park. He said as a member of the Committee and Board, he said it was time that all parks should be costing a fee; now is the time to update these matters. He said if no fees were charged at Heroy, there should be no fee charged at Rosa Hartman Park.

MS. SCHOENFELD said the park is in her district and she feels there should be no fee. The park is small and has limited parking and if the park is rented out on the weekends, it serves no purpose to the community.

MR. BOCCUZZI asked it was possible to hold this in Committee? There has been much discussion. He said he has not been at the park and would not want to make any judgement. He said if the Little League plays there each weekend, most likely, it could not be rented on the weekends.

Mr. Boccuzzi Moved to return the matter of fees at Dorothy Heroy Park to Committee. Seconded.

PARKS AND RECREATION COMMITTEE: (continued)

MR. PIA stated that he would like all members of the Board to visit Heroy Park to see what would be voted upon. He said there is a pool there and if a permit is obtained, the children at the park would not be able to use the pool because the pool is a small one.

Mr. Pia said he would be glad to take the members on a tour of the park.  
Mr. Pia agreed with Mr. Boccuzzi's motion.

MR. LYONS said he is opposed to returning this item to Committee. He said the park does not appear on the fee schedule. It is crossed-out. If that is the case, the fees for the other parks should be returned to Committee.

Mr. Lyons Moved to send the entire picnic fees schedule back to Committee. Seconded.  
Mr. Boccuzzi agreed.

PRESIDENT GOLDSTEIN called for a vote to send the picnic fees - group permits back to Committee. APPROVED by a vote of 31 yes and 6 no votes.

MR. DeLUCA said he would be available on Saturday to take a look at the park in question.

PRESIDENT GOLDSTEIN proceeded to a vote on approving the balance of the fees on the schedule as proposed by the Committee. APPROVED by voice vote with Mr. Pia voting no on the fee increases for the Kveskin Barn Theatre. He wanted the record to note this.

2. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM JUNE 13 TO JUNE 25, 1989 TO PUBLICIZE FESTIVAL OF THE ARTS. Requested by Charles Caron, President, Stamford Festival of the Arts, 47 Surrey Road, Stamford, CT 06903, 2/26/89.

APPROVED ON CONSENT AGENDA

3. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM MAY 29 TO JUNE 12, 1989 TO PUBLICIZE FESTIVAL. Requested by Dennis Vlahakis, Annunciation Greek Orthodox Church, 1230 Newfield Avenue, Stamford, CT 06905, 2/1/89.

APPROVED ON CONSENT AGENDA

4. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM MAY 28 TO JUNE 11, 1989 TO PUBLICIZE NATIONAL SAFE BOATING WEEK. Requested by Stamford Power Squadron, David Winston, 1128 Cove Road, Stamford, CT 06902, 2/5/89.

APPROVED ON CONSENT AGENDA

5. IMPLEMENTATION OF A PHOTO IDENTIFICATION SYSTEM FOR USERS OF COVE ISLAND BEACH. Submitted by Thomas Pia, Co-Chairperson, Parks and Recreation Committee, 2/2/89.

HELD IN COMMITTEE

MR. DeLUCA Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with no dissenting votes.



PARKS AND RECREATION COMMITTEE: (continued)

MR. DeLUCA Moved for Suspension of the Rules to take up an item not on the Agenda. Seconded. APPROVED by voice vote with no dissenting votes.

6. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM MARCH 26 TO APRIL 7, 1989 TO PUBLICIZE ART AUCTION. Request by Barbara Schwarts, Westhill High School, 125 Roxbury Road, Stamford, CT 06903, 2/22/89.

PRESIDENT GOLDSTEIN called for a vote to approve the hanging of the banner. APPROVED by voice vote with no dissenting votes.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - John R. Zelinski, Chairman - No report.

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 stated a meeting of the Environmental Protection Committee was held on February 28, 1989, at 7:30 p.m. Present were Chairman Stan Esposito, and Committee members Audrey Maihock and David Blum. Also attending the meeting was Rep. John Zelinski, Asst. Corporation Counsel Richard Robinson; Dr. McBride, Health Director; Peter Dombrowski of the Environmental Health Division of the Health Department; Mr. Paul Milton and Joseph White representing the Stamford Hospital and Edward Dobranski representing St. Joseph's Medical Center.

At 7:40 p.m. a public hearing was held on the biomedical waste ordinance. No objections were raised by anyone present regarding the proposed ordinance. All those present, indicated they supported the ordinance and their presence at the meeting was for informational purposes. The final draft of the ordinance was sent to all Board members last week. The Committee voted 3 in favor and none against for final adoption of the ordinance.

A public hearing was also held on item 2 on the Agenda. The Committee voted to place the item on the Consent Agenda.

1. FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING THE DISCARDING OF BIOMEDICAL WASTE IN THE CITY OF STAMFORD. Submitted by Rep. Stanley Esposito R-11 and Rep. Audrey Maihock F-19, 10/17/88. Held in Committee 11/14, 12/5/88 and 1/9/89. Approved for publication 2/6/89.

MR. ESPOSITO said there were a number of meetings held on the proposed ordinance. The Health Department endorses the ordinance. There are no current ordinances that regulate the disposal of biomedical waste. The Committee feels it is in the best interest of the City to approve the ordinance. The hospitals in the city concur. Also, the Health Department is more than willing to engage in a program of public education regarding the correct disposal of the waste.

At the Committee meeting, there were no questions asked. Mr. Esposito stated that he would gladly answer any questions this evening.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ESPOSITO Moved for approval of the ordinance. Seconded.

MR. ZELINSKI said he was pleased that the Committee is recommending an effective date of July 1, 1989. He said last month, he wanted to keep the ordinance in Committee because he knew there would not be sufficient time to inform the laboratories and others that had to comply with the ordinance.

He said this ordinance may not help with the problems of waste on the beaches. It was not proven that the waste on Stamford's beaches came from Stamford. More than likely, the waste came from other states.

He said the state legislature is considering stiff regulations that will probably supersede the local ordinance. He said he was in favor of the ordinance.

PRESIDENT GOLDSTEIN called for a vote to approve the biomedical waste ordinance. APPROVED by voice vote with no dissenting votes.

2. FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING SECTIONS 6-21B(2) AND 6-26 OF THE CITY OF STAMFORD CODE OF ORDINANCES (1985) AS AMENDED. These sections pertain to the terms of office and to the proper court to file an appeal. Submitted by Mayor Thom Serrani 1/6/89. Approved for publication 2/6/89.

APPROVED ON CONSENT AGENDA

President Goldstein accepted a motion to approve the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with no dissenting votes.

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

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

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

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

MR. MORRIS said the Committee met on Thursday, February 28, 1989, at 7:30 p.m. Committee members present were Reps. Scott Morris, David Jachimczyk, Thomas Pia, Dominick Cardillo, Maria Nakian and James Rubino. Excused from attending were Reps. Stanley Esposito and Garry Clemmons. Also present were Reps. Sandra Goldstein, David Martin, Audrey Maihock, John Zelinski and David Blum. Mr. Morris said both items were Held in Committee. The reasons for holding these items was because some invited guests could not attend to give input.

SPECIAL COMMITTEE TO ASSESS PRIORITY ISSUES: (continued)

1. INFORMATIONAL MEETING REGARDING MANDATORY RECYCLING IN 1991. Submitted by Reps. David Blum D-12 and John Zelinski D-11, 1/18/89. Report made and Held in Committee 2/6/89.

HELD IN COMMITTEE

2. PROPOSED RESOLUTION CONCERNING THE INTENT TO PARTICIPATE IN AND SUPPORT A REGIONAL RECYCLING PROGRAM. Submitted by Mayor Thom Serrani 2/3/89.

HELD IN COMMITTEEETHICS COMMITTEE - Ruth Powers and Maria Nakian, Co-Chairpersons

PRESIDENT GOLDSTEIN wanted the record to note that she would step down from the Chair and would relinquish the Chair to Mr. Boccuzzi on the Ethics item.

MRS. POWERS said the Ethics Committee met on Thursday, February 23, 1989, at 8:00 p.m. and held a public hearing. Present were Committee members Nakian, Powers and Maihock. Also present were Board members Goldstein, Boccuzzi, Martin, Cardillo, Pavia, Blum, Rubino and Zelinski. One member of the public attended the public hearing. The Press was also present.

1. FOR FINAL ADOPTION - 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. Approved for republication 12/5/88 and 2/6/89. Held in Committee 1/9/89.

MRS. POWERS stated that after the public hearing was held, the Committee held the item to make several changes. The Committee met again on March 1, 1989, at 7:15 p.m. Present were Committee members Nakian, Powers, Lyons and Maihock. Also, Board members Belcher, Goldstein, Kennedy, Zelinski, Rubino and Blum. The Press was also present.

The Committee voted to make changes and copies were sent to all members. The vote was 3-0-1 to republish. Mrs. Powers Moved the item. Seconded.

MRS. GOLDSTEIN said she did not believe the President of the Board of Representatives should relinquish the Chair very easily and only for matters of great importance. She said as President of the Board, she has done this on very, very few occasions; she said only twice previous to this evening. She said once approximately two years ago to speak on Charter Revision and the first time, eight years ago to speak on the Ethics Ordinance that was before the Board. That was the ordinance that is being amended this evening.

Mrs. Goldstein said at that meeting there was great resistance on the part of Board members to pass such an ordinance and after much discussion and much debate, an ordinance was passed to the great benefit to the City. She said now, eight years later, and the third time that she has stepped down from the Chair and again, it is to speak regarding the Code of Ethics.

ETHICS COMMITTEE: (continued)

MRS. GOLDSTEIN stated at the beginning of the 20th Board of Representatives, she appointed a special Ethics Committee because she believed that after eight years, it was time to review the Code and to correct any shortcomings. Mrs. Goldstein said she appointed an excellent bipartisan committee to review the Code. The members of the Committee were all well-respected members of the Board and beyond reproach. The Co-Chairs of the Committee Mrs. Powers and Mrs. Nakian were amongst the most respected of the Board, and with a great deal of experience.

Mrs. Goldstein said the Committee and their Chairs established a thorough, diligent process that ultimately engaged the Law Department, the Board of Ethics and various scholars and model ordinances from a number of cities. After that, the Law Department was given the task of drafting an ordinance; the Committee refined it, and we got the current amended ordinance.

Mrs. Goldstein stated that it was obvious that the entire Board of Representative concurred with the Committee's recommendations because on three occasions, the amended report came before the Board, including last month, and was adopted with a minimum of debate and unanimously for publication. Mrs. Goldstein said, in contrast, there was no debate on this Code to what was done eight years ago. She said in reading the Minutes on the Code, there were at least 50 or 60 pages of debate by the members of the Board.

Mrs. Goldstein said with all the unanimity on the ordinance, as President, she should feel that everything is terrific, right? Wrong!...and what is wrong relates to what was just discussed by her a moment ago. She also spoke to the Board on a number of occasions after meetings relating to the lack of debate concerning issues on the Floor of the Board. She said without debate there is no interchange of ideas; there is no important give and take for people to think and re-evaluate positions that on the surface may look good.

Mrs. Goldstein said that on the current code before the Board, we had the media to pick out possible deficiencies in the code and for the Board to engage in debate through the media and not on the Floor. She said she believes that is not what the legislative process is about and not what the public deserves. The public deserves debate on the Floor of the Board.

Mrs. Goldstein stated over the weekend, she carefully reviewed the proposed revised ordinance and she buried her preconceived notions, as well as her anger over the partisan politics which were injected into a previously bipartisan issue. She said she read the ordinance several times again and also read the previous ordinance and the debates and after that, came away feeling very sincerely that there were three significant flaws in the ordinance.

Mrs. Goldstein said that Corporation Counsel, the Committee and the Chairs had honorable intentions in Section 9 when they sincerely tried to be reasonable regarding the instances where gifts and social courtesies would not be permitted. However, when dealing with the public trust, standards of ethical behavior must be absolute and totally non-subjective; so when stripped of all preconceived notions, she read one, two and three of Section 9 again and again. She said she did see room for misunderstanding on the part of public officials as relating to customary gifts or social courtesies; there can be no gifts or social courtesies between friends when one friend has business with the City and may be coming before and Board or Department.

ETHICS COMMITTEE: (continued)

MRS. GOLDSTEIN said there can be no private meals between public officials or employees and someone who has business or can have business before the City. And, there really can be no gifts.

She stated unfortunately, in an attempt to delineate instances where such actions can be permissible, the very abuses that were to be corrected, could be made possible. She said ethics in government is a very serious business, it is not a partisan one and it is not democratic and not republican. She stated the City deserves a tough code and the best bill that avoids both the substance and appearance of conflict.

Mrs. Goldstein said she knew how hard the Chairs and the Committee worked on the proposed ordinance, and it has been before the Board a number of time. She said she asked their forgiveness when she Moved that the ordinance be returned to Committee so that numbers 1, 2 and 3 can be deleted and appropriate wording be inserted that would account for attendance at public events by officers and employees when that is an appropriate function of their office.

Mrs. Goldstein Moved that the proposed ordinance be returned to Committee. The motion was Seconded.

MR. DONAHUE said he agreed with what Mrs. Goldstein said. He said the Code of Ethics and the amendment of a Code of Ethics has always been a bipartisan function; there is no lock on the Code of Ethics by either the Republican or Democratic Parties. The City's Code of Ethics belongs to its people. There has been a great deal of misunderstanding and misinterpretation of the Committee's desire to make this a strong code and their desire to treat city officials fairly along with public employees. Mr. Donahue said there is more time needed to clear up the sections and to come up with wording that clearly make this the strongest Code of Ethics that can be had.

Mr. Donahue said a debt of gratitude is owed the Committee because within the last few months, each move made or tried to make was second guessed. The Committee acted upon strong recommendations of the Ethics Board. A tremendous amount of research was done; it was reviewed by the Law Department and the document presented was hoped to serve the city well now and in the future. Mr. Donahue agreed the ordinance should be returned to Committee to clear up any areas that could be misinterpreted in the future so that in fairness to all, all will know exactly where they stand.

MR. LYONS said he echoed what Mr. Donahue and Mrs. Goldstein have said. Mr. Lyons said the change of information and ideas through the Committee process is always helpful. The process is slow but has its rewards or failings and anger. Mr. Lyons is part of the Committee. He said the Committee listened to anyone and everyone who had any interest and took the time to come forward. The Committee tried to shift through what they heard. He said items 1, 2 and 3 will be looked at again, and will be refined and an ordinance will be forthcoming that will reflect more discussions and exchanges of ideas and what will be the best for the City of Stamford. Mr. Lyons urged his fellow members to return this item back to Committee.



ETHICS COMMITTEE: (continued)

MR. RUBINO asked for a ruling from the Chair. He said he had some suggested language which may obviate the motion on the Floor and is relevant to the debate. He said if the full Board hears the language, it may vote down the motion on the Floor and amend the ordinance and approve it.

MR. BOCCUZZI (ACTING CHAIR) ruled that would be out-of-order because the motion on the Floor is to recommit.

MRS. MAIHOCK said she is a member of the Committee and the ordinance has been read over and over. She said it was easy to find new things each time the ordinance is reread. She said when she read the latest version, she found something that she wanted to be considered for a change. Mrs. Maihock said Mrs. Goldstein's remarks were consistent with her thinking. Mrs. Maihock stated she felt that items 1, 2 and 3 were the crux of the entire ordinance and unless we were very strict in what is stated there, the integrity intended could be destroyed.

Mrs. Maihock said it was a good solution to send the ordinance back to Committee in spite of the fact, that there was much deliberation. Mrs. Maihock agreed the ordinance should be sent back to Committee so that all points could be reconsidered.

MRS. NAKIAN said as stated by Mrs. Goldstein, the code is not just a product of the Ethics Committee. The proposed ordinance has been researched for one year; it has been written, rewritten, reviewed by a five-member Board of Ethics, by two Assistant Corporation Counsels with review by the Corporation Counsel, and by the Ethics Committee of the Board.

Mrs. Nakian said the code before the Board at present, expresses thoughts, the concerns and beliefs of a great many people. She said speaking for the people that had input into the code, there was not a single person in any participating group, that had any intention whatsoever of creating an opportunity for unethical conduct.

Mrs. Nakian thought it was clear what was intended but obviously from the uproar that has resulted from comments from the media, the wording was not as strong and correct as it could be. She said the purpose of creating the ordinance was to promote trust in city government; not to make it questionable.

Mrs. Nakian said as Co-Chair of the Committee, she agreed that the item should be returned to Committee. That section of the ordinance was struggled with for a long time. She said if we do anything this evening, it would probably make the situation worst. She will vote to send it back to Committee. She hoped that anyone with input would help the Committee to find the language that will clearly say what is wanted and that is that there is no unethical conduct in Stamford government.

MR. ESPOSITO said he remembered when on the last Board, a vote was defeated for the members of the Board to receive reimbursement for postage for Board business. Mr. Esposito said this showed the caliber of people who serve as elected officials in the City of Stamford. He said if the proposed Code is subject to multiple interpretation, it should be returned to Committee.

ETHICS COMMITTEE: (continued)

MR. BLUM said it was time that we vote on the code. By keeping in Committee and in Committee, it can become a dead-issue with a new Board coming on before the end of the year. Mr. Blum said he was against the proposed ordinance being returned to Committee.

MR. RUBINO said he conferred with President Goldstein and she suggested that he read his language into the record for the use of the Committee; to replace paragraph 2 of section 9. This would delete paragraph 2 of section 9; it would be replaced with the following language:

"Refreshments at a seminar, meeting, reception or similar function which is primarily designed to inform and enhance the ability of the officer or employee to perform his or her official duty and not designed to influence the proper judgment or action of the officer or employee provided the local press is notified and invited to attend the function. In connection with boards and commissions, such a function is only allowable under this section only if the entire Body has been invited."

Mr. Rubino said he would like the Committee to consider the above language.

MR. RYBNICK Moved the question. Seconded.

MR. BOCCUZZI (ACTING CHAIRMAN) called for a vote to Move the question. APPROVED by voice vote.

MR. BOCCUZZI (ACTING CHAIRMAN) proceeded to a vote to return the proposed Code of Ethics ordinance to Committee. APPROVED by voice vote.

PRESIDENT GOLDSTEIN resumed the Chair.

The record will note that Mr. Martin was present for the vote. 39 members were present.

RESOLUTIONS

MR. FEDELE asked for a Suspension of Rules to take up an item not on the Agenda. Moved. Seconded. APPROVED by voice vote with no dissenting votes.

1. SENSE-OF-THE-BOARD RESOLUTION CONGRATULATING THE STAMFORD MINTURNESE SOCIAL CLUB ON THE CELEBRATION OF THEIR 50th ANNIVERSARY. Submitted by Rep. Michael C. Fedele, 13th District, 3/8/89.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by voice vote with no dissenting votes.

MR. MORRIS Moved to Suspend the Rules to take up an item not on the Agenda. Seconded. APPROVED by voice vote with no dissenting votes.

RESOLUTIONS: (continued)

2. SENSE-OF-THE-BOARD RESOLUTION HONORING CHARLES A. GUINTA FOR HAVING BEEN UNANIMOUSLY SELECTED AS THE STATE STREET DEBATING SOCIETY'S 42nd MAN OF THE YEAR. Submitted by Reps. Scott Morris D-17 and John R. Zelinski, D-11, 3/8/89.

PRESIDENT GOLDSTEIN called for a vote to approve the resolution. APPROVED by voice vote with no dissenting votes.

MINUTES

1. JANUARY 9, 1989 REGULAR BOARD MEETING. Approved as corrected.
2. FEBRUARY 6, 1989 REGULAR BOARD MEETING. Approved as corrected.

COMMUNICATIONS - None.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 10:50 p.m. after the motion to adjourn was made, seconded and approved.

*Anne A. Kachaluba*

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

APPROVED:

*Sandra Goldstein*

Sandra Goldstein, President  
20th Board of Representatives  
SG:ak - Enclosures