

MINUTES OF REGULAR BOARD MEETING

MONDAY, FEBRUARY 5, 1990

21ST BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 21st Board of Representatives of the City of Stamford was held on Monday, February 5, 1990, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 9:00 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by Rep. Nicholas Pavia, R-10. Rep. Pavia thought it proper to quote President Abraham Lincoln since his birthday is celebrated in February.

"By all means don't say, 'If I can,' say, 'I will.' Determine that the thing can and shall be done, and then we shall find the way.

"Stand with anybody that stands right. Stand with him while he is right, and part with him when he goes wrong.

"I desire so to conduct the affairs of this administration that if at the end, when I come to lay down the reins of power, I have lost every other friend on earth, I shall at least have one friend left, and that friend shall be down inside of me." (Quoted from Abraham Lincoln)

"Show us your ways, Oh, Lord, teach us your paths. Lead us in your truth, and teach us for you are the God of our salvation. Amen."

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

ROLL CALL was taken by Clerk of the Board Annie M. Susmerville. There were 37 members present and 3 absent. Absent were Reps. Joseph Lovallo (excused), Michael Fedele (excused) and Patricia McGrath.

The Chair declared a quorum.

MACHINE TEST VOTE: Test votes were taken by the President. The machine was in good working order.

PAGES were Andrew N. Esposito and Jonathan R. Seiler, both 6th grade students at Westover Elementary School.

MOMENTS OF SILENCE:

For the late Edward J. Karwoski requested by Reps. Sandra Goldstein and Michael Larobina.

For the late Frank A. Bevivino, grandfather of Rep. Frank A. Mollo. Requested by Reps. Mildred Perillo, John Boccuzzi and John R. Zelinsky.

For the late Mary Conti, mother of former Rep. Anthony Conti who represented the 11th District. Requested by Rep. John R. Zelinsky.

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 with no dissenting votes.

The Steering Committee met on Wednesday, January 17, 1990, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:35 p.m. by Chairwoman Sandra Goldstein who declared a quorum.

Present at the meeting:

Sandra Goldstein, Chairwoman	Mary Lou Rinaldi	James Rubino
David Jachimczyk	Stanley Esposito	Peter Nanos
Thomas Pia	John Hogan	John Boccuzzi
Audrey Maihock	Robert DeLuca	Anne Summerville
Mildred Perillo	Bobby Owens	John Zimmerman
John Zelinsky	Maria Nakian	John Roman, WSTC
Frank Mollo	David Martin	Frank Fedeli, Advocate
David Blum	Ruth Powers	Anne Kachaluba

APPOINTMENT COMMITTEE - Ordered on the Agenda were the four names appearing on the Tentative Steering Agenda. Ordered Held in Committee were the three names appearing on the Addenda. Those names were Paul Pacter for Commissioner of Finance, Donald Donahue for Commissioner of Public Works and Mary Sommer for Corporation Counsel.

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

LEGISLATIVE AND RULES COMMITTEE - Ordered on the Agenda were five of the six items appearing on the Tentative Steering Agenda and the five items appearing on the Addenda. Ordered on the Agenda was one item appearing on the Addenda under the Health and Protection Committee. That item was (L&R21.19) Matter of revisions to Section 158-1 of the Code regarding loiterin;g. Ordered on the Pending Agenda was (L&R21.03) request to waive \$50.00 permit fee for auction for Pro Arte Singers.

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

PLANNING AND ZONING COMMITTEE - No items appeared on the Tentative Steering Agenda.

PUBLIC WORKS AND SEWER COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

HEALTH AND PROTECTION COMMITTEE - Ordered on the Agenda was one of the three items appearing on the Tentative Steering Agenda. Moved to the Legislative and Rules Committee was the item appearing on the Addenda and that was the Matter of revisions to Section 158-1 of the Code of Ordinances regarding loitering. Two items were ordered off the Agenda. The items were for final adoption, proposed ordinance banning the use of polystyrene foam and for publication proposed ordinance banning all polystyrene foam products.

STEERING COMMITTEE REPORT: (continued)

PARKS AND RECREATION COMMITTEE - Ordered on the Agenda were two of the three items appearing on the Tentative Steering Agenda. Ordered Held in Committee was the proposed resolution approving a lease agreement between the Stamford Golf Authority and the City of Stamford.

EDUCATION, WELFARE AND GOVERNMENT COMMITTEE - No items appeared on 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.

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

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

COLISEUM AUTHORITY LIAISON COMMITTEE - Ordered off the Agenda were the two items appearing on the Tentative Steering Agenda. Those items were a Status report from the Coliseum Authority and Review of ordinance that created the Coliseum Authority

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. PERILLO said the Appointments Committee met on Tuesday, January 30, at 7:15 p.m. Committee members present were Mildred Perillo, Robert DeLuca, Patricia McGrath, Annie Summerville, Thomas Pia, Gloria DePina, John Boccuzzi, Naomi Schoenfeld and Michael Fedele. Rep. Bobby Owens was also present.

Mrs. Perillo placed items 1, 2 and 4 on the Consent Agenda.

HUMAN RIGHTS COMMISSION

TERM EXPIRES

- |  |                         |        |
|--|-------------------------|--------|
| 1. <u>MR. JOSEPH IRIZZARY, JR.</u> (D) | Replacing B. Peskin who | 8/7/91 |
| 54 Judy Lane                           | resigned.               |        |

APPROVED ON CONSENT AGENDA

SMITH HOUSE BOARD OF DIRECTORS

- |                              |                |          |
|------------------------------|----------------|----------|
| 2. <u>MR. SAM STARKS</u> (D) | Reappointment. | 12/31/92 |
| 44 Barmore Drive             |                |          |

APPROVED ON CONSENT AGENDA

APPOINTMENTS COMMITTEE: (continued)COMMISSION ON AGINGTERM EXPIRES

3. MS. KIM VARNEY (R)  
45 Northwoods Road

Replacing H. Selin deceased. 12/1/91

MRS. PERILLO said Mrs. Varney has served on many Board and has contributed much to the city and senior citizens. Mrs. Perillo Moved for approval of Mrs. Varney. Seconded.

MR. STORK said he had nothing against Mrs. Varney's appointment to the Commission. He said that at last month's meeting, two republicans were approved for appointments that by-passed the Republican Town Committee's interview process. Mr. Stork said he went along with that last month thinking it was a one-time matter, but the same thing is happening again; by-passing the Republican Town Committee's interview process. He said for that reason and that reason alone, he would vote against the approval of Mrs. Varney.

MRS. PERILLO said that Mrs. Varney stated to the Committee that she did not go before the Republican Town Committee; Mrs. Varney notified the Town Committee and they said it was fine with them that she put her name in for this appointment. Mrs. Perillo stated that should be discussed with the Town Committee.

MR. ZELINSKY stated that Mrs. Varney was a constituent of his and also a close friend. He said regarding the situation of going through the Town Committee, he did not think it fair to Mrs. Varney; Mrs. Varney has been very active in the Stamford community and was a former member of the Board of Representatives and still volunteers much of her time for the community.

MR. BOCCUZZI said that there was a meeting between the both Town Committee Chairmen and the Appointments Committee of each party plus members of the Appointments Committee in the Mayor's office. Mr. Boccuzzi said an agreement is forthcoming as to the process and method which will be used. He said that each Town Committee Chairman plus their Appointments Committee chair will bring it to the Town Committee Chair and the Town Committee will vote. Mr. Boccuzzi said the Town Committee will tell what the possible outcome will be.

PRESIDENT GOLDSTEIN proceeded to a vote to confirm Mrs. Varney to the Commission on Aging. APPROVED by voice vote with one no vote, Mr. Stork and one abstention, Mr. Rubino.

SEWER COMMISSION

4. MR. PATRICK SCARELLA (D)  
10 Burr Street

Replacing P. Nanos whose  
term expired.

12/1/92

APPROVED ON CONSENT AGENDA

MRS. PERILLO 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.



FISCAL COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Fiscal Committee met on Wednesday, January 31, at 7:00 p.m. Present were Reps. Lyons, Rinaldi, Powers, Martin, Morris, Rybnick, Esposito, Pavia and Hogan.

Mr. Lyons placed items 2, 3, 4, 7 and 8 on the Consent Agenda. All Secondary Committees concurred or waived the Secondary Committee report.

1. \$ 728,000.00 - POLICE DEPARTMENT - CODE 415 VARIOUS - DRUG ENFORCEMENT TRAINING AND EDUCATION GRANT - additional appropriation for drug enforcement training and education. This request is 100% reimbursable by State of Connecticut grant.

## Account

410.2650 New equipment	\$580,000
410.5150 Consultants	30,000
410.3423 Investigation (Chief)	5,000
410.2930 Office supplies	40,000
410.5501 Contracted services	40,000
410.3460 Training	29,975
410.1201 Overtime	2,525
410.2651 Equipment (rental)	<u>500</u>
	\$728,000

(Note: Changes in the allocations were made by the Board of Finance)

Request by Mayor Thom Serrani 10/31/89. Board of Finance approved 1/11/90 with certain conditions.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MR. LYONS Moved for approval of item one. Seconded by the Health and Protection Committee.

MR. BLUM asked about the changes in the various codes?

MR. LYONS said the changes were in 410.2650 new equipment, it should be \$526,000; 410.1201 overtime, should be \$85,026 and 410.2651 equipment rental, should be \$2,000. Mr. Lyons said the changes came about as a result of an act by the Board of Representatives. He said a stipulation of the grant was it could only be used for new programs, and could not be used to fund personnel already on the payroll. The Board at the last meeting, authorized a funding for a complete police force of 300. After negotiations with the state, a day after the Board meeting, the State allowed the city to use \$85,000 to fund three officer who will be used on a full-time basis in the DARE program. These officers will be in the elementary schools for the next two years lecturing on drugs and their affects.

MRS. MAIHOCK asked if there was any information on who the consultants were? She also wanted to know if the item "training" was apart from consultants?

MR. LYONS stated that the consultants have not been paid yet. Mr. Lyons said there were 21 data terminals which will be put into police cars and that is where the consultants' fees come in.

PRESIDENT GOLDSTEIN called for a vote to approve \$728,000 for the Police Department. APPROVED by voice vote with no dissenting votes.

FISCAL COMMITTEE: (continued)

2. \$1,365,435.00 - DAY CARE PROGRAM - VARIOUS CODES - additional appropriation for year 1989/90 grant program budget. Request by Mayor Thom Serrani 1/2/90. Board of Finance approved 1/11/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, MRS. POWERS.

3. \$ 15,220.00 - 1990 CENSUS VALIDATION - CODE 139-2930 SUPPLIES - additional appropriation to cover supplies, postage, etc. Request by Mayor Thom Serrani 1/3/90. Board of Finance approved 1/11/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

4. \$ 5,125.00 - 1990 CENSUS VALIDATION - CODE 139 VARIOUS - additional appropriation for Census Assistance Center.  
Code 139-1140 seasonal salaries \$3,920.00  
Code 139-2740 telephone 1,205.00  
\$5,125.00  
Request by Mayor Thom Serrani 1/2/90. Board of Finance approved 1/11/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

5. \$ 350,000.00 - FINANCE/GRANTS DEPARTMENT - AMENDMENT TO THE CAPITAL PROJECTS BUDGET - CODE 23.580 DRUG LIBERATION RENOVATION additional appropriation for project. To be financed by State Bond Commission grant. Request by Mayor Thom Serrani, 1/2/90. Board of Finance approved on 1/11/90 Planning Board approved 1/23/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. ZELINSKY Moved to waive the Secondary Committee report. Seconded.

PRESIDENT GOLDSTEIN called for a vote to waive the Secondary Committee report. APPROVED by voice vote with no dissenting votes.

MR. LYONS Moved for approval of \$350,000 for Drug Liberation renovation. Seconded.

MR. BLUM asked what the project was?

MR. LYONS stated that it was part of a \$2 million project for renovation of the building, and the state was making \$350,000 available for part of the renovations.

FISCAL COMMITTEE: (continued)

PRESIDENT GOLDSTEIN proceeded to a vote to approve \$350,000 Finance/Grant Department for Drug Liberation renovation. APPROVED by voice vote with one no vote, Mrs. Maihock and one abstention, Mr. Blum.

6. \$ 142,256.00 - LABOR CONTRACT APPROPRIATION - DEPARTMENT 999 - LAWYER'S ARBITRATION AWARD - additional appropriation to cover recent arbitration award between the City of Stamford and Stamford Assistant Corporation Counsels Union, Local 1303-191 of Council #4, AFSCME, AFL-CIO.

FY 1986/1987, 1987/1988 & 1988/89

Code 994.9202 city retroactive	\$137,180
retro pension	<u>5,076</u>
	\$142,256

Request by Mayor Thom Serrani 1/2/90. Board of Finance approved 1/11/90.

Above also referred to the PERSONNEL COMMITTEE.

MR. LYONS said the amount of the arbitration award was \$248,347.00. The Board of Finance funded \$142,256.00 for the retroactive portion of the award. Mr. Lyons Moved for approval. Seconded by the Personnel Committee.

MR. DeLUCA stated that this item being an arbitration award, never gave the Board the opportunity to vote on the contract. Mr. DeLuca asked if Mr. Lyons knew how many positions were part-time, and what positions in the contract refer to the part-time positions?

MR. LYONS said that the figures he had were on full-time positions. Mr. Lyons stated the salary range was from \$38,000 to \$74,000. He said that there may be part-timers in this range. Mr. Lyons stated he did not know what was part-time and what was for the full-time salaries.

MR. DeLUCA asked if the 20 days vacation time per year applies to the part-time counsels?

MR. LYONS said he was not sure, but if the contract states that, he would think the part-time counsels would be eligible.

MR. DeLUCA asked if Mr. Lyons knew the amount of money that was paid for outside attorneys over the past two years?

MR. LYONS replied that he did not know.

MR. DeLUCA stated in the revised salaries in the contract, the figure is \$462,364 plus 33% for benefits, totaling a budget of \$617,000. Mr. DeLuca stated that perhaps it would be cheaper to hire attorneys on a retaining basis.

Mr. DeLuca Moved to reduce item #6 by \$72,256 leaving a total of \$70,000 to be doled out as Corporation Counsel sees fit. The motion was Seconded.

FISCAL COMMITTEE: (continued)

MR. LYONS stated that the retroactive money in this item has already been earned by the counsels. Mr. Lyons said that the Board of Finance reduced the money for the current year. Mr. Lyons stated that to reduce the retroactive portion may be in violation of the law.

MR. BOCCUZZI said he agreed with Mr. Lyons that retroactive pay must be paid out for services that have been rendered. Mr. Boccuzzi said he agreed with Mr. DeLuca that city employees are pricing themselves out of jobs and that something has to be done.

MR. BLUM stated that is what happens when it goes to binding arbitration; the agreement is binding. Mr. Blum said if this is turned down, the Board would be violating the labor laws of the State of Connecticut.

MR. DeLUCA said he stands corrected; it is for services rendered to the tune of a 30% increase over three years. Mr. DeLuca stated that binding arbitration does not mean that the entire amount has to be funded; in this case we have to but in the future, we can fund part of the award and the rest can be left up to the department to do what they have to do.

MRS. POWERS said the negotiations within the city have gone astray. She said that she is in the insurance business and she has been selling contracts that have been cut back; the people are contributing. In this case, she says she finds that we are not only giving a good raise to the attorneys, but also including glasses. She said the rest of the community is contributing to their medical insurance, having deductibles cut and paying for dependent coverage. She said that we are giving good raises and also increasing benefits.

PRESIDENT GOLDSTEIN proceeded to a vote to cut \$72,256 from \$142,256 for the lawyer's arbitration award. DEFEATED by a voice vote with 1 yes vote, Mr. DeLuca and two abstentions, Mr. Rubino and Mrs. Perillo.

PRESIDENT GOLDSTEIN called for a vote to approve \$142,256.00 Labor Contract appropriation for lawyers' arbitration award. APPROVED by voice vote with three no vote; Mr. DeLuca, Mr. White and Mrs. Perillo; abstaining were Mr. Rubino and Mrs. Maihock.

7. \$ 130,644.61 - SOCIAL SERVICE DEPARTMENT - CODE 510-3610 GENERAL HOSPITAL (INPATIENT-GENERAL ASSISTANCE) - additional appropriation to pay Stamford Hospital for indigent patients. 90% of this is reimbursed by the State of Connecticut. Request by Mayor Thom Serrani 1/2/90. Board of Finance approved 1/11/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, MR. PAVIA. Mr. Pavia wanted the record to show that he abstained on this item.

FISCAL COMMITTEE: (continued)

8. \$ 62,425.00 - CADAC (CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION)  
 (CADAC) AIDS OUTREACH - ARROWS - additional  
 appropriation for FY 1989/90 - CODE 574 VARIOUS. Grant  
 is fully reimburseable by State.
- |   |              |
|---|--------------|
| 574-1110 salaries                       | \$46,500     |
| 574-1201 overtime                       | 1,500        |
| 574-1310 social security                | 3,495        |
| 574-1330 medical and life               | 8,130        |
| 574-2930 educational materials          | 1,000        |
| 574-2940 conferences, training & travel | <u>1,800</u> |
|   | \$62,425     |
- Request by Mayor Thom Serrani, 1/2/90. Board of Finance  
 approved 1/11/90.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

9. PROPOSED RESOLUTION AUTHORIZING AGREEMENT WITH THE CONNECTICUT ALCOHOL  
 AND DRUG ABUSE COMMISSION TO ESTABLISH AN AIDS PREVENTION AND EDUCATION  
 OUTREACH PROGRAM. Submitted by Mayor Thom Serrani, 12/22/89.

MR. LYONS Moved for approval of the resolution. Seconded.

MRS. MAIHOCK want to know if this was the resolution pertaining to item #8?

MR. LYONS said that it was.

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

10. PROPOSED RESOLUTION AUTHORIZING APPLICATION AND AGREEMENT WITH THE STATE  
 DEPARTMENT OF HEALTH SERVICES FOR THE PURPOSE OF A PROGRAM TO DETECT AND  
 CONTROL HYPERTENSION. Submitted by Mayor Thom Serrani, 1/8/90.

MR. LYONS Moved for approval of the resolution. Seconded.

MRS. MAIHOCK asked if this resolution was fully reimbursed by the State?

MR. LYONS stated that the resolution is fully reimbursed by the State and has  
 been an on-going program for three or four years.

MR. BLUM questioned if this money would be available in future years?

MR. LYONS stated that if application is not made, we will not receive any  
 monies.

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



FISCAL COMMITTEE; (continued)

MR. LYONS Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. APPROVED by voice vote with Mrs. Powers abstaining on item two; Mr. Pavia abstained on item seven.

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

MR. MARTIN said the Legislative and Rules Committee met on Monday, January 29, 1990. Attending were all Committee members; Richard Robinson, Asst. Corporation Counsel; Joel Bern and Howard Kaplan from Land Conservation; Randall Brion from the Stamford Center for the Arts; Paul Pacter, Commissioner of Finance and Michael Macri, Building Inspector.

Mr. Martin placed items 1, 5, 6, 7 and 10 on the Consent Agenda.

1. (L&R21.02) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 77 OF THE CODE OF ORDINANCES CONCERNING AUCTIONS. Submitted by Maria Nakian and David Martin, Co-Chairpersons, L&R Committee, 20th Board, 10/18/89. Held in Steering 12/4/89. Held in Committee 1/8/90.

APPROVED ON CONSENT AGENDA

2. (L&R21.10) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR THE STAMFORD CENTER FOR THE ARTS FOR PROPERTY TAXES ON 61 ATLANTIC STREET (PALACE THEATRE). Waiver and refund of \$2,156.92 represents various periods of time. Requested by Randall Brion, Exec. Director, Stamford Center for the Arts, P. O. Box 15460, Stamford, CT 06901, 12/20/89.

MR. MARTIN said the Committee voted 9 in favor and one opposed to approve for publication. Mr. Martin said that 97% of the taxes will be waived. Mr. Martin stated the Palace Theatre was purchased in December of 1989. The SCA is requesting a waiver of real estates taxes from the time the property was purchased until the time the property is officially removed from the tax rolls. 97% of the taxes will be abated because there are several small profit making users on the property presently.

Mr. Martin Moved for publication. Seconded.

MR. BLUM asked for a Point of Order. He said on this particular item, the Coliseum Authority is awaiting an opinion from the Corporation Counsel's office regarding certain things. Mr. Blum said the selling of the Palace Theatre to the Center for the Arts was never voted upon by the Board.

PRESIDENT GOLDSTEIN said that Mr. Blum's Point of Order does not indicate that there is anything wrong in voting on the waiver.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. RUBINO stated that Mr. Blum is asking the Board to vote against this request because he did not receive an opinion. Mr. Rubino said Mr. Blum was a Committee Chairman and had the right to request an opinion and if it has been over a year, he said that he would have to vote against the request.

MR. PAVIA said he was a member of the Coliseum Authority Committee when this item came up. He said he agreed with Mr. Blum. Mr. Pavia Moved to send this item back to Committee until some questions raised in the past are answered. The motion was Seconded.

MR. MARTIN said he was against sending this item back to Committee. He said the issues that Mr. Blum raised have questionable relevance on the issue before the Board. Mr. Martin stated the concerns Mr. Blum and others have are with the Coliseum Authority and not the Stamford Center for the Arts. On the issue of not voting on the purchase of the Palace Theatre, it is not in our authority to vote on that issue. Mr. Martin said the opinion requested by Mr. Blum from Corporation Counsel has to do with the Coliseum Authority funding certain programs. Mr. Martin said the issue here is a non-profit organization requesting its property to be taken off the tax rolls.

MS. RINALDI Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote on sending item two back to Committee. The motion to recommit was DEFEATED by a vote of 22 no, 12 yes and 3 abstentions.

MR. DeLUCA stated he believes the time has come that something is done regarding the non-profit organizations receiving abatements and waivers. He said if the Center bought the property, they should be able to pay taxes and building permit fees. Mr. DeLuca said he hoped this item would be rejected and a message sent to all non-profit organizations that we cannot afford waiving of taxes and fees.

MR. LYONS Moved the question. Seconded.

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

President Goldstein called for a vote to approve for publication abatement of property taxes at 61 Atlantic Street requested by the Stamford Center for the Arts. APPROVED by 28 yes, 8 no votes and one abstention.

3. (L&R21.11) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEES PAID BY THE STAMFORD CENTER FOR THE ARTS. PERMIT NO. 68582, 6/30/89 FOR THE AMOUNT OF \$2,700.00 AND PERMIT NO. 68915, 10/16/89 FOR THE AMOUNT OF \$25,200 TOTALLY \$27,900. Requested by Randall Brion, Exec. Director, Stamford Center for the Arts, P. O. Box 15460, Stamford, Ct 06901, 12/21/89.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. MARTIN said item three was a separate issue. A new building is being constructed at Tresser and Atlantic Streets by the Stamford Center for the Arts and they requested a waiver. Mr. Martin stated that this Board has waived building permit fees for all non-profit organizations and the SCA is a non-profit organization.

Mr. Martin said the Committee voted 8 in favor, 1 opposed and 1 abstention due to a conflict. He Moved for approval. Seconded.

MR. BLUM said that he was against this waiver of a building permit fee and said he would like the item to be returned to Committee. He said the Board of Representative in 1983, approved a contract but this contract has not been lived up to. He said by now we were to have a new building. Mr. Blum stated that the transfer of property from the Palace Theatre to the Stamford Center for the Arts, according to the contract, should have been voted on by the Board. Mr. Blum said he would like this item returned to Committee and an opinion received from Corporation Counsel. Mr. Blum's motion was Seconded.

MR. MARTIN stated that during the last Board, the L&R Committee did an indepth review of the contract as it exists and it was the opinion of the Committee at that time, that the contract Mr. Blum refers to was poorly worded and ambiguous; there was no question about that.

Mr. Martin said he took issue with the statement made that the contract has not been lived up to. Mr. Martin stated that he believed that the contract has been lived up to by all parties; however, Mr. Blum is correct that we don't have a building and we were promised that we would have a new theatre. Mr. Martin further stated that if this item is returned to Committee, there will be a further delay.

Mr. Martin said the contract did not explicitly say that the fees would not be waived. Mr. Martin said this request for a waiver should be approved.

MRS. PERILLO Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote to return item 3 back to Committee. The motion was DEFEATED by a voice vote with 5 yes votes, Mr. Pavia, Mr. Stork, Mr. Blum, Mr. White and Mr. Rubino. (Yes votes were to return to Committee)

MRS. MAIHOCK said there is a reason to be more careful with city funds due to the present economic climate. She said the city has been most generous and has made a generous commitment to the Stamford Center for the Arts. Mrs. Maihock stated that in the Coliseum Authority report ending June 30, 1989, the total amount given to the Stamford Center for the Arts since the 1982/83 fiscal year amounts to \$7,052,730. She said the Center presently commands 75% of the state revenue. She said in 1982/83, they began with 90% which has been tapered down to 75%. She said that is a great deal of money considering the total that has been contributed.

Mrs. Maihock said she felt that we have to come to a certain balance; she said that we cannot fund every nickel that each organizations wants us to contribute to them. She said we want to support the Center for the Arts but there is a limit to the extent we can go.

LEGISLATIVE & RULES COMMITTEE: (continued)

MRS. POWERS stated that in a previous Board, a criteria was put together regarding the waiving of building permit fees. The first criteria was that it had to be a non-profit organization and another one was, "Does it benefit the community as a whole?" Mrs. Powers said that she could not think of any project that would benefit the community more than the Stamford Center for the Arts. She said we should approve the waiver of the fee.

MS. RINALDI Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the waiver of a building permit fee for the Stamford Center for the Arts. APPROVED by a vote of 23 yes, 8 no votes and 4 abstentions.

4. (L&R21.12) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 231-2 OF THE CODE OF ORDINANCES REGARDING CORNER VISION OBSTRUCTION. Submitted by Rep. John R. Zelinski, 1/10/90.

HELD IN COMMITTEE (Will be removed from Agenda at Steering; Corporation Counsel informed the Committee that no action is necessary on this item due to the action that is to be taken on item #5 on the Agenda)

5. (L&R21.13) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 214-27 OF THE CODE OF ORDINANCES REGARDING VEGETATION GROWING OVER SIDEWALKS. Submitted by Rep. John R. Zelinski, 1/10/90.

APPROVED ON CONSENT AGENDA

6. (L&R21.14) AMEND 21ST BOARD RULES OF ORDER TO INCREASE MEMBERSHIP ON THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE FROM SIX (6) TO SEVEN (7) MEMBERS. Submitted by Frank Mollo, Chairman, Housing and Community Development Committee 1/16/90.

APPROVED ON CONSENT AGENDA

7. (L&R21.15) REQUEST FOR WAIVER AND REFUND OF BUILDING PERMIT FEE PAID BY OUR LADY STAR OF THE SEA CHURCH ON PERMIT NO. 69073, 12/13/89 IN THE AMOUNT OF \$900.00 FOR ONE FAMILY HOUSE RECTORY. Requested by the Rev. Edward R. Surwilo, Our Lady Star of the Sea Church, 1189 Shippin Avenue, Stamford, CT 06902, 1/10/90.

APPROVED ON CONSENT AGENDA WITH TWO NO VOTES, MRS. PERILLO AND MR. DeLUCA AND ONE ABSTENTION, MRS. DOMONKOS.

8. (L&R21.16) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR STAMFORD LAND CONSERVATION TRUST FOR LOT NUMBER 12 ON NEWFIELD DRIVE. Submitted by Rep. Stanley Esposito, R-11, 1/17/90.

LEGISLATIVE AND RULES COMMITTEE: (continued)

MR. MARTIN said that his comments would apply to items 8 and 9. He said the Stamford Land Conservation Trust's purpose and objective is to preserve open space in Stamford. They accept almost any property in the city except downtown parcels. They believe that will help to contribute to preserve open space for the future.

Mr. Martin said the lot on Newfield Drive has public access. It was created by a sub-division action by the Planning Board. Mr. Martin said when the Planning Board created this lot, they created it for the specific purpose of it being donated to the Stamford Land Conservation Trust. Mr. Martin stated that under current zoning and environmental protection regulations, this lot is unbuildable; however, the Trust believes that almost all so called unbuildable lots, in fact, can eventually be turned in into buildable lots

Mr. Martin said the Committee voted 9 to 1 to 1 for approval and Moved for approval. Seconded.

MR. ESPOSITO said that by allowing abatements for items 8 and 9, allows us to preserve in perpetuit open space which there is little of. He supported the abatement.

MR. PAVIA asked who could request open space for the Land Trust? He asked if a neighbor or a neighborhood association could suggest that a parcel of land be donated to the Land Trust. He said that at time after a development comes in, the neighbor or the neighborhood finds they are in a long and slow grind that they never get out of. Mr. Pavia said it would be a good idea if open space can be saved in some particular neighborhoods.

MR. MARTIN said that in a way, is exactly the point of Land Conservation Trust. If a piece of property can get into the hands of Land Conservation Trust, they would preserve it as open space. If the property is currently in the hands of a developer or property owner who wants to develop it, that over the years, they can find a way to develop it. The owner must be persuaded to donate the land to the Trust and they lock it up making certain that it does not fall into a buildable situation again.

MR. BOCCUZZI Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote for publication of the proposed ordinance for tax abatement for Stamford Land Conservation Trust for lot number 12 on Newfield Drive. APPROVED by voice vote with five no votes; Mrs. Maihock, Mr. Pia, Mr. DeLuca, Mrs. Perillo, and Mr. Blum. Mr. Pavia abstained.

MR. RUBINO wanted the record to note that he left the Floor for items 8 and 9.



LEGISLATIVE & RULES COMMITTEE: (continued)

9. (L&R21.17) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR STAMFORD LAND CONSERVATION TRUST FOR LOT NUMBER 25B ON BROOK HOLLOW LANE. (LOT WITHOUT A HOUSE) Submitted by Rep. Stanley Esposito, R-11, 1/17/90.

MR. MARTIN said his previous comments apply to the above property. Mr. Martin said that this property has public access, and was also created by a sub-division by the Planning Board with the intent that the property was to be given to Stamford Land Conservation Trust. The Committee voted 9 to 1 to 1 to approve the ordinance for publication. Moved. Seconded.

MR. BLUM said that these two requests were before the Board in November and the Board did not approve the requests. He said prior to that, Brook Hollow Lane was before the Board regarding a zoning change that started with this particular property. Mr. Blum said that this land was given to the Trust Fund and the owner can take this off of his taxes. Mr. Blum said the people in the A District cannot do that; they have to pay their taxes. He urged the Board members to vote against this item.

MR. NANOS Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote to approve for publication, the proposed ordinance concerning tax abatement for Stamford Land Conservation Trust for lot number 25B on Brook Hollow Lane. APPROVED by voice vote with 6 no votes; Mrs. Maihock, Mr. Pia, Mr. Pavia, Mr. DeLuca, Mrs. Perillo, and Mr. Blum. Mr. Owens abstained. The record will note that Mr. Rubino left the Floor on this item.

10. (L&R21.18) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE AMENDMENT OF CHAPTER 123 OF THE CODE OF ORDINANCES CONCERNING BUILDING FEES. Submitted by Mayor Thom Serrani 1/17/90.

APPROVED ON CONSENT AGENDA

11. (L&R21.19) MATTER OF REVISIONS TO SECTION 158-1 OF THE CODE OF ORDINANCES REGARDING LOITERING. Submitted by Rep. James Rubino, R-7, 1/16/90.

HELD IN COMMITTEE

MR. MARTIN Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent. APPROVED by voice vote with Mrs. Perillo and Mr. DeLuca voting no on item #7

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. HOGAN (reporting for Mr. Morris) said the Personnel Committee met on Wednesday, January 24, at 7:30 p.m. Present were Reps. Blum, Zelinsky, Jachimczyk, Stork, Larobina, and Hogan. Also present were Jill Beaudry, Michael Dagostino and Mildred Merchant representing the Board of Education. Representing the Administrators unit was Bob Davies and Ed Matthews. Mr. Hogan said the meeting lasted for more than two and a half hours and all attending had an opportunity to express their views.

1. APPROVAL OF NEGOTIATED CONTRACT BETWEEN THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD ADMINISTRATIVE UNIT. TERM OF AGREEMENT 7/1/90 - 6/30/93. First year salary increase 7.7%; second year salary increase 7.5% and third year salary increase 6.5%. Submitted by Allen G. Grafton, Asst. to the Superintendent, Stamford Public School, P.O. Box 9310, Stamford, CT 06904, letter dated 1/11/90. Board of Finance stated that the negotiated settlement exceeds what their Board believes will allow the Board of Education to stay within the 5% increase that the Board of Finance previously indicated is appropriate. (letter of 1/16/90) If no action is taken within 30 days from date 1/10/90, the contract goes into effect.

Mr. Hogan said that the vote taken ended in a tie vote of 3 in favor of the contract and 3 against approving the contract. Mr. Hogan said this was a negative result but would have to be brought before the Board in a positive motion.

Mr. Hogan Moved for approval of the contract. Seconded.

Mr. Hogan stated that in his many years as a labor negotiator and being involved in labor negotiations, this was the first time that he could recall voting to oppose the ratification of a labor contract. He said in Committee he voted against the motion to accept because he felt the contract was much too generous in the raises proposed. He said other speakers pointed out that federal and state government is in trouble fiscally. He said we may not be in trouble yet in Stamford but could be if we go along granting increases as large as the ones contained in the proposed contract.

Mr. Hogan stated the Board of Representatives has an obligation to each and every taxpayer in the city to vote to reject the contract. He said adoption of the contract could and will be reflected in future labor negotiations which could possibly send the city into a fiscal situation that could affect everyone residing or doing business in Stamford. Mr. Hogan urged all of his colleagues to reject the contract.

MR. MORRIS wanted the record to note that he was unable to attend the Committee meeting due to a prior conflict. Mr. Morris commended Mr. Hogan for conducting a good meeting and the members of the Committee for their time for what was a very difficult issue. Mr. Morris stated that there were many things about the contract that he did not like. He said he was not thrilled with the salary increases and other items in the contract.

PERSONNEL COMMITTEE: (continued)

MR. MORRIS said he was less thrilled with the alternative and that is binding arbitration and what results could come down from binding arbitration which could be more of an increase. Mr. Morris stated that if the contract is rejected, it may be possible that much more of an increase in the salaries will result, and that would be defeating our fiscal responsibilities. Mr. Morris stated he would vote in favor of the contract.

MR. STORK stated that last month, he alluded to having a potential conflict-of-interest on matters concerning the Board of Education and particularly with the salary accounts. He said the Board of Ethics has cleared him of any conflict-of-interest and he participated fully in the Personnel Committee meeting.

Mr. Stork stated that the Board of Education negotiated a terrific contract for the city without letting the contract get to binding arbitration. He said that he could not remember the last time this happened. Mr. Stork stated that looking at the salaries, they are below what is being settled in the state. He said if the contract is allowed to go to binding arbitration, the unit will be asking somewhere around nine or ten percent.

Mr. Stork said the union has a high success rate in binding arbitration; they probably win 80 times out of a 100. He said he did not like those odds. Mr. Stork said the Board of Education did some good things in grandfathering some items in this contract. He said effective July 1, 1990, the sick pay benefits of 25% of their accrued leave upon leaving the Board of Education will not be available to members joining the unit. Also, regarding the early retirement program, effective July 1, 1990, members joining the unit after that date, will not be able to avail themselves of that benefit.

Mr. Stork said they have negotiated over the three-year period of the contract, consolidating the various titles within the administrators unit; this would mean that when a person is moved from one position to another, they could do that quite often without an increase in salary.

Mr. Stork said it would be foolish to deny this contract and he would vote in favor of the contract.

MR. ZELINSKY said he commended the Board of Education and Administrative unit in negotiating fairly. Mr. Zelinsky stated the last two contracts went to binding arbitration. He said we were fortunate in Stamford to have excellent people in positions of administrators in the Board of Education. However, Mr. Zelinsky said that he voted not to approve the contract because of the percentage of the salary increases. He said the cover letter stated that the first year, the increase would be a 7.7%; the second year, 7.5% and the third year, 6.5%. Mr. Zelinsky said that during the discussions at the Personnel Committee meeting, it was stated that the range for the first year was between 5% and 9%; the second year, the range was between 5% and 8%; and the third year, the percentage increase would be between 3.8% and 7.3%. Mr. Zelinsky said the present salary range starting with the lowest administrator is \$63,000 per year, going to the high school principal maximum of over \$78,000.

PERSONNEL COMMITTEE: (continued)

MR. ZELINSKY said if this contract is approved, the first year, the lowest administrator would go to \$69,000 a year and the high school principal would go to \$84,000 a year. In the second year, the lowest would receive \$74,000 and the high school principal would receive over \$90,000, and the final and third year, the bottom three rungs of the administrators are combined into the fourth highest group with their salary minimum being \$80,000 up to the high school principal highest range of over \$96,000. Mr. Zelinsky stated that this does not include fringe benefits that could range from 25% to 30%.

Mr. Zelinsky said based on the Board of Finance guidelines of 5% and based on other city union contracts, the percentages increases were 6% to 6.5% for the years of the contracts. Mr. Zelinsky said as legislators, all future expenditures that could result in high property taxes must be scrutinized. He said there were other parts of the contract that he was also concerned about. Mr. Zelinsky said he would be voting to reject the contract.

MR. BOCCUZZI stated that he looked over the contract as to the present salaries and the salaries to be paid after the 1992/3 year. Mr. Boccuzzi said that there is trouble with city, state and federal government and businesses. He said businesses are giving very little increases; 2% or 3% or none. Mr. Boccuzzi stated that to keep business going, there has to be give-backs and people have to pay more for their insurance.

Mr. Boccuzzi said that presently, there is a bad climate; the real estate market is not moving, the city's grand list is not growing by the percentages that are presented in the contract. Mr. Boccuzzi stated that we are hearing that we will be hammered by binding arbitration. He said that is the route we have to go. Mr. Boccuzzi said the Board of Education did the best job they could. He said he was not scared of binding arbitration and there were ways to settle and come up with a solution to binding arbitration if ranks are together, the point will get across.

Mr. Boccuzzi stated that if the contract goes to binding arbitration and the figures come back more, the Board did not do that; the administrators and the school system did. Mr. Boccuzzi said that they have to know that they are putting the monkey on the taxpayers' back. Mr. Boccuzzi said he did not think that anyone making the salaries they are could not be satisfied with a lower increase. He said if the contract goes to binding arbitrations and there is not enough money to fund the contract, the people negotiating the contract will have to go to their fellow workers and say, "sorry, friend, I got mine but there is not enough for you; you will have to leave."

Mr. Boccuzzi said it was time to take a stand and reject the contract. He said the onus is not on the Board but on the administrators.



PERSONNEL COMMITTEE: (continued)

MR. JACHIMCZYK said that we must look beyond the percentage increases in the contract; they are the lowest in the state either negotiated or through binding arbitration. He said we must focus on the contract. He said the contract was negotiated by our elected Board of Education and not by an out-of-town arbitrator. He said we should not say the percentages are too high and leave the contract up to the whim of binding arbitration. Mr. Jachimczyk said if the arbitrator receives a copy of the map received by the Board members, he will see that Stamford is #1 in the estimated market value of real estate and #1 in Connecticut in retail sales. He said this would not help the city's case although circumstances are changes in Stamford. Mr. Jachimczyk said we run the risk of seeing a greater across-the-board percentage wage increase. He said it may cost us more and hamper the Board of Education in future contract negotiations. Mr. Jachimczyk said if the contract is voted down and goes to binding arbitration, we will be turning over our negotiating authority to someone who could care less regarding the city's fiscal matters.

MR. LAROBINA said a point is reached in every employees/employer relationship regarding the amount of money being paid to someone that exceeds the value of services the employee receives in return. Mr. Larobina stated he thought we have reached that point in this situation. He said there was no way that we could balance the equities here; there will be other city bargaining units coming in and looking at these numbers. He said they were simply out-of-line. He said much has been said that many did not like the numbers but they said, "I am going to vote for the contract because I am afraid of what the arbitrator is going to come back with." Mr. Larobina said this was a distortion of reality and not true. Mr. Larobina said the Board has the power and ability and it should find a resolve to deal with that at budget time. He said that we have a responsibility to act in a responsible manner, and cannot act recklessly when it comes to fiscal matters such as this contract. Mr. Larobina stated that this does not mean that we are anti-education if this is voted down. He said we can have the best school system but it does not mean that we have to spend above and beyond what is necessary.

Mr. Larobina stated that this sends a bad message to every other bargaining unit in the city; it says, "Come to the Board of Representatives and this is the deal and if you don't like it, we will go to arbitration, and arbitration is going to be higher." Mr. Larobina stated that by saying "no" we are taking responsibility and not having an outside third party dictate on how we are going to spend the city's money. He said if we continue to spend in this manner, we run the risk of putting the city in financial ruin and he would not be a part of that. He said the responsibility for quality education rests with the Board of Education; they cannot put that responsibility on the Board and they will have to do that in a fiscally responsible manner and not in a reckless manner. Mr. Larobina said that he could not vote for this contract.



PERSONNEL COMMITTEE: (continued)

MR. WHITE said that as a teacher, he has historically desisted from voting on any matter involving the Stamford School system. He said he does this to avoid even the appearance of a conflict-of-interest. He said he did not leave the Floor as some people have done that are connected with the school system because he wished to retain the option of taking part in the debate if he believes a misconception has been left unchallenged.

Mr. White said he will abandon his historical stance and will vote against the contract and urged his fellow members to do the same. He said his reasons for such action are as follows: He said the contract continues and intensifies the outrages imbalance between teacher and administrative salaries. He said that in the 70's, teachers' salaries were artifically held down as the Board of Education effectively manipulated the salary schedule to deny teachers adequate raises during a period of savage inflation.

Mr. White said that about the same time, the administrators were allowed and encouraged to separate themselves as a bargaining unit and negotiate a separate contract. He said the gulf between the two groups began to expand as administrators were awarded solid raises in contract after contract. Mr. White said that it has been argued that teachers have only themselves to blame; that the fault was with the ineptness of their bargaining unit; the administrators success was the result of astute negotiations by their bargaining unit. Mr. White said the first may have a faint validity but he would totally reject the latter. Mr. White stated the Board of Education took a radically different approach to the two groups; with teachers, the Board of Education bargained at a malignantly aggressive fashion where with the administrators, the approach was one of beneficent concern. Mr. White stated that Jill Beaudry's comments in the Advocate were metaphoric of this difference. Mr. White said that one would have thought she represented the administrators that she sought to defend the contract. Mr. White said that among the statements, many deficiencies were the assertions that many of the administrators had Ph.D's and pointing to fact, relatively few have doctorates and even fewer have Ph.D's. Mr. White said that for the most part, they hold Ee.D's. He said that comparing an Ee.D to a Ph.D is tantamount to comparing a couch potato to a NFL linebacker.

Mr. White stated that many teachers have Ph.D's. Mr. White named some teachers with Ph.D's. He said these people were at the top of the salary scale and with Ph.D differentials since eliminated, these teachers will be making \$30,000 to \$40,000 less than that of every administrator.

Mr. White said that it has been asserted that at 7% for three years, Stamford administrators have been awarded less than their surrounding confreres. Mr. White said while this is true, they failed to state that the Stamford administrators were paid so much more than the surrounding communities that they served as a flagship for other school systems. Mr. White stated that the administrators are among the highest paid, if not, the highest paid in Fairfield County. Mr. White said that high school principals will make by 1992, \$96,000 a year. He said all administrators by 1992, will be making in the 80 thousands of dollars. He said this does not include the superintendent or his assistants. He said one can only imagine the salaries they envision. Mr. White said that he has not touched on the very generous fringe benefits against the mosiac of cutting staff.

PERSONNEL COMMITTEE: (continued)

MR. WHITE stated that three or four teachers are proposed to be cut from each of the three high schools. He said his last statement propelled him into publicly opposing the contract.

Mr. White said that if the contract goes to binding arbitration, the administrators may end up with more money giving the fact that the arbitrators take the last best offer, one side or the other, and it is also possible that the lower figure will be accepted.

Mr. White stated that if we believe a measure to be wrong, we should reject and never allow our vote to be co-opted by tendentious logic and in that way we keep our soul pure and in that way those responsible to take full and singular responsibility for such, and we send the public a message that the Board of Education bargain hereafter with both teachers and administrators in a consistent and equitable and balanced fashion.

*see corrections attached to back of these minutes*  
MR. BLUM stated that at the Committee meeting, he asked many questions concerning the fringe benefits and the bonuses received that go into an IRA account. Mr. Blum said that he asked Mr. Matthews what was the percentage the administrators asked the Board of Education for? Mr. Matthews stated it was 15% which was lowered to 10%, which came out to 7.7%. Mr. Blum stated that the members should look at the figures supplied by the researcher regarding what was received by binding arbitration. Mr. Blum said that by going to binding arbitration, you will start at the beginning and the neutral arbitrator will make the decision. Mr. Blum said the arbitrator may rule 10%.

MR. RYBNICK Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote to approve the contract between the Board of Education and the Stamford Administrative unit. She said the Personnel Committee made a negative recommendation but the motion is always framed in the positive. She said a vote in favor of the motion means you are approving the contract; a vote against the motion means that you are opposed to the negotiated contract.

Reps. Cardillo and Domonkos left for the vote.

The motion was DEFEATED by a vote of 30 no and 5 yes votes. The contract was rejected.

PLANNING AND ZONING COMMITTEE - David Jachimczyk, Chairman - No report.

PUBLIC WORKS AND SEWER COMMITTEE - Peter Nanos, Chairman

MR. NANOS said the Public Works and Sewer Committee met on Thursday, February 1, 1990, at 7:10 p.m. Present were Committee members Mr. Zimmerman, Mr. Hogan, Mr. Owens, Mrs. Domonkos, Mr. Zelinsky, Mr. Lovallo and Mr. Nanos. Also present was George Connors representing the Sewer Commission and John Roman of WSTC.

1. PROPOSED RESOLUTION OF THE BOARD OF REPRESENTATIVES APPROVING CONDEMNATION OF THE FOLLOWING PROPERTIES: SECTION 17-1 SANITARY SEWER PROJECT - NORMAN A. FIEBER AND ALVAN G. LAMPKE, CARD W-18A, LOT A-1, LONG RIDGE ROAD, AND PETER AND MARY ETTA GAYOWSKI, CARD E-6, LOT 3, DEACON HILL ROAD. Submitted by Mayor Thom Serrani 1/3/90. Sewer Commission voted to initiate condemnation actions on 12/7/89.

Mr. Nanos said the Committee voted unanimously to approve the item and Moved for approval. Seconded.

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

HEALTH AND PROTECTION COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS said the Health and Protection Committee met on Wednesday, January 31, 1990, at 8:00 p.m. Present were Committee member Schoenfeld, Russo, Evanko, Mellis, Rubino, Lovallo and Powers. Also present were Board members Maihock and Zimmerman.

1. MATTER OF POLYSTYRENE FOAM PRODUCTS (RECOMMITTAL OF PROPOSED ORDINANCE BANNING THE USE OF POLYSTYRENE, ETC.). Submitted by Ruth Powers, D-8, James Rubino, R-7, John Zelinski, D-11 and Annie M. Summerville D-6, 1/9/90.

HELD IN COMMITTEE

Mrs. Powers stated that last month the item was Held with instructions from the full Board to study four issues. She said the first was the organization of a clean-up. Mrs. Powers stated that during the course of the meeting, Mr. Zimmerman reported on the issue to the Committee indicating that this was dealt with on the previous evening by the Environmental Protection Committee. Mrs. Powers said the item was being handled well by the Environmental Protection Committee and that no action would be taken by the Health and Protection Committee. A report will be made by the Environmental Protection Committee.

Mrs. Powers said that item two of the issues was a letter to the Parks and Recreation Commission regarding beach vendors. She said the Committee voted to pass a resolution concerning the beach vendors. She said the resolution was received by everyone. She said the Committee voted 7-0-0 to approve the resolution.

HEALTH AND PROTECTION COMMITTEE: (continued)

MR. ZELINSKY asked for some clarification; he wanted to know if item one was on the Floor?

PRESIDENT GOLDSTEIN stated that Mrs. Powers was giving the Committee report concerning the use of polystyrene foam products.

2. SENSE-OF-THE-BOARD RESOLUTION CONCERNING THE USE OF POLYSTYRENE FOAM PRODUCTS BY CONCESSIONAIRES ON THE BEACHES. Submitted by the Health and Protection Committee 2/5/90.

MRS. POWERS Moved for approval of the resolution. Seconded.

MR. ESPOSITO stated that as he understood from the resolution, the Parks and Recreation Commission would be allowed to pass rules and regulations banning the use of polystyrene foam products by vendors on the beaches. Mr. Esposito stated that inasmuch as the Board, as a whole, has not sought to ban the use of polystyrene products here in the city, he said that the Board would be wrong in passing the resolution. He said the Parks and Recreation Commission would be put in an awkward position and also the Board if and when the Parks and Recreation Commission approves the ban for vendors in the city. Mr. Esposito said that these regulations would then come before the Board for approval. Mr. Esposito stated he did not believe it was the Board's intent after all the months of discussion on the item, to ban the use of polystyrene products either wholly or partially. Mr. Esposito stated that he will vote no on the resolution and the resolution should not be approved.

MR. MARTIN stated that he disagrees with Mr. Esposito. Mr. Martin said it was within the city's right to take action regarding its own properties; independent of what is done in the rest of the city. Mr. Martin said one method that can be used to ban the use of the product is through their concessionaires. Mr. Martin said that he did not believe the concessionaires' contracts come before the Board. Mr. Martin stated that we are not passing an ordinance; we are approving a suggestion for the Parks and Recreation Department to look into the matter of limiting the use of polystyrene products. Mr. Martin said the resolution was not binding and up to the department to decide.

Mr. Martin said the Board should vote in favor of the resolution.

MRS. PERILLO Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote to approve the resolution concerning the use of polystyrene foam products by concessionaires on the beaches. APPROVED by a vote of 30 yes, 3 no votes and 3 abstentions.

MRS. POWERS stated that the Committee was also asked to look in the matter of recycling. She said the Committee approved a resolution 7-0-0 regarding this item asking the Southwestern CT Regional Recycling Operating Committee to consider putting polystyrene on the list of mandatory recyclables.

3. SENSE-OF-THE-BOARD RESOLUTION CONCERNING THE RECYCLING OF POLYSTYRENE PRODUCTS. Submitted by the Health & Protection Committee, 2/5/90.

MRS. POWERS Moved for approval of the resolution. Seconded.



HEALTH AND PROTECTION COMMITTEE: (continued)

MR. WHITE said that he was going to vote against the resolution although he is very much in favor of recycling. He said his point was that the only way you can handle polystyrene foam is to ban its use. He said the idea of recycling polystyrene is nonsense. He said that it may be theoretically possible to do so but the engineering and techniques are so expensive and difficult that it becomes impractical. He said that no one really wants to use recycled polystyrene products. Mr. White urged his fellow representatives to vote against the resolution.

MS. RINALDI Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote to approve the resolution concerning the recycling of polystyrene products. APPROVED 28 yes, 5 no votes and 4 abstentions.

MRS. POWERS said the final issue was the total ban on polystyrene. She said two motions were made in Committee. She said no action was taken. Mrs. Powers stated that a motion was made in Committee to resubmit the original ordinance back to the full Board. The motion was defeated by a vote of 3-4-0. Mrs. Powers stated that a motion was also made to consider a total ban and that was defeated by a vote of 2-5-0.

MR. RUBINO Moved to take out of Committee for final adoption, the proposed ordinance banning the use of polystyrene foam at food service establishments. Seconded.

Mr. Rubino said he was grateful to the Board for approving the two last resolutions. He said the resolutions partially address the problem. He said he did not think the resolutions go far enough. He said the issue had strong feelings and opinions on both sides, and a great deal of work was done on the ordinance. Mr. Rubino stated that whether or not you believe the ordinance should be approved, he said he believed that the constituents are owed a vote on the ordinance. He said the constituents did not elect members of the Board to side-step tough decisions. Mr. Rubino asked that this item be voted out of Committee and then vote yes or no on the item. He said that anything less would be an admission that you do not want to be accountable to your constituents.

MR. STORK said that he placed on each members desk this evening, a copy of a letter to the Editor from Sunday's Advocate with a piece of polystyrene foam attached to the copy of the letter. Mr. Stork said that this is a visual aid and you can have a feel for the situation. Mr. Stork said that with regards to the letter to the Editor, one sentence is appropriate to go further with the item this evening. He read, "Passing the ban on polystyrene products will encourage other groups to deal with this economic and environmental crises in a more constructive way." Mr. Stork said that Mr. Rubino stated previously that if the ordinance is approved, that he would work with other coastal communities up and down the coast of Connecticut. Mr. Stork said that was worth pursuing. Mr. Stork stated he was in favor of the ordinance.



HEALTH AND PROTECTION COMMITTEE: (continued)

MRS. POWERS said that it was made clear by the Board at the last meeting that they did not want the ordinance back in its final form. Mrs. Powers stated that all the issue asked by the Board last month were considered by the Committee. She said that we have come as far as we can on the issue of polystyrene in the City of Stamford. Mrs. Powers stated going over the last Board and until now, it was clear that some action should be taken but not by a city; action should be taken by the federal or state government. She said the state is not dealing with the issue of polystyrene; it is not currently on the mandatory recycling list. Mrs. Powers stated that much has been accomplished. She thanked the Committee members who were very helpful and sat through many, many meetings; a great deal was learned about the issue. She said the Committee came up with the best solutions that could be made.

MR. ESPOSITO Moved the question. Seconded.

PRESIDENT GOLDSTEIN called for a vote to take the proposed ordinance concerning the banning of polystyrene foam products out of Committee.

MR. ZELINSKI asked for a point of clarification. He wanted to know if the vote was to take the ordinance out of Committee; if not, the ordinance will stay in Committee?

PRESIDENT GOLDSTEIN stated it would stay in Committee at the discretion of the Committee; the Committee would have to decide whether it wishes to pursue the matter, and that would be a Committee's decision if the full Board does not want to take the role away from the Committee.

PRESIDENT GOLDSTEIN proceeded to a vote. The motion was DEFEATED by a vote of 26 no and 9 yes votes with one abstention.

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

MR. PIA said the Parks and Recreation Committee met on Wednesday, January 31, 1990, at 7:30 p. m. Present were Committee members Pia, DeLuca, Perillo, Fedele, Nanos, DePina, Owens and Rybnick. Rep. McGrath was excused. Also attending the were Reps. Russo, Pavia, Blum, Jachimczyk, Goldstein and Summerville; Mary Sommer, Corporation Counsel; Kathleen Kane, from the Mayor's office; a representative from Neighborhood Housing; Robert Neu, Director of Parks and Recreation; Guy Bailey, Chairman of the Parks and Recreation Commission; William Cahill, a member of the Commission; Dr. Daniel Cook, Board of Education Administration and Janet Vanderwaart, a member of the Board of Education. Many concerned citizens and neighborhood associations were also present at the meeting.

1. SENSE-OF-THE-BOARD RESOLUTION ALCOHOL BAN-ENFORCEMENT OF EXISTING PARK REGULATIONS. Submitted by Parks and Recreation Committee 2/5/90. (Note: Originally, this was on the Agenda as: Proposed Resolution Concerning Amending Section II of the City of Stamford Park Regulations)

PARKS & RECREATION COMMITTEE: (continued)

MR. PIA stated a copy of the Sense-of-the-Board resolution was received by all members. Mr. Pia Moved for approval of the resolution. Seconded.

Mr. Pia said that the Parks and Recreation Department has rules and regulations that ban alcohol after 9:00 p.m. at parks. Mr. Pia said there was discussion as whether there should be a total ban on alcohol or a partial ban. He said after much discussion, it was decided that it should be left as is as the Parks and Recreation Commission declared that they would like a partial ban; no drinking after 9:00 p.m. so the ballplayers can have their beer and wine, and the citizens can have their picnics in the summer.

PRESIDENT GOLDSTEIN explained that the resolution instructs the Police Department and the Parks & Recreation Department to enforce the current laws on the books.

MR. DeLUCA said that it was suggested and has already transpired that the Director of Parks and Recreation Robert Neu and the Police Chief get together. It was stated that the Police Chief has instructed Deputy Chief Walter Young to formalize plans needed to enforce the existing rules and regulations. Mr. DeLuca said the resolution states that both departments come up with a plan and if additional funds are needed, the Board of Representatives will be supportive of any plan or funds required to pay for overtime to see that the existing regulations are enforced. Mr. DeLuca stated this would include school properties and all city properties where ordinances govern the use of alcohol.

MR. ZELINSKY said that he does not ever recall any resolution telling a city department to enforce a regulation on the books. He said he would think that would be obvious and that is the reason it is on the books.

Mr. Zelinsky stated that the last paragraph of the resolution concerns him. It states, "It is further resolved, that the Board of Representatives will support a request submitted to the Mayor for additional funds that may be required to put the plan into operation." Mr. Zelinsky asked about, "how much funds, what plan and what operation?" He said a resolution is being approved that is extremely general and is not specifically addressing the problem of alcohol in the parks. He stated if this is approved, it will be ludicrous and he would vote against the resolution.

MR. LYONS asked if the Chairman of Parks and Recreation Committee would consider a word change to read, "the Board of Representatives will 'consider' instead of 'support' a request to the Mayor for additional funds...".

MR. DeLUCA said that was acceptable.

MR. BLUM stated that a resolution is directed to the city and not to a department to tell the department what they have to do. Mr. Blum Moved to send the item back to Committee. Seconded.

PARKS & RECREATION COMMITTEE: (continued)

MR. LYONS said it would be wrong to send this item back to Committee. The item has been diligently worked on by the Committee and other people in the city. He stated it has been a problem over the years and did not receive the attention it should have by the Board and other members of the community. Mr. Lyons stated that now was the time to approve the resolution.

MR. DeLUCA said that to send this back to Committee would be ludicrous. Mr. DeLuca stated that the Committee met with Pam Yardis, of the Mayor's Committee on alcohol abuse and she was in favor of the proposal. He said the matter has been worked on for a long time and he believes the resolution will take care of the matter.

MR. NANOS Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote to send the Sense-of-the-Board Resolution Alcohol Ban-enforcement of Existing Park Regulations back to Committee. The resolution was DEFEATED by a vote of 32 no and 4 yes votes.

MR. DeLUCA Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN called for a vote on the main motion which was to approve the resolution relating alcohol ban-enforcement of existing park regulations. APPROVED 33 yes and 2 no votes.

2. PROPOSED RESOLUTION DESIGNATING THE NORTH STREET PLAYGROUND PREMISES AS A PLAYGROUND IN PERPETUITY. Submitted by Mayor Thom Serrani, 1/12/90.

HELD IN COMMITTEE

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - John R. Zelinsky, Chairman

No report.

HOUSING & 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 the Environmental Protection Committee met on Tuesday, January 30, 1990. Present were Committee members Esposito, Maihock, Zimmerman and White. Also attending were Rep. Lovallo; Commissioner of Public Works Donald T. Donahue; Maryellen Chambers; Bunny Jacobson; Allen Grafton and John Roman.

Mr. Esposito said a complete report of the Committee meeting was given to each member of the Board. A copy is attached to these Minutes.

1. MATTER OF COMPREHENSIVE ANTI-LITTER PROGRAM FOR THE CITY OF STAMFORD.  
Submitted by Stanley Esposito, Chairman, Environmental Protection Committee, 1/12/90.

HELD IN COMMITTEE

MR. ESPOSITO said that out of the discussions, it was agreed by the Committee and those present that the problem of litter is everyone's problem and that education is the most important and effective way to deal with the problem. Mr. Esposito said that at the next meeting, the Director of Parks and Recreation will be invited; a representative of Keep American Beautiful Program; and representatives of concerned conservation groups to discuss the problem further.

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.

RESOLUTIONS - None.

1. DECEMBER 4, 1989 ORGANIZATIONAL MEETING 21ST BOARD - Approved.
2. DECEMBER 11, 1989 REGULAR BOARD MEETING - Approved.
3. JANUARY 8, 1990 REGULAR BOARD MEETING - Approved.

COMMUNICATIONS - Clerk Summerville on behalf of the President and entire Board, presented certificates and thanked Pages Andrew N. Esposito and Jonathan R. Seiler.

OLD BUSINESS - None.

NEW BUSINESS - None.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 11:30 p.m. after the motion to adjourn was made, seconded and approved.

*Anne A. Kachaluba*

Anne A. Kachaluba, Administrative  
Assistant and Recording Secretary  
21st Board of Representatives

APPROVED:

*Sandra Goldstein*

Sandra Goldstein, President  
21st Board of Representatives

SG:ak  
Enclosures



## STAMVOTE - ATTENDANCE

09:10:30

02-05-199

NO	NAME
1	PRS EVANKO, JUDITH
2	PRS NAKIAN, MARIA
3	PRS PIA, THOMAS
4	PRS OWENS, BOBBY
5	N/P MC GRATH, PATRICIA
6	PRS LYONS, RICHARD
7	PRS ZIMMERMAN, JOHN
8	PRS RYBNICK, GERALD
9	PRS MOLLO, FRANK
10	N/P LOVALLO, JOSEPH
11	PRS MAIHOCK, AUDREY
12	PRS MARTIN, DAVID
13	PRS DE LUCA, ROBERT
14	PRS ESPOSITO, STANLEY
15	PRS STORK, PHILIP
16	N/P FEDELE, MICHAEL
17	PRS RUBINO, JAMES
18	PRS MELLIS, ELLEN
19	PRS WHITE, W. DENNIS
20	PRS SUMMERVILLE, ANNIE

NO	NAME
21	PRS DE PINA, GLORIA
22	PRS DOMONKOS, CARMEN
23	PRS CLEMMONS, GARY
24	PRS NANOS, PETER
25	PRS PERILLO, MILDRED
26	PRS PAVIA, NICHOLAS
27	PRS MITCHELL, ELAINE
28	PRS CARDILLO, DOMINICK
29	PRS MORRIS, SCOTT
30	PRS HOGAN, JOHN J.
31	PRS ZELINSKI, JOHN
32	PRS SCHOENFELD, NAOMI
33	PRS LAROBINA, MICHAEL
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 3

PRESENT 37

## STAMVOTE - VOTE PROCESSING

02-05-1990

09:11:34

NO	NAME	TEST VOTE	yes
1	YES EVANKO, JUDITH		
2	YES NAKIAN, MARIA		
3	YES PIA, THOMAS		
4	YES OWENS, BOBBY		
5	N/P MC GRATH, PATRICIA		
6	YES LYONS, RICHARD		
7	YES ZIMMERMAN, JOHN		
8	YES RYBNICK, GERALD		
9	YES MOLLO, FRANK		
10	N/P LOVALLO, JOSEPH		
11	YES MAIHOCK, AUDREY		
12	YES MARTIN, DAVID		
13	YES DE LUCA, ROBERT		
14	YES ESPOSITO, STANLEY		
15	YES STORK, PHILIP		
16	N/P FEDELE, MICHAEL		
17	YES RUBINO, JAMES		
18	YES MELLIS, ELLEN		
19	YES WHITE, W. DENNIS		
20	YES SUMMERVILLE, ANNIE		
	N/P 3	N/V	0

NO	NAME	TEST VOTE	yes
21	YES DE PINA, GLORIA		
22	YES DOMONKOS, CARMEN		
23	YES CLEMMONS, GARY		
24	YES NANOS, PETER		
25	YES PERILLO, MILDRED		
26	YES PAVIA, NICHOLAS		
27	YES MITCHELL, ELAINE		
28	YES CARDILLO, DOMINICK		
29	YES MORRIS, SCOTT		
30	YES HOGAN, JOHN J.		
31	YES ZELINSKI, JOHN		
32	YES SCHOENFELD, NAOMI		
33	YES LAROBINA, MICHAEL		
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		

YES 37

NO 0

ABS 0