

MINUTES OF REGULAR BOARD MEETING

MONDAY, AUGUST 13, 1990

21ST BOARD OF REPRESENTATIVES

CITY OF STAMFORD; CONNECTICUT

A regular monthly meeting of the 21st Board of Representatives of the City of Stamford was held on Monday, August 13, 1990, in the Legislative Chambers of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:55 p.m. by President Sandra Goldstein, after both political parties had met in Caucus.

INVOCATION was given by the Rev. Carl McCluster, Union Baptist Church, 805 Newfield Avenue, Stamford, CT 06905. Due to a problem with the tape recorder, the invocation was not recorded.

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 33 members present and seven absent. Absent were Gloria DePina (excused), Garry Clemmons, Dominick Cardillo, Thomas Pia (excused), Naomi Schoenfeld (excused), Thomas Russo and Patricia McGrath.

The Chair declared a quorum.

MACHINE TEST VOTE: Tests votes were taken by President Sandra Goldstein. The machine was in good working order.

MOMENTS OF SILENCE:

For the late Congetta Smeriglio, 12 Burr Street, submitted by Rep. Millie Perillo, D-9.

For the late Frank Serowik, 24 Dee Lane, submitted by Rep. John Boccuzzi, D-2.

For the late Louise Moore Neu, mother of Robert Neu, Director of Parks and Recreation. Sincerest sympathy to Bob and his family. Submitted by Rep. Stanley J. Esposito, R-11.

For the late Effie Massie, mother of Mr. Ralph Lockhart. Submitted by Gloria DePina, D-5.

For the late sister-in-law of Mr. & Mrs. John Anderson. Submitted by Gloria DePina, D-5.

For the late Charmaine Fischer Matter. Submitted by Rep. Audrey Maihock, R-19. "A Moment of Silence for Charmaine Fischer Matter, who died August 2, 1990. She resided on Tall Oaks Road for 23 years. I shall miss her friendly, enthusiastic personality. I extend heartfelt sympathy to her husband, Allen P. Matter, and children."

PRESIDENT GOLDSTEIN, on behalf of the Board, wished Naomi Schoenfeld best and heartiest good wishes for a speedy recovery. Naomi was in the Stamford Hospital. Also, President Goldstein stated that Tom Pia is out of the hospital and is feeling better. She extended best wishes to Tom and Naomi.

PRESIDENT GOLDSTEIN read a note received from Thamie Nanos, wife of Rep. Peter Nanos. "Dear Friends of the 21st Board of Representatives of the City of Stamford. I would like to take a moment from your busy schedule tonight to express my thanks for your best wishes and prayers, during the rough times I have had this past month, those prayers that you extended to me at your July 9th meeting. And, I am sure that all your sincere prayers and wishes have helped me get through all of this. As a small token of appreciation, I am sending to you tonight, with my husband, some homemade Greek pastry to enjoy with your coffee. Thank you again and God bless you all. Sincerely, /s/ Thamie Nanos."

President Goldstein said it was wonderful to hear that Mrs. Nanos was feeling better and it was wonderful that Mrs. Nanos chose to bake for the Board as there was no one better. On behalf of all, President Goldstein thanked Thamie.

PRESIDENT GOLDSTEIN read a letter she received from Rep. Thomas Russo.

"Dear Sandy:

"It is with regret that I submit to you my resignation as a member of the Board of Representatives. I will soon be assuming a greater responsibility in my job, one that will not afford me the time necessary to adequately serve the people of the 10th District. I know that you will be pleased with my replacement. You will find that Fred Johnson is not only highly qualified but eager to serve the people of my district. Serving on the Board has been a rewarding experience. I will miss it.

"Sincerely,

"/s/ Tom

"Thomas Russo"

PRESIDENT GOLDSTEIN sadly accepted Mr. Russo's resignation. She said it was a delight for the Board to serve with Tom. Tom was a conscientious young man and contributed a great deal to the Board.

NOMINATIONS TO FILL A VACANT SEAT: Pursuant to Charter Sec. 2-10-3, nominations were in order to fill the seat in the 10th District vacated by resignation of Thomas Russo.

MR. PAVIA said the following regarding the nomination of Fred Johnson:

"Tonight, I am proud to nominate a good man; a highly qualified man; a man who has lived in the 10th District for over 40 years; a man who has built, with hard work and dignity, a loving home with his wife and family; a man who is respected. He served our City of Stamford well before, 28 years on the Fire Department; 10 years as Inspector Deputy Fire Marshal. Tom Russo and I were so happy to have selected this man and overjoyed when he said, 'yes', yes to serve his district, his city and his party. The man is Fred Johnson and the tradition of teamwork representation in the 10th District will continue. Fred is our choice. Fred, thank God, has a sense-of-humor and a deeper sense of civic duty and community. I know this Board will welcome Fred Johnson with open arms and a sincere heart, and I would like to place his name in nomination."

The nomination was Seconded by many.

RESIGNATION OF THOMAS RUSSO, R-10th DISTRICT

MR. STORK Moved that nomination be closed. Seconded.

PRESIDENT GOLDSTEIN called for a vote to close nominations. APPROVED by voice vote with no dissenting votes.

PRESIDENT GOLDSTEIN asked the Clerk to cast a ballot to confirm Mr. Johnson.

CLERK OF THE BOARD ANNIE SUMMERVILLE proudly cast one ballot to confirm her friend, Fred Johnson to fill the seat vacated by Mr. Russo.

PRESIDENT GOLDSTEIN administered the Oath of Office to Mr. Johnson. Congratulations were extended to Mr. Johnson and Mr. Johnson took his seat.

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 Tuesday, July 24, 1990, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:05 p.m. by Sandra Goldstein, Chairwoman, who declared a quorum.

Present at the meeting

Sandra Goldstein, Chairwoman	Richard Lyons	Mary Lou Rinaldi
John Boccuzzi	Stanley Esposito	Mildred Perillo
Robert DeLuca	John Hogan	John Zelinsky
John Zimmerman	Peter Nanos	David Blum
Ruth Powers	David Jachimczyk	James Rubino
Maria Nakian	David Martin	Audrey Maihock
Frank Mollo	W. Dennis White	John Roman
		Anne Kachaluba

APPOINTMENTS COMMITTEE - Ordered Held in Steering were the two names appearing on the Tentative Steering Agenda.

FISCAL COMMITTEE - Ordered on the Agenda were five of the ten items appearing on the Tentative Steering Agenda. The remaining five items were Held in Steering because the Board of Finance either deferred or defeated the items. Also ordered on the Agenda was one item submitted at Steering re Law Department Consultant's report, and one item from the Pending Agenda re resolution on Economic Development. Ordered Held was one item on the Addenda re Public Works regional laboratory to test wastewater, etc.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were five of the ten items appearing on the Tentative Steering Agenda. Ordered on the Pending Agenda were two items: Matter of leases between the City and various groups using the Marine Center and proposed ordinance amending Article VII, Sections 6-31 through 6-41 of the Code Concerning the Coliseum Authority. Ordered off the Agenda was the item for a formation of a Charter Revision Commission. Ordered off the Pending Agenda was prop. ordinance re Sec. 158-1 of the Code concerning loitering and the matter re lease for Municipal Office Building parking lot.

STEERING COMMITTEE REPORT: (continued)

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

PLANNING & ZONING 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 the Metro II building project.

PUBLIC WORKS & SEWER COMMITTEE - No items appeared on the Tentative Steering Agenda.

HEALTH & PROTECTION COMMITTEE - Ordered on the Agenda was one of the three items appearing on the Tentative Steering Agenda. Also ordered on at Steering was a Status report regarding the merger of EMS services. Ordered on the Pending Agenda was the Matter of Fire Department personnel not being able to take their vehicles home. Ordered off the Agenda was the Matter of civilian personnel to man 911 Center. Ordered off the Pending Agenda was the Review of Consultant's report as it relates to EMS.

PARKS & RECREATION COMMITTEE - Ordered on the Agenda were three of the four items appearing on the Tentative Steering Agenda. Ordered off the Agenda was the Matter of beach sticker fees for senior citizens who drive autos not registered in Stamford. This item will be taken up next year when new proposed fees are submitted for approval.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda. Two items appeared on the Addenda; one was ordered on the Agenda re disruption of telephone service in Stamford and one item concerning power outages was ordered off the Addenda.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

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

ENVIRONMENTAL PROTECTION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda and the one item appearing on the Addenda and that was a Resolution recommending amendment of SWEROC Agreement.

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

LABOR RELATIONS COMMITTEE - Ordered on the Agenda at the Steering meeting was a Progress report on labor contracts.

RESOLUTIONS - Ordered on the Agenda was one resolution appearing on the Addenda re Southern New England Telephone proposed rate increase.

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, seconded and approved, the meeting was adjourned at 8:05 p.m.

Sandra Goldstein, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman - No report.

FISCAL COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Fiscal Committee met on Wednesday, August 1, 1990, at 7:00 p.m. Present were Reps. Esposito, Pavia, Clemmons, Rinaldi, Zimmerman, Martin, Powers and Lyons.

Mr. Lyons placed item 2, 3, 4, and 5 on the Consent Agenda. All Secondary Committee concurred or waive the Secondary report.

1. \$ 60,500.00 - BOARD OF EDUCATION - additional appropriation to implement Food Pack Breakfast Program for all elementary schools. Request by William Papallo, Superintendent of Schools, Stamford Public Schools, P.O. Box 9310, Stamford, CT 06904, 6/29/90. Board of Finance approved 7/19/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

MR. LYONS said the Committee voted 7 in favor and 1 opposed to approve item 1. The Education, Welfare and Government Committee concurred. Mr. Lyons stated that if funds are approved, a breakfast program will be implemented in September. Mr. Lyons Moved for approval. Seconded.

MR. PAVIA said he was going to vote against this appropriation because he did not believe that feeding children should be the government's concern; it should be the family's responsibility. He also stated that the piece-meal approach causes trouble in the future when taxes are raised causing a burden on the taxpayer. Mr. Pavia said he talked with several teachers from the Springdale School which has this pilot program and the teachers' said they were concerned that the program would disrupt classes and that the truly needy will be taken care of and have been taken care of by the concerned teachers.

Mr. Pavia said family responsibility is being shifted to the government and generations grow up thinking that government will do all for them instead of relying on themselves and families.

MR. STORK stated as he understood, through the backup material, that any child in participating schools can participate in the breakfast program. He questioned if there is a monitoring system in place to make sure that the children that need the program are taking care of by the concerned teachers?

MR. LYONS said the program was voluntary and the children sign up by themselves. He said there was no monitoring of each child to force them to sign up.

MRS. MAIHOCK said that some type of food should be available if a child appears to need it at school. Mrs. Maihock questioned the need to structure a program of this dimension.

FISCAL COMMITTEE: (continued)

MR. DeLUCA said on most programs that take care of the needy, restrictions are placed regarding income. Mr. DeLuca stated that the program was open to anyone attending the pilot school programs, and he did not think this was fair. Mr. DeLuca said the program should only be delegated to the needy, and finds it hard to believe that the Board of Education in preparing their 1990/91 budget, left this important particular program out of the budget. Mr. DeLuca stated that with a \$95 million budget, he found it hard to believe that the Board of Education between now and next July 1, could not find \$60,500 to fund the program. He said for the Board of Education to come before this Board was an insult to the community and he would vote against the appropriation.

PRESIDENT GOLDSTEIN called for a vote to approve \$60,500 for the Board of Education breakfast program. APPROVED by a vote of 27 yes and 6 no votes.

2. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE APPLICATION WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT, AS AMENDED. Submitted by Mayor Thom Serrani, 6/26/90.

APPROVED ON CONSENT AGENDA

3. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION AND ENTER INTO AGREEMENTS WITH THE STATE FOR OPERATION OF THE STAMFORD DAY CARE PROGRAM. Submitted by Mayor Thom Serrani, 6/25/90.

APPROVED ON CONSENT AGENDA

4. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH SERVICES TO PREVENT AND CONTROL TUBERCULOSIS. Submitted by Mayor Thom Serrani, 7/12/90.

APPROVED ON CONSENT AGENDA

5. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CONNECTICUT ALCOHOL AND DRUG ABUSE COMMISSION. This is for drug and alcohol awareness activities. Submitted by Mayor Thom Serrani, 6/20/90.

APPROVED ON CONSENT AGENDA

6. STATUS REPORT REGARDING LAW DEPARTMENT CONSULTANTS. Submitted by Sandra Goldstein, D-16, 7/24/90.

HELD IN COMMITTEE

7. STATUS REPORT ON SENSE-OF-THE-BOARD RESOLUTION CONCERNING ECONOMIC DEVELOPMENT IN STAMFORD. (Resolution approved by Board 5/7/90)
Submitted by Rep. Richard Lyons, D-1, 7/24/90.

HELD IN COMMITTEE

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 no dissenting votes.

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

MRS. NAKIAN said the Legislative and Rules Committee met on Monday, August 6, 1990, at 7:00 p.m. Present were Committee members Nakian, Martin, Esposito, Fedele, Larobina, Maihock, Mellis, Mitchell, Rubino and Zelinski. Rep. Domonkos was excused. Also present was Richard Robinson, Asst. Corporation Counsel; John Wolfe, Emergency Preparedness Director on item 1; Jerry Pia from the Glenbrook Community Center on item 2; Deputy Chief John Moriarty on item 5; Thomas Canino, Purchasing Agent on item 7; and Vincent Akhimie, Director of Traffic and Parking and Moria McNulty of the Traffic Department on item 3.

Mrs. Nakian placed item 1 on the Consent Agenda.

1. (L&R21.28) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING CHAPTER 70 OF THE CODE OF ORDINANCES CONCERNING BURGLAR AND FIRE ALARMS. Submitted by Richard A. Robinson, Asst. Corporation Counsel, 4/23/90. Report made and Returned to Committee 6/4/90. Approved for publication 7/9/90.

APPROVED ON CONSENT AGENDA

2. (L&R21.29) PROPOSED RESOLUTION APPROVING LEASE BETWEEN THE CITY OF STAMFORD AND THE GLENBROOK COMMUNITY CENTER, INC. Submitted by Mayor Thom Serrani 4/27/90. Planning Board approved 5/15/90. Board of Finance approved 5/22/90. Reports made and Held in Committee 6/4 and 7/9/90.

MRS. NAKIAN said the Committee approved item 2 by a vote of 10 in favor with no opposition or abstentions. She said the item was approved with two amendments. Mrs. Nakian Moved for approval of the lease. Seconded.

Mrs. Nakian said all members received a copy of the amendment; paragraph 22. on page 11 is to be amended as follows, adding to the paragraph: "Further, it is expressly understood by the tenant that all subleases, sub-tenants, or assignees must name the City of Stamford, its agents, servants and employees as additional insureds in an amount equal to and not less than that which is required of the tenant under this agreement." The motion was Moved and Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the amendment. APPROVED by voice vote with one abstention, Mr. Blum.

MRS. NAKIAN Moved another amendment. Paragraph 24, the first sentence would read, "The landlord reserves the right to use any portion of the premises upon thirty (30) days notice to the tenant." The motion was Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the amendment in paragraph 24. APPROVED by voice vote with one abstention, Mr. Blum.

LEGISLATIVE & RULES COMMITTEE: (continued)

MR. DeLUCA said he was going to Move to return this item to Committee after receiving a call from Thomas Pia, but stated that rather than delay the item, if the Chairperson would send Mr. Pia details on the definition of "sub-tenant" and what it really means as far as the Glenbrook Center is concerned, a vote can be taken this evening to approve the resolution and lease.

MRS. NAKIAN said a sub-tenant is anyone who has a lease with Glenbrook Community Center that does not include all the groups that use the Center; she said not all of them have leases. Mrs. Nakian stated that the lease specifies that all sub-leases are to be approved by the City in writing. She said that was a standard clause in all city leases particularly those with community centers.

Mrs. Nakian also stated the fact that the city is requiring that Glenbrook have all sub-leases name the City of Stamford as additional insured and this will be required of all community centers; she said this would be done by notice. Mrs. Nakian said the decision was started with Glenbrook because that was the lease coming up; the clause will be added to other leases as they come up.

MR. DeLUCA stated he did not think that Mr. Pia had a problem with the city being insured. Mr. Pia was concerned with the various groups that lease the facility for an evening.

MRS. NAKIAN said she would be happy to talk with Mr. Pia. As she understood, those arrangements made with various groups were informal. She said a sub-lease would be required if Glenbrook, for example, was renting space to a daycare facility; City Committees, Boy Scouts, Girl Scouts, Babe Ruth Leagues, would not be covered by sub-leases.

MR. DeLUCA asked if such could be put in writing?

MR. LAROBINA said he initiated the clause in the lease. He said a sub-tenant has very restricted and narrowly defined existence, and people using the community center would not be considered sub-tenants unless the community center itself drew up a formal agreement and took a part of its right to use the building and gave it to another group or individual. Mr. Larobina said that absent that the various groups using the community center would not be considered a sub-tenant. Mr. Larobina said it is in writing; it is defined in the lease. He said it was important from the city's standpoint that this language be included in every lease.

MR. BLUM said his senior citizens group meets 10 months out of the year at the Glenbrook Community Center and that was the reason he abstained on the amendments. Mr. Blum asked what position the various groups meeting at the center have regarding sub-leases?

MRS. NAKIAN said she could not answer Mr. Blum's question specifically as she did not know what senior groups meet there. She said, as Mr. Larobina stated, that it depends on whether the Glenbrook Community Center has a sub-lease with the groups. Mrs. Nakian stated that it was probable that an informal arrangement was made. She said the Law Department would have to determine that.

LEGISLATIVE & RULES COMMITTEE: (continued)

PRESIDENT GOLDSTEIN proceeded to a vote to approve the resolution and lease between the City of Stamford and the Glenbrook Community Center, Inc. as amended. APPROVED by voice vote with one abstention, Mr. Blum.

3. (L&R21.06) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 231, ARTICLE I OF THE CODE OF ORDINANCES. This concerns traffic and vehicles. Submitted by Maria Nakian & David Martin, Co-Chairpersons, Legislative & Rules Committee, 20th Board, 10/18/89. Held in Steering 12/4/89. Held on Pending 12/13/89. Reports made and Held in Committee 6/4 and 7/9/90.

MRS. NAKIAN stated that the Committee was working on the proposed ordinance for over a year and there was a great deal of review by the Law Department and the Traffic Department. She said a lot was added in response to the audit of last year regarding collecting and parking ticket revenues.

Mrs. Nakian said the major changes were made in the classification of parking violations and the amount of fees levied on each violation. Also, doing away with the escalated scale of penalties that is in the present ordinance. In the present ordinance, there is one fee when you get the ticket, another after 15 days, another fee from 16 to 30 days, etc. Mrs. Nakian stated this scale has caused many problems both administratively and in court when the Law Department tries to get judgement against people with outstanding tickets. Mrs. Nakian said that by doing away with the escalated scale, and replacing it with a 15-day period to pay the ticket and after that, a penalty, the system will be simpler and easier to enforce.

Mrs. Nakian said the new ordinance provides for the sending of the delinquent notice to anyone with a ticket as soon as possible after a fine is levied; after 15 days, there is a notice of penalty assessment, and after that, the city can go to court and file a certified copy in the Superior Court which means that the process of going after people with outstanding tickets would be much simpler and easier to enforce.

Mrs. Nakian said the ordinance provided for the removal or the immobilization of vehicles that have six or more outstanding tickets. She said the present ordinance says 10 or more. The ordinance also provides for the denial of a renewal of registration to any owner who has six or more outstanding violations.

Mrs. Nakian stated that there was much discussion regarding parking meter violations, Class 1 violations; whether there should be a change from the present \$5.00 to \$10.00 which is recommended in the new ordinance. The Committee voted and decided to leave the fine at \$10.00 for the purpose of a public hearing. The Committee felt it was better to receive input from the public and more information from the Traffic Department concerning revenue from tickets, number of tickets, etc. before a change was made.

Mrs. Nakian said the Committee approved the proposed ordinance by a vote of 7 in favor, none opposed with one abstention. She Moved for approval. Seconded.

LEGISLATIVE & RULES COMMITTEE: (continued)

MR. ZELINSKY Moved to amend under Section 231-7. Parking Violation Penalties. A. Penalties for violations of this Article are as follows: (1) "A fine of ten dollars (\$10.00) for a parking meter violation or for overtime parking where posted." Mr. Zelinsky Moved to amend the " \$10.00" to "\$5.00." The motion was Seconded.

Mr. Zelinsky said the present \$5.00 was adequate and the increase of 100% to \$10.00 is not warranted. He said Stamford residents, because of a minor delay of some minutes, would be required to pay \$10.00 where it may not have been their intention to delay in returning to their vehicles would not be warranted. He said he would like to see the present fine kept at \$5.00.

MR. MARTIN said the issue of changing the fine from \$5.00 to \$10.00 was important. He pointed out that an initial fine in Greenwich is \$10.00; New Canaan and Norwalk, is \$5.00 and in Darien, the fine is \$15.00. Mr. Martin said a \$10.00 fine is appropriate, but recognized it was debatable. He said he recently received information that it cost more than \$5.00 to issue and collect a ticket that is paid within 15 days. He said the cost works out to \$6.77 per ticket. Mr. Martin stated that the people of Stamford who obey the traffic laws should not subsidize people who might be from out of town parking at meters.

Mr. Martin quoted from an editorial in the Advocate (June 26) which summarized the issue well. "The keystone of any policy of course, is the level of fines. The proposal calls for stiffening them across-the-board which is making some city representatives nervous. They could get bogged down in whether a minimum \$10.00 fine, the basic rate for an expired meter is being put in to raise revenue or will serve as a deterrent. We think that debate is largely academic. The city needs both. We doubt the extra \$5.00 would break any violators but it might make a few think twice...."

Mr. Martin agreed with the point made by the Advocate. He said that some people would say that despite the fact that money would be lost on \$5.00 tickets, fundamentally, \$10.00 is just too much and fines that high should not be implemented. He said that would be a fair point to be considered at the public hearing. He said the ordinance should be left as is until a public hearing is held.

MS. RINALDI Moved the question. Seconded.

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

PRESIDENT GOLDSTEIN proceeded to a vote to amend the \$10.00 parking meter fine to \$5.00. DEFEATED by a vote of 22 no and 11 yes votes.

MR. DeLUCA Moved to amend under Section 231-6 (1) (c); insert "feet" after (25). Seconded.

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

MR. ZELINSKY Moved for an amendment under Section 231-7;. Parking Violation Penalties. (1), amend the fine of \$10.00 to \$7.00. He said he would not want the city to subsidize anybody who is in violation. The motion was Seconded.

LEGISLATIVE & RULES COMMITTEE: (continued)

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 proceeded to a vote to amend from \$10.00 to \$7.00. DEFEATED by a vote of 23 no and 10 yes votes.

MRS. NAKIAN Moved to amend that the ordinance should take effect on January 1, 1991. Seconded.

PRESIDENT GOLDSTEIN called for a vote on the amendment that the effective date of the ordinance would be January 1, 1991. APPROVED by voice vote with no dissenting votes.

PRESIDENT GOLDSTEIN proceeded to a vote for publication of the proposed ordinance Amending Chapter 231, Article I of the Code, as amended. APPROVED by voice vote with Mr. Blum voting no.

4. (L&R21.34) MATTER OF STAMFORD EMERGENCY SERVICES FOUNDATION UTILIZING THE FACILITIES ON HAIG AVENUE AND WHETHER THERE IS A LEASE FOR THESE FACILITIES. Submitted by Robert DeLuca, R-14, 6/26/90.

MRS. NAKIAN said that each member received a letter from the Law Department explaining the situation. She said the EMS Foundation has been using the facilities on Haig Avenue to house one paramedic vehicle in order to provide service to that area of the city. Mrs. Nakian said the city agreed to allow EMS temporary use of the building as administrative headquarters.

Mrs. Nakian said the Stamford Emergency Medical Services is merging with the Stamford Ambulance Corps, and in the new proposal, the paramedic vehicles will be located at the two hospitals, Glenbrook Fire Department and the present Stamford Ambulance Corps site. Also, the Stamford Ambulance Corps site will be used as the administrative headquarters. She said the EMS will not be using Haig Avenue much longer. She said there was no lease but there was an insurance certificate that was in effect covering the time they used the facilities, and the use will be over very soon; as soon as the merger takes place.

MR. BLUM asked how long is it going to be before the EMS administrative headquarters move from the facility?

MRS. NAKIAN said that she could not answer that question. She stated that the postoffice is using the MOB lot under an agreement, not a lease because it is of short-term as EMS is. She said this was not in violation or unique; there is a short-term use of city property that has a limited period of time.

MRS. POWERS stated that the new organization will be in effect January 15, 1991, and at that point, EMS would have vacated Haig Avenue.

MR. BLUM questioned why EMS can stay at the facility for another four months without any lease and for no charge?

LEGISLATIVE & RULES COMMITTEE: (continued)

MRS. NAKIAN stated that it is not known if they will move before January 1st, and if they should be there until January 1st, then the Law Department can execute an agreement with EMS which does not have to come before the Board. Mrs. Nakian said leases are not done for four months.

5. (L&R21.35) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 111-11 OF THE CODE OF ORDINANCE REGARDING LEASH LAW. Submitted by Mayor Thom Serrani, 6/20/90.

HELD IN COMMITTEE

6. (L&R21.37) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR STAMFORD LAND CONSERVATION TRUST FOR PROPERTY LOCATED ON INGLESIDE DRIVE, LIST NUMBER 38010, CARD NUMBER N 006. DATE OF TRANSFER OF PROPERTY TO LAND TRUST WAS 12/27/89. DATE APPLIED TO BE TAKEN OFF TAX ROLLS 3/8/90. Requested by Joel M. Berns, Vice President, Stamford Land Conservation Trust, 22 First Street, Stamford, CT 06905, 7/9/90.

HELD IN COMMITTEE (To be taken off Agenda at Steering; abatement was already granted)

7. (L&R21.38) FOR PUBLICATION - PROPOSED ORDINANCE REQUIRING THE PURCHASE AND USE OF RECYCLED PAPER BY THE CITY OF STAMFORD. Submitted by Rep. David Martin, D-19, 7/19/90.

HELD IN COMMITTEE

MRS. NAKIAN 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.

PERSONNEL COMMITTEE - Scott Morris, Chairman

MR. MORRIS said the Personnel Committee on Wednesday, August 1, 1990, at 8:00 p.m. Members of the Committee present were Reps. Scott Morris, John Hogan, Michael Larobina, Peter Nanos, David Blum and Philip Stork. Excused were Reps. John Zelinsky and David Jachimczyk. Other attending the meeting were Mr. John Schmid, Asst. Majority Leader of the Branford Representative Town Meeting for item 1; Steven Harman, Asst. Personnel Director for item 2; and Rep. Robert DeLuca.

1. MATTER OF BINDING ARBITRATION. Submitted by Reps. Sandra Goldstein D-16, John J. Boccuzzi D-2, and Robert DeLuca R-14, 2/14/90. Reports made and Held in Committee 3/5, 4/2, 5/7, 6/4 and 7/9/90.

HELD IN COMMITTEE

PERSONNEL COMMITTEE: (continued)

MR. MORRIS said Mr. John Schmid, Asst. Majority Leader of the Branford Representative Town was a guest at the meeting. Mr. Morris stated that members of the Board will recall that the Branford RTM approved a resolution at their June, 1989 meeting urging the Connecticut General Assembly to enact reforms to the Binding Arbitration Act. At the meeting, Mr. Schmid said the issue of binding arbitration came to a head in Branford because from 1981 to 1986, teacher contracts were settled solely by binding arbitration at an average annual rate from 8.5% to 10%. Mr. Morris stated that Mr. Schmid said that RTM members were concerned and felt that the Legislature had to do something to bring about a more equitable balance between what unions are awarded and what municipalities can afford. Further, Mr. Schmid said that when employees in the private sector in Branford area receive annual wage increases from only 3.3/4 to 5% and when there is a weak regional economy and a looming state budget deficit, reforms have to be brought about which include the permitting of municipal legislative bodies to have input into the arbitration process. Mr. Morris said that was the rationale behind the resolution received by all members.

Mr. Morris stated that Mr. Schmid was delighted at the dialogue between himself, as a representative from one town and the Committee as representatives of the Stamford Legislative Body. Mr. Morris stated that Mr. Schmid would like to see more legislators involved in this highly important and sensitive issue and Mr. Schmid believed that the Connecticut Conference of Municipalities is the most effective and useful vehicle for articulating the concerns of all 169 municipalities in the State. Mr. Morris said that Mr. Schmid further stated that incumbents and first-time candidates should be questioned closely on how they would vote on the proposed reforms to the current statutes, and a very organized and forceful effort should be undertaken early during the 1990/91 session of the General Assembly to work for and bring about the passage of the reforms.

Mr. Morris said that Mr. Schmid concluded by saying the arbitration process should not be only for teachers and education administrators; but that all non-educational municipal employees be included in any legislative package that is to be considered next year. Mr. Morris said the Committee will continue deliberations and consideration on this item over the coming months before the next General Assembly convenes.

2. APPROVAL OF PAY PLAN GRANTING SALARY INCREASES TO MAYOR'S OFFICE RESEARCHER, BOARD OF FINANCE STAFF ANALYST AND SECRETARY/CLERK.
Submitted by Sim Bernstein, Personnel Director 5/30/90. Personnel Commission approved 4/26/90. Board of Finance approved 6/5/90. Returned to Committee 7/9/90.

MR. MORRIS said the Committee approved item 2 by a vote of 4 yes, 1 no vote with no abstentions. Mr. Morris Moved for approval. Seconded.

MR. BLUM said he was the no vote at the Committee meeting because the researcher, staff analyst and secretary/clerk were never submitted with the other non-union people. Mr. Blum said the contracts were for MAA non-union administrators and then the non-union work force. He said if we have a pay plan, the pay plan should have been all together to include the above positions. Mr. Blum stated these persons will be receiving retroactive pay from 1988. He said the pay plan should have been before the Board prior to now.

PERSONNEL COMMITTEE: (continued)

PRESIDENT GOLDSTEIN proceeded to a vote. APPROVED by 22 yes, 8 no votes with 2 abstentions.

PLANNING & ZONING COMMITTEE - David Jachimczyk, Chairman

MR. JACHIMCZYK said the Planning and Zoning Committee met on Thursday, August 9, 1990, at 7:30 p.m. Present were Committee members Domonkos, Jachimczyk, Nakian, Stork and White. Rep. Morris was excused.

Mr. Jachimczyk placed items 1 and 2 on the Consent Agenda.

1. APPROVAL OF PETITION FOR ROAD ACCEPTANCE - MARY VIOLET ROAD, 1000± SUBDIVISION MAP 11698 STAMFORD LAND RECORDS "MARY VIOLET FARM." Filed in Town Clerk's office under File No. 11732. Petitioner is DeLeo Brothers Development Corp., 494 Glenbrook Road, Stamford, CT 06904, 6/6/90. Certified for acceptance by Frank J. Soldano, P.E., City Engineer per letter of 7/12/90. Held in Steering 6/13/90.

APPROVED ON CONSENT AGENDA

2. APPROVAL OF PETITION FOR ROAD ACCEPTANCE - LEONA DRIVE, 400 FEET± SUBDIVISION MAP 11698 STAMFORD LAND RECORDS "MARY VIOLET FARMS." Filed in Town Clerk's office under File No. 11732. Petitioner is DeLeo Brothers Development Corp., 494 Glenbrook Road, Stamford, CT 06904, 6/6/90. Certified for acceptance by Frank J. Soldano, P.E., City Engineer per letter of 7/12/90. Held in Steering 6/13/90.

APPROVED ON CONSENT AGENDA

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

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

PUBLIC WORKS & SEWER COMMITTEE - Peter Nanos, Chairman - No report.

HEALTH & PROTECTION COMMITTEE - Ruth Powers, Chairwoman

MRS. POWERS said the Health and Protection Committee met on Wednesday, August 8, 1990, at 7:00 p.m. Present were Committee members Evanko, Mellis, Lovallo and Powers. Also present was Rep. W. Dennis White. A complete report was sent to all Board members.

1. REVIEW OF NOISE ORDINANCE. Submitted by Rep. David Blum D-12, 7/19/90.

MRS. POWERS stated that Deputy Chief Walter Young attended the meeting on behalf of the Police Department. She said there was a lengthy discussion on the effectiveness of the Noise Ordinance concerning motor bikes, "boom boxes," and motorcycles.

HEALTH & PROTECTION COMMITTEE: (continued)

MRS. POWERS stated that Deputy Chief Young pointed-out that the major problem with motorcycles was that once a call is received, by the time the police could possibly reach the point, the cyclist is gone. Deputy Chief Young will be getting statistics to the Committee for May, June and July indicating the number of citations given out; hence, it will be known if the ordinance works.

2. STATUS REPORT ON MERGER OF EMERGENCY MEDICAL SERVICES. Submitted by Reps. Sandra Goldstein D-16 and Ruth Powers D-8, 7/24/90.

MRS. POWERS said the presentation given was very interesting and informative and it was given by John Hinchcliffe of EMS, Jody White of the Stamford Hospital, and Judy Lipsett, of the Stamford Ambulance Corps. Mrs. Powers said the presentation was mainly informative and the Committee was informed that ordinances would be forthcoming and if there were any questions, time is of the essence as everything must be in place by January 15, 1991. (A copy of the Stamford Emergency Medical Services Inc. Report regarding the paramedic/ambulance service is attached to these Minutes)

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

MR. DeLUCA said the Parks and Recreation Committee met on Tuesday, July 31, 1990. Present were Committee members DeLuca, Perillo, Rybnick, Nanos, Owens, DePina and Fedele. Also present were Robert Neu, Director of Parks and Recreation; Mary Klein and other concerned citizens interested in the status of the reinstallation of outside showers at the west end of Cummings Beach; Morris Rubell and a friend were there to inquire about the Scalzi tennis courts.

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

1. MATTER OF PETITION RECEIVED FROM RESIDENTS REGARDING REINSTALLATION OF OUTSIDE SHOWER AND WATER FOUNTAIN AT CUMMINGS BEACH IN THE AREA OF THE CONCESSION. Submitted by Rep. Robert DeLuca R-14, 7/6/90.

MR. DeLUCA stated that Mr. Neu said he would do his best to reinstall the showers next year.

2. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM OCTOBER 29 THROUGH NOVEMBER 4, 1990 TO PUBLICIZE ANTIQUES SHOW. Requested by Margaret Canada, Antiques Show Chairman, Women of St. Francis Church, 65 Surrey Road, Stamford, CT 06903, 6/28/90.

APPROVED ON CONSENT AGENDA

3. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM APRIL 21 TO MAY 5, 1991 TO PUBLICIZE ART SHOW. Requested by Sheila Johnson, Asst. Director, The Long Ridge School, 478 Erskine Road, Stamford, CT 06903, 7/3/90.

APPROVED ON CONSENT AGENDA

PARKS & RECREATION COMMITTEE: (continued)

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

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

MR. DeLUCA Moved for Suspension of the Rules to take up an item not on the Agenda. The item pertained to a request from Planned Parenthood of Connecticut for permission to hang a banner. The motion was Seconded.

PRESIDENT GOLDSTEIN proceeded to a vote to Suspend the Rules to take up the request from Planned Parenthood. DEFEATED by a vote of 20 yes and 13 no votes. (21 votes needed to Suspend the Rules)

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

MR. ZELINSKY said the Education, Welfare and Government Committee met on Wednesday, August 8, 1990, at 7:30 p.m. Present were all the Committee members: Chairman Zelinsky, Vice Chairman Maihock, Reps. Mellis, Domonkos, Evanko, DePina and Mitchell. Also present was John W. Kelley, District Manager, Community Relations for the Southern New England Telephone Company; Thomas J. McKeon, Area Operations Manager, SNET; and Peter Pescosolido, Public Utilities Supervisor of CT. Department of Public Utilities Control.

1. MATTER OF DISRUPTION OF TELEPHONE SERVICE IN CERTAIN AREAS OF STAMFORD.
Submitted by Rep. John R. Zelinsky, D-11, 7/23/90.

MR. ZELINSKY stated that Mr. McKeon said that the loss of telephone service by approximately 27,000 Stamford customers on May 17, 1990 for 18 hours was attributed partially to a faulty cable connection and partly to a flaw in the computer switch. Mr. Zelinsky said the telephone company installed a new computer switch to make sure the outage does not happen again.

Mr. Zelinsky said that on July 25, at least 100 Stamford residents were unable to make out-of-state phone calls because of a malfunction in the phone company's system that connected local customers to the long distance service. The problem lasted a little more than two hours and Mr. McKeon informed the Committee that this also was a malfunction in the computer system memory or tables that direct customer lines to long distance companies. Mr. Zelinsky also stated that Mr. McKeon mentioned that was not related to the May 17th shutdown.

Mr. Zelinsky said that there was also discussion on a city street being without telephone service on Sunday, June 24, 1990, from approximately 11:00 a.m. to 8:10 a.m. the following Monday morning for a total of almost 21 hours with no explanation. Mr. Zelinsky stated that the telephone representative told someone calling about the outage, that the repair crews go home at 5:00 p.m. and nothing could be done until Monday morning and hoped there would be no emergencies.

Mr. Zelinsky said the representatives from the telephone company were encouraged to have crews on call 24 hours as no one can predict when an emergency will occur and without telephone service, an individual would not be able to dial 911 for emergency response. Also, Mr. Zelinsky stated that the telephone company was encouraged to have more pay phones in Stamford because on the May 17th outage, all pay phones were in service. He said the meeting was most informing and worthwhile.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Frank Mollo, Chairman

MR. MOLLO said the Housing and Community Development Committee met on Tuesday, July 31, 1990, at 7:00 p.m. Present were Reps. Summerville, Mitchell, Blum, Clemmons and Mollo. Also attending was Richard Gitlen, Executive Director of the Community Development Program. Also a meeting was held on Tuesday, August 7, 1990. Attending this meeting were Reps. Mitchell, Summerville, Pavia, Clemmons, Blum and Mollo. Also in attendance was Richard Gitlen, Executive Director of Community Development and Edward Schwartz, Executive Director of the Stamford Housing Authority.

1. MATTER OF BUDGETED COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTRATIVE FUNDS NOT BEING UTILIZED FOR THEIR DESIGNATED PURPOSES AS APPROVED BY THE BOARD OF REPRESENTATIVES. Submitted by Rep. Frank Mollo D-9, 6/13/90. Held in Committee 7/9/90.

HELD IN COMMITTEE

2. APPROVAL OF REALLOCATION OF \$94,100 FROM SOUTHFIELD COMMUNITY ORGANIZATION, INC. TO THE HOUSING AUTHORITY OF THE CITY OF STAMFORD TO BE UTILIZED FOR INSTALLATION AND REPAIR OF HEATING AND COOLING SYSTEMS IN GYMNASIUM, INSTALLATION OF HANDICAPPED RAMP, AND BATHROOM AT THE CHESTER ADDISON CENTER. ALSO REALLOCATION OF \$5,064.12 TO COMPLETE PLAYGROUND IMPROVEMENTS AT FORMER SWIMMING POOL SITE AT THE CENTER. Submitted by Mayor Thom Serrani 7/19/90.

MR. MOLLO said the Committee voted 5 yes, no no votes with 1 abstention to approve the \$94,100 portion of item 2. The Committee votes 5-0-1 to hold the \$5,064.12 due to the lack of a concrete proposal on the item.

Mr. Mollo stated the above item was pursuant to Ordinance 648 and no action was needed by the Board.

ENVIRONMENTAL PROTECTION COMMITTEE - Stanley Esposito, Chairman

PRESIDENT GOLDSTEIN thanked Mr. Lovallo for the article he sent to all Board members regarding recycling. She said the article was very informative and interesting.

MR. ESPOSITO said the Environmental Protection Committee met on Tuesday, August 7, 1990, at 7:00 p.m. The meeting reconvened this evening at 6:30 p.m. Attending were Reps. Stanley Esposito, Audrey Maihock, Richard Lyons, W. Dennis White, John Zimmerman, Philip Stork and John Boccuzzi; also attending were Commissioner of Public Works Donald Donahue, Liquid Waste Supervisor Jeannette Semon, and Bill Malone.

Mr. Esposito placed item two on the Consent Agenda.

1. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING GARBAGE, RUBBISH AND REFUSE AND THE SEPARATION OF RECYCLABLE MATERIALS. Submitted by Mary Sommer, Corporation Counsel 6/13/90. Held in Committee 7/9/90.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ESPOSITO said that at the meeting, Mr. Donahue explained that Requests for Proposals were sent to 16 potential collection subcontractors. Four (4) responses were received. He said the RFP's requested bids on curbside pickup of recyclables in the city; this was the regular, full-fledged program covering the entire city. Mr. Esposito stated that prior to this, RFP's were sent to 14 or 15 potential subcontractors for the Pilot Recycling Program. He said those RFP's requested bids on both curbside and backyard collection of recyclables. The return of the RFP's for the Pilot Program indicated that it would cost the City four times more to collect recyclables backyard rather than curbside.

Mr. Esposito stated that Mr. Malone, the successful bidder for the regular recyclable contract, noted that while 45,000 units were quoted on city-wide, a drop in the number of stops would not affect his low price of a \$1.73 per month per unit.

Mr. Esposito stated that Jeannette Semon told the Committee that Norwalk began its efforts and the recycling is being well received with enthusiastic participation by the residents.

Mr. Esposito said that Mr. Malone said that curbside pickup allows the collection agent to make 1,000 stops per day. He indicated that backyard pickup, which takes longer, would mean that a collection agent could only make 200 to 250 stops per day. Mr. Esposito stated that the recycling pickup is a totally new service and would have nothing to do with the regular garbage collections. He said the City of San Jose, California has backyard garbage collection like Stamford but has instituted curbside recyclable pickups, and the program is very successful. Mr. Esposito said there will be ten collection trucks on the road each day, five days per week to cover the entire city. Commissioner Donahue told the Committee that criteria will be developed for people to receive backyard pickup at no charge based upon a person's physical inability to bring their recyclables to the curb.

Mr. Esposito said the proposed ordinance for publication provides for the pickup of all residential dwelling units except for apartment buildings of more than four families which are excluded under the section in the ordinance covering commercial buildings. Commercial buildings will be required to recycle, however, they will be able to negotiate with private haulers taking into consideration that private haulers will receive money from the mills, the end users, who would be recycling the items collected.

Mr. Esposito spoke regarding the enforcement of the proposed ordinance. He said the Department of Public Works will spot-check both city garbage trucks and the trucks of the private collectors with regards to recyclable material discarded at the city dump. He said if a lot of material is discovered on a given garbage route in the regular garbage collection, the collector will be instructed not to pickup garbage from homes discarding recyclable materials.

Mr. Esposito said that all parties agreed that the city's approach to recycling would be a very positive one. The Committee voted 5 in favor and none opposed for publication of the ordinance. Mr. Esposito Moved for approval. Seconded.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ZELINSKY said he had strong concerns regarding the ordinance. He referred to Section 137-32 Collection of separated materials: "Such recyclable materials shall be placed at the curbside or other designated location for collection in a manner and on a schedule to be determined by the Commissioner of Public Works." Mr. Zelinsky asked what other designated location could there be other than curbside?

MR. ESPOSITO stated that in certain condominium complexes that the city will provide for, if it is in the best interest of the city's collection agent not to pickup 20 plastic containers on the curb in front of the given condominium complex, a location in the complex or yard for pickup would be determined by the Commissioner of Public Works.

MR. ESPOSITO stated that at this evening's Committee meeting, the Committee amended Section 137-32, Collection of separated materials, paragraph A: Mr. Esposito apologized for not stating this earlier before he discussed the ordinance.

Mr. Esposito Moved to amend the proposed ordinance. Seconded. He said Section 137-32, Collection of Separated materials, paragraph A, inserted after "provide" should be "for the."

PRESIDENT GOLDSTEIN called for a vote to amend the proposed ordinance inserting "for the" after "provide." APPROVED by voice vote with no dissenting votes.

MR. ESPOSITO Moved to insert "all" in two places in Section 137-32 paragraph A. The motion was Seconded. "All to be inserted after "units," and after "and": The paragraph would read, "It shall be the responsibility of the City to provide for the collection of recyclable materials generated by all 1 through 4 family residential dwelling units, all residential cooperatives and all residential condominiums in all areas of The City....."

PRESIDENT GOLDSTEIN called for a vote to amend the ordinance by inserting the word "all" in two places. APPROVED by voice vote with no dissenting votes.

MR. ZELINSKY read paragraph B of Section 137-32. He said there seemed to be a contradiction; it states "curbside." "Nothing in the ordinance will require the city to provide backyard collection." Mr. Zelinsky said the next sentence reads, "The Commissioner of Public Works shall have the authority to waive such charges where in his sole discretion they would constitute a hardship." Mr. Zelinsky said he was concerned with senior citizens, the disabled persons and residents with health problems that may not be able to physically bring the container to curbside. Mr. Zelinsky said there is no reflection on the Commissioner of Public Works but was concerned that one individual in the city, in his/her sole discretion, would decide whether the Jones Family or the Smith Family situation constitutes a hardship and a waiver of charges.

Mr. Zelinsky was also concerned about Section 137-37. Adoption of rules and regulations. "The Commissioner of Public Works is authorized to adopt written rules and regulations to enforce the intent of this Article,..." Mr. Zelinsky stated that he has yet to see any rules and regulations and said he would like to see the rules and regulations as they relate to constituents.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ZELINSKY said he did not think this ordinance was ready for publication. He said there is a mandatory time frame of January, 1991. He said the state is mandating this recycling but individuals that don't want curbside pickup, would have to pay extra when it is really a law mandated by the state and we are asking to assume the cost of a law mandated by the state. Mr. Zelinsky said he would like this item to be returned to Committee as he feels it would be irresponsible to publish and next month to have the proposed ordinance republished because of the changes brought up this evening.

Mr. Zelinsky Moved that the ordinance be returned to Committee. Seconded.

MR. BLUM believes the item should be returned to Committee because at the meeting, the Commissioner of Public Works did not give all the answers. Mr. Blum wanted to know what will happen to Public Works employees when there are less routes if there is a 60% pickup?

MR. RUBINO stated he would like the Committee to look into the impact on the mill rate on backyard pickup versus curbside for various districts.

MR. ESPOSITO said he did not think the proposed ordinance should be sent back to Committee for a number of reasons. He said legislation must be enacted before January 1 as mandated. He said the Committee has been working on the proposed ordinance for approximately five months. Mr. Esposito said the ordinance is most complete except for the evolving process and certain determinations which cannot be codified. Mr. Esposito stated that it served no good interest to delay the adoption process based on the objections heard this evening, and would like the ordinance to be published and a public hearing held.

MR. BOCCUZZI said he was against the ordinance being returned to Committee. He said he knows that there are questions to be answered but he said by publishing the ordinance, the process is started to meet the deadline. Mr. Boccuzzi said that input will be received from the general public as well as what some representatives are looking for as far as curbside or backyard pickup; costs, mill rate, etc. Mr. Boccuzzi said the information could be obtained when the public hearing is held. He said to delay the process another month will only make it harder to get the ordinance in the way the general public and the Board wants it to be. Mr. Boccuzzi favored publication and said any questions brought up will be answered.

MR. HOGAN said with the time constraints, it was imperative that the Board vote for publication and a public hearing be held.

MR. MARTIN said he agreed with Mr. Boccuzzi's remarks. Mr. Martin said he will vote in opposition on returning the ordinance to Committee. Mr. Martin stated that being there are no regulations yet, would be a good reason to return the item to Committee. He said how can we vote when we have no idea what the regulations will say. Mr. Martin stated if the item returns to Committee, he would like that addressed. He said he wants to know what the regulations will be before he votes on the ordinance.

MR. LYONS Moved the question. Seconded.

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

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN proceeded to a vote to return to Committee the proposed ordinance regarding recycling. DEFEATED by a vote of 10 no and 11 yes votes with two abstentions.

MR. LYONS said the proposed ordinance goes back before May and information was requested many times and the information was not forthcoming in the appropriate manner; specifically, the cost of backyard versus curbside pickup. He said he was displeased with the Commissioner of Public Works, Jeannette Semon and with all those involved with the ordinance. Mr. Lyons stated that at the last meeting, he again requested the information and other members also requested the information many times and the answers received were far from acceptable to him. He said he spoke to the Committee Chairman more than once and was speaking to him again this evening, to please make it know to the Commissioner and those involved in the program that the information is vital for the passage of the program. Mr. Lyons stated if the information is not forthcoming, approval will be in doubt.

Mr. Lyons Moved to amend the ordinance in Section 137-37 Adoption of rules and regulations: "The Commissioner of Public Works is authorized to 'adopt'...", strike out "adopt" and insert "present." The motion was Seconded.

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

MR. LYONS Moved to amend in the same Section, after the last word "regulations." to be inserted, "nothing herein shall be construed to prevent the Board of Representatives from presenting and adopting its own written rules and regulations pursuant to this ordinance." The Motion was seconded.

MR. ZIMMERMAN said that he understood what Mr. Lyons was trying to do; Mr. Zimmerman had an amendment prepared pertaining to this Section.

MR. LYONS yielded to Mr. Zimmerman so he could read his amendment.

MR. ZIMMERMAN read his amendment as follows: "Section 137-37. Adoption of rules and regulations. "The Commissioner of Public Works is authorized to prepare written rules and regulations to enforce the intent of this Article, the Connecticut General Statutes and the regulations adopted pursuant thereto. Said rules and regulations shall comply with this Article and with relevant state statutes and regulations. Said rules and regulations shall be subject to the approval and may be amended by the Board of Representatives at any time."

MR. LYONS withdrew his motion. The Secoder also agreeded to withdraw.

MR. ZIMMERMAN Moved his amendment. Seconded. Mr. Zimmerman read his amendment as stated above.

PRESIDENT GOLDSTEIN proceeded to a vote on Mr. Zimmerman's amendment. APPROVED by voice vote with no dissenting votes.

MR. MARTIN said there were many questions in the ordinance that still had to be answered even though it was going for publication. He said he expected the Committee to address and change the ordinance as appropriate.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. MARTIN said he was concerned that the Public Works Department did not recognize the type of service that the city already enjoys. Mr. Martin stated that most, if not all, of the residential pickup in the city is backyard. He said that prior to June 26 in the ordinance, there was no provisions for backyard pickup, and on June 29, the ordinance began to recognize the desire of many that backyard pickup should be recognized. Mr. Martin said the ordinance stated provisions will be made for backyard pickup at the expense of residential owners, but basically, the residential owners were on their own to completely negotiate with a hauler that had been picked by the city. Mr. Martin said that in that ordinance, for the first time, an explicit statement was found that nothing shall require the city to provide backyard collection.

Mr. Martin stated that on the July 11 draft, it was recognized that it was inappropriate to tell residential owners that they would have to negotiate with a hauler with a monopoly position, and at that time, the four times figure was instituted; that you could pay four times what was in the contract negotiated by the city. Mr. Martin said that on August 9, it was changed to three times. The ordinance states that the city will not be responsible for backyard pickup despite the fact that the city now has backyard pickup.

Mr. Martin said he was concerned because the right cost figures have not been given because the city does not know. Mr. Martin said there were a number of Request for Proposals done for a pilot program but the figures were discarded. Mr. Martin also stated that proposals went out for the recycling program but figures for a backyard recycling program were not asked; either as a total program or an optional program. Mr. Martin said he was of the opinion that we are not trying to provide the service that a lot of residents should be provided with. Mr. Martin said he was looking for a flat rate, fixed fee that would be established for everyone as the city is responsible for pickup of the materials. Mr. Martin said he wanted something in writing and he sees the Public Works Department running away from the issue in both the way the ordinances were drafted and the collecting of information.

Mr. Martin stated that there were a number of studies referred to that reported to show that curbside pickup is more effective and will increase the recycling percentage. He said he asked for the studies but they have not been forthcoming. He did not think the studies exist; he has never seen any; and never heard of them. He said curbside pickup defies any logic that he could think of that there would be more of a recycling effort by requiring residents to take their recyclable to the curb or pay extra for it when the garbage is handled at no cost or through private collectors. Mr. Martin said the program to be instituted seems to be anti-recycling.

MR. BOCCUZZI said he agreed with many of the things said by Mr. Martin. Mr. Boccuzzi said he will personally, pursue with the Administration, the Commissioner of Public Works, Jeannette Semon and anyone else to make sure that the members of the Board get all the answers they are looking for. He said if anyone had any particular question, problem, or question they wanted addressed, he would go to the 10th floor to get the information needed. Mr. Boccuzzi stated he would like to see the ordinance published.

MR. ZELINSKY stated that there should be some clarification on the dates of this item. The Agenda reads the item was submitted by Mary Sommer, Corporation Counsel 6/13/90; not four, five or six months ago, and was Held in Committee only one month.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ZELINSKY said this was not a long period of time; it was approximately two months.

Mr. Zelinski Moved to amend; page 4, Section 137-32. Collection of separated materials; delete the last two sentences that read, "Nothing in this ordinance shall require the City to provide backyard collection. The Commissioner of Public Works shall have the authority to waive such charges where in his sole discretion they would constitute a hardship." Mr. Zelinsky's amendment would read, "Any Stamford resident that because of a hardship, the charges would be waived by the Commissioner of Public Works." He said the above wording would tighten-up the present wording; this would make it uniform across-the-board that any hardship, such as senior citizens, or someone with health problems, physically unable to carry the 18-gallon container from the backyard to the curbside. Mr. Zelinsky's motion was Seconded.

MR. LYONS asked how hardship would be defined and by whom?

PRESIDENT GOLDSTEIN stated there is probably much sympathy on the Board for that type of amendment but that perhaps that should rest until a public hearing is held and Mr. Zelinsky's amendment could be made then in terminology that is appropriate, well thought out and well considered. President Goldstein said there would probably be a great deal of support then as opposed to now.

MR. ZELINSKY withdrew his motion. The Seconder also withdrew.

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 proceeded to a vote to approve for publication, the proposed ordinance, as amended, regarding recycling. APPROVED by a vote of 29 yes and 3 no votes.

PRESIDENT GOLDSTEIN took a rare prerogative of the Chair to speak to Mr. Esposito. She stated that the vote, 29 in favor and 3 opposed, was in no way an indication of the Board's true feelings, and the message must be brought to the Committee, the Public Works Department and the public hearing. She stated that many representatives will attend the public hearing, and much work will have to be done between now and the public hearing. President Goldstein stated there was a great deal of disappointment with the ordinance per se, specifically, with the forthrightness of the Public Works Department in coming forth to the Board and the people of the City of Stamford, with numbers as relating to backyard and curbside pickup and dealing with the contractor who was chosen in a manner which cannot be fathomed. President Goldstein said the vote should be considered on the importance of recycling but not on the specifics in the ordinance. She asked that her message be brought to Public Works.

MR. ESPOSITO stated that he will convey President Goldstein's message to all concerned parties.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

2. PROPOSED RESOLUTION RECOMMENDING AMENDMENT OF SOUTHWEST CONNECTICUT REGIONAL RECYCLING OPERATING COMMITTEE (SWEROC). Submitted by Mary Sommer, Corporation Counsel, 7/24/90.

APPROVED ON CONSENT AGENDA

MR. ESPOSITO stated the amendment provides for two things: First, it allows the assets of SWEROC to be divided if it ever dissolves; if it ceases to exist and secondly, a vote in favor of the amendment allows SWEROC to apply for a tax exempt status with the Federal government.

MR. ESPOSITO Moved 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

MR. BLUM said a meeting of the Coliseum Authority Liaison Committee was held on Thursday, August 9, 1990 at 7:07 p.m. Attending were Reps. Esposito and Blum. Also in attendance were Paul Pacter, John Roman, Vivien White, Maria Nakian and Carmen Domonkos.

1. REPORT FROM COLISEUM AUTHORITY TASK FORCE REGARDING ART GROUPS BEING PUT UNDER ONE UMBRELLA SO FUNDING BE MADE FROM ONE ORGANIZATION. Submitted by Rep. David Blum, 7/3/90.

HELD IN COMMITTEE

MR. BLUM stated that Mr. Pacter indicated that the Coliseum Authority applied for a three-year grant (matching funds) from the National Endowment for the Arts. The grant is slightly more than \$29,000 per year and the grant is to encourage the arts. He said a common problem nationally was a lack of communications between small art groups. He also stated that Stamford has to establish a master art plan for the community comprised of: A. Where we are relative to the arts; B. What do we want 10 years down the road and C. Develop a plan to get from A to B.

Mr. Blum stated that "STARTS" is the Stamford Arts Study and funding will be one of the most important issues which will surface in the study. He said a meeting will be convened covering all art groups and target groups will be identified along with spokesmen from the groups to be invited to speak about their artistic needs. Mr. Blum said some existing studies have already been reviewed by the Committee and questionnaires and surveys will be conducted city-wide. Mr. Blum stated that more information is forthcoming.

LABOR RELATIONS COMMITTEE - John J. Hogan, Chairman

1. PROGRESS REPORT ON LABOR CONTRACTS. Submitted by Rep. John J. Hogan, D-12, 7/24/90

HELD IN COMMITTEE

MR. HOGAN said he met with Mr. Barrett, Labor Negotiator for the City, to ascertain the status of various contracts being negotiated. Mr. Hogan learned that progress has been made on the Firefighters contract towards a negotiated settlement. Also, Mr. Hogan stated there were active negotiations with the Dental Hygienist and the Teamsters recently filed for factfinding. Mr. Hogan said that Mr. Barrett pointed out the fact that there were numerous grievances and alleged contract violations, submitted by various individuals and unions and these are either in the active state of being resolved, attempting to be resolved or awaiting the assignment of hearing dates.

Mr. Hogan said his Committee will be meeting in the near future with Mr. Barrett.

RESOLUTION

1. SENSE-OF-THE-BOARD RESOLUTION OPPOSING THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY'S PROPOSED 15% RATE INCREASE FOR BASIC RESIDENTIAL SERVICE FEES FOR STAMFORD CUSTOMERS. Submitted by Rep. John R. Zelinsky, D-11, 7/23/90.

MR. ZELINSKY Moved to approve the above resolution. Seconded.

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

MR. DeLUCA Moved to Suspend the Rules to place a resolution on the Agenda. Seconded.

PRESIDENT GOLDSTEIN stated that there were four resolutions to be brought up under Suspension of Rules. She said the four would be considered altogether under Suspension of Rules and one vote would be taken to approve them.

A motion was made and Seconded to Suspend the Rules.

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

2. SENSE-OF-THE-BOARD RESOLUTION HONORING RALPH "NIPPY" WILLIAMS. Submitted by Rep. Robert "Gabe" DeLuca, R-14, 8/13/90.
3. SENSE-OF-THE-BOARD RESOLUTION HONORING STAMFORD'S 16-18 YEAR-OLD BABE RUTH ALL-STAR TEAM. Submitted by Rep. Stanley J. Esposito, R-11, 8/13/90.

RESOLUTIONS: (continued)

4. SENSE-OF-THE-BOARD RESOLUTION HONORING STAMFORD'S SPRINGDALE LITTLE LEAGUE ALL-STAR TEAM. Submitted by Rep. Stanley J. Esposito, R-11, 8/13/90.
5. SENSE-OF-THE-BOARD RESOLUTION HONORING TONY PIA. Submitted by Carmen Domonkos, D-18, 8/13/90.

PRESIDENT GOLDSTEIN called for a vote to approve resolutions, 2, 3, 4, and 5. APPROVED by voice vote with no dissenting votes.

A motion was made to Suspend the Rules to consider a resolution opposing an increase in the Yankee Gas rates. Seconded.

PRESIDENT GOLDSTEIN called for a vote to Suspend the Rules to consider the resolution. DEFEATED by a voice vote.

MINUTES

1. MAY 7, 1990 REGULAR BOARD MEETING - Approved.
2. MAY 8, 1990 SPECIAL BUDGET MEETING - Approved.
3. JUNE 4, 1990 REGULAR BOARD MEETING - Approved.
4. JULY 9, 1990 REGULAR BOARD MEETING - Approved.

COMMUNICATIONS

MR. MARTIN stated that a dinner is being planned for Commissioner Paul Pacter who will be leaving his post as Commissioner of Finance. He urged all members to set aside October 9 to honor Commissioner Pacter who has done a fantastic job.

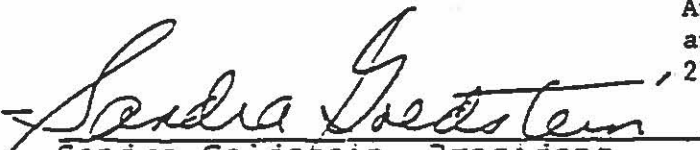
NEW BUSINESS


PRESIDENT GOLDSTEIN reminded the Board that in addition to the regular September meeting, a public hearing will be held on September 6, for the Capital Projects budget and a Special meeting of the Board will be held sometime after the regular Board meeting.

MR. LYONS reminded members of the Fiscal Committee that the public hearing is a joint hearing held with the Board of Finance.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 11:08 p.m. after the motion to adjourn was made, seconded and approved.

APPROVED:


Sandra Goldstein, President
21st Board of Representatives


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

SG:ak
Enclosures