

MINUTES OF REGULAR BOARD MEETING

MONDAY, SEPTEMBER 10, 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, September 10, 1990, in the Legislative Chambers of the Board in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

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

INVOCATION was given by Peter J. Hogan, Seminarian, Immaculate Conception Seminary, Seton Hall University, So. Orange, NJ.

"Almighty God, we ask You to look down upon these Representatives and guide them in their deliberations. That the decisions they make be fair, just, equitable and in the best interest of the citizens of this city. Grant us, O God, that by loving You, we may love each other and love according to Your law. Watch over our country whose heart is troubled at this time; watch over our nation which desires happiness for all its peoples and obtain for us victory and peace. God bless you all and Shalom. Amen."

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

ROLL CALL was taken by the Clerk of the Board Annie M. Summerville. There were 36 members present and four absent. Absent were Reps. Judith Evanko, Peter Nanos (excused), Naomi Schoenfeld (excused) and Elaine Mitchell (excused).

The Chair declared a quorum.

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

MOMENTS OF SILENCE:

For the late Frank C. Gaipa, 26 Woodbury Avenue, submitted by Rep. Philip R. Stork, 15 District.

"Frank C. Gaipa passed away in August at the age of 88. He resided at 26 Woodbury Avenue in the Springdale section of Stamford. Mr. Gaipa was a million dollar salesman for the Metropolitan Life Insurance Company in Stamford where he worked for 33 years. He was a pianist who performed with local dance groups in the 1940's and was active in the Boy Scouts at Sacred Heart Church.

"Among his survivors are his wife, Mary Ellen, and son, Walter whom many of us served with on the 17th Board of Representatives in 1982 and 1983. There was also an additional son, four sisters, two brothers, seven grandchildren, nine great-grandchildren, and several nieces and nephews.

"Mr. Gaipa was very cordial to my running mates and I over the years and would always invite us into his home for discussions on the political issues at hand. He has been a wonderful man to many people for a long time and therefore, I respectfully request this Moment of Silence to honor his passing. He will be missed."

MOMENTS OF SILENCE: (continued)

For the late Virginia Rustici, wife of Advocate Columnist Don Russell. Sincerest sympathy to Don and his family. Submitted by Rep. Stanley J. Esposito, R-11.

For the late Mary Gallagher, wife of Leo P. Gallagher, Jr. Sincerest sympathy to Leo and his family. Submitted by Rep. Stanley J. Esposito, R-11.

For the late Mrs. Mary Virginia O. Rustici of Stamford, a homemaker and retired early childhood teacher. She is survived by her husband, Donald Rustici, the Advocate's columnist known as Don Russell. Submitted by Rep. John R. Zelinsky, D-11.

For the late Mary Elizabeth Gallagher, homemaker. Mrs. Gallagher was president of St. Joseph Medical Center Auxiliary. She was also a former president of Stamford Catholic High School Home School Association. Surviving are her husband Leo P. Gallagher, Jr. of Stamford and family. Submitted by Rep. John R. Zelinsky, D-11.

For the late Michael Sullo, head custodian of Cloonan Middle School. He served within the school system for more than 25 years. A U. S. Army veteran of World War II, he was a former president of the local custodial union 1083. Submitted by Rep. John R. Zelinsky, D-11.

MAYOR THOM SERRANI'S ANNUAL MESSAGE FOR FISCAL YEAR 1989/90 AS PER CHARTER SECTION 3-10-6. (A copy of the Mayor's Annual Message as submitted to the Board, will be attached to the official copy of these Minutes, the Town Clerk's copy and the Library's copy.

PRESIDENT GOLDSTEIN welcomed Mayor Thom Serrani.

MAYOR THOM SERRANI stated that a written report was given to all members of the Board. He said the written message was a compilation of the activities of each department throughout the city government. The Mayor said that many things were accomplished.

The Mayor pointed out that there are some deep financial problems in the northeast section and in the country, and as the Charter allows, and because of the times, he said he would come before the Board on a quarterly basis. The Mayor said he would be stating the condition of the city to the Board from his position.

The Mayor stated that he was proud of the model sewage treatment plant, also the fact that Stamford was listed in "Parenting" magazine as one of the top ten cities in the country to raise children in. He said he was proud that we have received awards for our finances through the Financial Accounting Officers of North America; also a productivity award was received from Rutgers University for one aspect of our budgeting process.

The Mayor said finances were the number one issue facing every municipal government on the east coast; mostly, the communities in the northeast. He stated that last spring, a potential deficit was anticipated at the end of the fiscal year; a deficit not seen by the present administration for six years. He said the problem, according to economists, is a three-year problem and we were probably in a better position to deal with the problem than most communities.

MAYOR THOM SERRANI'S ANNUAL MESSAGE: (continued)

MAYOR SERRANI (continuing) stated that last spring, the city was facing a potential \$1.8 million deficit, and collectively, with all parties concerned, this was halted. The Mayor said that the State faced a major deficit this year, last year and anticipates a deficit next year. Also, the Federal government's deficit is \$3 trillion and climbing. The Mayor stated that Stamford has maintained seven years of balanced budgets and for seven years the tax increases were below the rate of inflation. He said putting a halt in the previous fiscal year but cutting 5% and by doing the same in the current fiscal year was attained by the Board's efforts. The Mayor said that \$20 million was cut, and because of the actions, the financial stability and viability of the city has been maintained reaping benefits in economic development; a subject discussed by the Board in the past months.

The Mayor stated that because of the strong actions taken in February and March, there will not be a deficit this year; he said there will be a surplus for the seventh consecutive year. The Mayor said it was difficult to forecast and said it was better to have surpluses than deficits. The Mayor said that money that ends in this surplus, will go into the following year's budget. The Mayor mentioned that there was not much construction in the city and there is not a lot of a new tax base happening in the city, and revenue is not being derived from the tax base as it was in the past. He said that two years ago, there was an additional \$250 million in the grand list. This generated several million dollars in revenue. The Mayor stated that as of yesterday, there was an increase of \$3 million in the grand list. He said this does not translate into a lot of revenue.

The Mayor said that he was proud of what has been done; that Stamford has had seven years of balanced budgets, tax increases below inflation rates and surpluses. The Mayor stated that within the State, Stamford has had the lowest tax increase this year of any major city. He said surrounding towns don't provide the services received in Stamford, and don't abate \$750 million for properties; social services, AIDS homes and homeless shelter, etc., have had double digit tax increases.

The Mayor said because of the efforts made, the quality of life in Stamford has been maintained and services have not been appreciably changed or altered. The Mayor mentioned the Parks and Recreation Department. He stated that he received less complaints this year regarding the beaches, parks and ballfields that he had received in the past years. He said the Department cut 5% and went above and beyond the 5%. He said that was a sterling example of what was being done by many departments.

Mayor Serrani stated that Stamford is being eyed by major corporations, and businesses throughout the tri-state area and across the country; companies from California, New York, Illinois, and the South. The Mayor said that Stamford shines and has a success story to tell. He said that he intends to tell the story and hoped that all members of the Board would join him. The Mayor stated that economic development is a crucial aspect of the Mayor's job and of members of the Board, and if done properly, it will maintain the quality of life and Stamford will come out of the problem sooner and better than any other communities in the surrounding areas. The Mayor said there will be a need to work together and decisions by the Board of Representatives and other Boards will have to be made to bring companies to Stamford and to insure that vacant space is filled and vacant lots have construction work on them.

MAYOR THOM SERRANI'S ANNUAL MESSAGE: (continued)

MAYOR SERRANI (continuing) said the Chamber of Commerce has started a campaign promoting Stamford. The Mayor stated that tomorrow, there will be a kick-off with the Wall Street Journal and the Stamford Partnership to encourage the outside world to look at Stamford. Also, he stated that Southwestern Industry and Commerce Association is having a marketing campaign to bring people into the region. The Mayor told the members that they will be called upon at some point, to assist in the efforts in a direct way and with their votes. The Mayor stated that he would be back with details.

The Mayor said it was incumbent upon him to talk about a subject that has been bandied about by the Boards and press. He said he was very proud of the efforts made regarding the Government Center, the setting up of the EMS system, and having one of the best operating sewage treatment plants on the east coast. He said that many have seen the operations of 911 and many understood the difficulties of setting-up the system. He said that former Mayors Julius Wilensky and Louis Clapes were on record to have a 911 system. The Mayor said that the present administration put the system in place and the system is one of the best in the country, and has been saving lives each and every day.

The Mayor said the system was very complicated to put in place, and was not an easy task to set up. The Mayor said the system was set-up properly and within the law and regulations. The Mayor mentioned some of the people who were on the committee and stated they are all highly respected and qualified men who put in a lot of time and work into making the system work. The Mayor said he wanted all to know the process and the process will be known. He said he thought a lot of "hip shooting" has gone on and a lot of politics have been played with the issue. He said he was proud of 911 and all members should be also. He said in time, details will be known and probably awards will be given to the people who made the system happen and not criticism. The Mayor stated the Board had a right to ask questions and they should be asked. The Mayor spoke about the boy who had his arm severed and the boy's life was saved by the people who were working together; police, firefighters and communications. The Mayor said the former system was archaic and had to be upgraded; not only the 911 system but also the radio systems. He mentioned that no longer can drug dealers tune in on a scanner and hear the police are coming. He said communications are now going over the mobile data terminals. The Mayor stated that if anyone was not familiar with the system, the people working with the system would be willing to show anyone how the system works.

The Mayor said to insure that taxpayers' money will be saved, waivers are used, will be used and will continue to be used. He requested that when you look at the issue, three questions should be asked: Were any laws broken? Were there any regulations broken? Was any money wasted? Also, he said other questions were also important; What was the motivations behind the people who worked on the committee? The Mayor said could the motivations be that they tried to get the best system for the public and to protect themselves as they are police officers, firefighters and ambulance personnel? He said he never questioned the motivations of the people working to set up the system. The Mayor said that 14 people, including the city council from Edmonton, Canada, came to view the 911 system, and why did people from Hartford, Washington and other places come here to view our system? The Mayor said we should be proud of the system and the system is one that people want to emulate.

MAYOR THOM SERRANI'S ANNUAL MESSAGE (continued)

MAYOR SERRANI (continuing) said it was important to speak about the 911 system and asked that the members be informed first and comments made later. He said the comments should be positive.

The Mayor said he will be coming back to the Board and will keep the Board informed regarding the city's financial situation and we must be vigilant as times goes on. He said the contingency is \$5.2 million as compared to a \$9 million plus contingency last year. The Mayor said that every supplemental appropriation that is approved and subtracted from the contingency will be copied to the members of the Board. He said he feared overspending would cause a deficit and that would hurt the reputation of the city and the companies that wanted to move to Stamford.

The Mayor stated that there was a similarity between what happened regarding 911 and recycling. He said the money to construct the 911 system was not in place until six months before the system had to go on line. He said it was unfair to the administration and the people who worked on the system that were put "against the wall" and then expected to do wonders by not having the money in place. The Mayor stated that we were four months from recycling and the money is not in place. He said when he asked the Board of Finance for the money, they told him to take it out of the contingency fund, and when this was requested, they said to take it out of haulaway. The Mayor said there was a committee established to make the decisions.

The Mayor said he wanted to talk to the Board more often and that it was important to develop a rapport that way. He said if anyone had any subject they wanted the Mayor to address at the quarterly meeting, to let his office know and he would be happy to address their concerns. The Mayor stated that his press conference is held each Tuesday morning and is rebroadcasted during the week; questions could also be addressed at press conferences.

The Mayor thanked the members of the Board and hoped his change in the format concerning the Annual Message was better than just reading off the accomplishments.

PRESIDENT GOLDSTEIN thanked the Mayor for his presence. She said the Mayor's "conversation" before the Board is productive and is a precursor to fine communications and interactions. The President stated the Mayor did not have to invoke the Charter, that it would be a pleasure to have him appear before the Board on a quarterly basis, and expected to see him in December.

The President said that it would also be a pleasure to have the Mayor at an informal meeting with members of the Board so a "give and take" session could be held.

MAYOR SERRANI stated that when the audit is completed, he did want to encourage his presence so that all could understand the issue.

PRESIDENT GOLDSTEIN reminded the Board that on Monday, September 24, 1990, a Special Meeting will be held to consider the Capital Projects Budget for fiscal year 1990/91. Also, she stated the Fiscal Committee will be meeting at the end of the present week.

President Goldstein appointed Fred Johnson to sit on the Health and Protection Committee, Urban Renewal Committee and the Public Works and Sewer Committee.

STANDING COMMITTEESSTEERING 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, August 22, 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	John J. Boccuzzi	Mary Lou Rinaldi
Scott Morris	Ruth Powers	John Zimmerman
Audrey Maihock	Robert DeLuca	Mildred Perillo
Annie Summerville	Frank Mollo	David Jachimczyk
James Rubino	Peter Nanos	Stanley Esposito
Richard Lyons	Maria Nakian	John Roman, WSTC
Michael Larobina	W. Dennis White	Barclay Palmer, Adv.
Thomas Pia	John R. Zelinsky	Anne Kachaluba
David Blum	David Martin	

APPOINTMENTS COMMITTEE - Ordered on the Agenda were three of the four items appearing on the Tentative Steering Agenda. Ordered off the Agenda was Mr. George J. Rogers (D) for Zoning Board of Appeals Alternate.

FISCAL COMMITTEE - Ordered on the Agenda were 16 of the 22 items appearing on the Tentative Steering Agenda. Ordered Held was Status report on Sense-of-the-Board Resolution Concerning Economic Development in Stamford. Ordered off the Agenda were five items: Status report on the Law Department's operations and four items for appropriations for the Public Works Department that were defeated by the Board of Finance.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were five of the nine items appearing on the Tentative Steering Agenda and one item approved at the Steering meeting which was (L&R21.44) proposed ordinance establishing procedures for bidding process pursuant to Charter Sec. C5-100-4. Ordered Held were two items: (L&R21.35) proposed ordinance amending Sec. 111-11 of the Code regarding leash law and (L&R21.38) proposed ordinance requiring the purchase and use of recycled paper by the city. Ordered off the Agenda were two items: (L&R21.37) proposed ordinance concerning tax abatement for Stamford Land Conservation Trust for property on Ingleside Dr.; this was a duplicate request, and (L&R21.41) proposed ordinance requiring window guards on high rise dwellings. This item is on the Pending Agenda under the Housing and Community Development Committee. Ordered off the Pending Agenda were the following items: (L&R21.05) proposed ordinance concerning the issuance of citations, (L&R21.21) proposed ordinance concerning tax abatement for Neighborhood Housing Service for property at 19 Vista Street, and (L&R21.22) proposed ordinance concerning tax abatement for Neighborhood Housing Services for property at 59 Spruce Street.

PERSONNEL COMMITTEE - Ordered Held was the one item appearing on the Tentative Steering Agenda. Ordered on the Agenda was the one item appearing on the Addenda and that was the future action to be taken regarding current state binding arbitration process.

STEERING COMMITTEE REPORT; (continued)

PLANNING & ZONING COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda and one item appearing on the Addenda; that item was Review of guidelines for acceptance of streets.

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

HEALTH & PROTECTION COMMITTEE - None of the two items appearing on the Tentative Steering Agenda were ordered on the Agenda. One item, Review of Noise Ordinance was Held and the other item, Status report on merger of Emergency medical Services, was placed on the Pending Agenda.

PARKS & RECREATION COMMITTEE - Ordered on the Agenda were the four items appearing on the Tentative Steering Agenda. Ordered off the Pending Agenda was the item concerning a review of the Parks & Recreation Department's audit.

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

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered on the Pending Agenda was the reallocation of \$5,064.12 from Southfield Community Organization to the Housing Authority to complete playground improvements at former swimming pool site at the Center.

URBAN RENEWAL COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was the one item appearing on the Addenda and that was a Status report from the Urban Redevelopment Commission.

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

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

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

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, seconded and approved, the meeting was adjourned at 9:05 p.m.

Sandra Goldstein, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Mildred Perillo, Chairwoman

MRS. PERILLO said the Appointments Committee met on Tuesday, September 4, at 7:30 p.m. Present were Committee members were Mildred Perillo, Robert DeLuca, Thomas Pia, Gloria DePina, and John Boccuzzi. Reps. Summerville and Schoenfeld were excused.

Mrs. Perillo placed items 1 and 3 on the Consent Agenda.

HEALTH COMMISSION

TERM EXPIRES

- | | | |
|---|---------------|---------|
| 1. <u>MS. KATHLEEN HESLIN</u> (D) | Reappointment | 12/1/91 |
| 327 Barmore Drive | | |
| (Held in Committee 7/9, Steering 7/24/90) | | |

APPROVED ON CONSENT AGENDA

BOARD OF ETHICS

- | | | |
|---|---------------|--------|
| 2. <u>NORINE F. KRASNAGOR, ESQ.</u> (D) | Reappointment | 6/3/95 |
| 148 Saddle Hill Road | | |

MRS. PERILLO said that Ms. Krasnagor withdrew her name. Ms. Krasnagor called Mrs. Perillo and sent a letter to the Mayor and the City Committee stating that her business and family was taking up much of her time and she, therefore, would not have the time to attend the meetings.

BOARD OF TAX REVIEW

- | | | |
|-------------------------------------|-------------------------|---------|
| 3. <u>MR. DONALD J. WHELLEY</u> (D) | Replacing S. Starks who | 12/1/91 |
| 8 Robinson Drive | resigned. | |

APPROVED ON CONSENT AGENDA

MRS. PERILLO Moved the Consent Agenda. Seconded.

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

FISCAL COMMITTEE - Richard Lyons, Chairman

MR. LYONS said the Fiscal Committee met on Wednesday, September 5, 1990. Present were Committee Members Lyons, Rybnick, Hogan, Powers, Clemmons, Rinaldi, Zimmerman and Martin. Also present were Reps. Boccuzzi, Goldstein and Stork.

FISCAL COMMITTEE: (continued)

MR. LYONS placed items 1, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14 and 15 on the Consent Agenda. All Secondary Committees concurred or waived the Secondary Committee report.

1. \$164,696.00 - BOARD OF EDUCATION - CODE 810.7110 - additional appropriation for "English as a Second Language (E.S.L.)" representing a grant which will be reimbursed during 1990/91 fiscal year. Pursuant to Sec. 10-217a of the CT General Statutes. Request by Daniel G. Cook, Asst. Supt. for Support Services, Stamford Public Schools, P. O. Box 9310, Stamford, CT 06904, 6/13/90. Held in Steering 7/24/90. Board of Finance approved 8/14/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

2. \$405,370.00 - PUBLIC WORKS DEPARTMENT - CODE 326-VARIOUS - FOR REGIONAL LABORATORY - additional appropriation to equip and staff a laboratory to test wastewater effluent entering Long Island Sound. This Regional Testing Lab will be established from a grant.

326-1110 salaries	\$172,471
326-1310 social security	13,321
326-1330 medical	33,321
326-1392 self insurance management fund	4,439
326-2210 maintenance of buildings	12,650
326-2650 new equipment	110,000*
(*auto analysis \$70,000; digestion/distillation \$39,000; refrigeration unit \$1,000)	
326-2916 administrative expense	38,668
326-2923 copying & printing	500
326-2930 office supplies & expense	5,000
326-3711 laboratory supplies	<u>15,000</u>
	<u>\$405,370</u>

Request by Mayor Thom Serrani, 7/23/90. Held in Steering 7/24/90. Board of Finance approved 8/14/90.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

MR. LYONS said this was a state grant to the city to establish a laboratory for testing wastewater effluent entering Long Island Sound from 26 other sewage treatment plants in the state. He said the tests will be forwarded bi-weekly to the state for evaluation and enforcement. Mr. Lyons said the grant was a two-year grant and two employees will be hired resulting from the grant and they will be hired on a duration contract. He said if the grant is not renewed at the end of two years, the jobs will be abolished and the city will have no responsibility.

FISCAL COMMITTEE: (continued)

MR. LYONS stated the grant also provides a \$110,000 to purchase new equipment which will make the laboratory one of the most modern and efficient in the country. The equipment will belong to the City of Stamford.

Mr. Lyons said the Committee voted 6 in favor and none opposed and Moved for approval. Seconded.

The Public Works & Sewer Committee Moved to waive the Secondary Committee report. Seconded. APPROVED by voice vote with no dissenting votes.

MRS. MAIHOCK inquired about 326-2210 maintenance of buildings. She wanted to know what building the laboratory would be in?

MR. LYONS said that the laboratory would be in a portion of the building housing the sewage treatment plant.

MR. DeLUCA asked if any city employees will be involved during the two-year period the lab will be in service or just the two people to be employed?

MR. LYONS stated that city employees will also be involved and there will be other changes paid by this grant.

MR. DeLUCA asked whether we will have qualified people to continue the operations when the program ends?

MR. LYONS stated that if the program ends at the end of two years, the people that were hired will be terminated unless the Board or someone else sees it fit to keep the two people on; but under the grant, their contract will end at the end of the two-year period.

MS. RINALDI said that the lab process could possibly become a money making entity for the city; the need to test could go beyond the program and revenue could be raised.

PRESIDENT GOLDSTEIN called for a vote to approve \$405,370 for the regional laboratory. APPROVED by voice vote with one abstention, Mr. White.

3. \$ 45,000.00 - LAW DEPARTMENT - CODE 230.2220 SALARIES - additional appropriation is needed to fund 1990/91 salaries. This will not cover entire year. Request by Mayor Thom Serrani, 7/25/90. Board of Finance approved 8/14/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE. MRS. MAIHOCK.

4. \$ 28,282.00 - SOCIAL SERVICES DEPARTMENT - CODE 520-1110 SALARIES - additional appropriation request to hire one additional caseworker. Request by Mayor Thom Serrani, 7/27/90. Board of Finance approved 8/14/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

HELD IN COMMITTEE

FISCAL COMMITTEE: (continued)

5. \$332,615.00 - SOCIAL SERVICES DEPARTMENT - CODE 510-5130 PROFESSIONAL MEDICAL CARE - additional appropriation required to correct budgeting error in recording department's request. This appropriation is 90% reimbursable. Request by Mayor Thom Serrani, 7/25/90. Board of Finance approved 8/14/90.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

6. \$604,660.00 - LABOR NEGOTIATIONS - DEPARTMENT 999 - VARIOUS CODES - SALARY
 (\$404,840.00 APPROVED) ADJUSTMENTS TO FUND ARBITRATION AWARD FOR NURSES.
 For fiscal year 1990/91 \$404,426 - \$204,426 approved
 For fiscal year 1989/90 retro 200,414 - 200,414 approved
 \$604,840 - \$404,840 approved
 Request by Mayor Thom Serrani, 7/25/90. Board of Finance approved 8/14/90.
 (\$404,840 approved & \$199,820 Held in Committee 9/10/90)

Above also referred to PERSONNEL COMMITTEE/LABOR RELATIONS COMMITTEE.

MR. LYONS said the Committee voted four in favor, none opposed with two abstentions to recommend to the Board the funding of the retroactive payment for 1989/90 in the amount of \$200,414. Also, the Committee recommended for fiscal year 1990/91, payment in the amount of \$204,426; totally \$404,840 with the remaining \$199,820 to be Held in Committee.

Mr. Lyons said the Committee had questions that were not answered regarding the arbitration award, the size of the award and some of the items awarded; whether the city was in a position to fund this award for this amount. The Committee felt that under law, the retroactive portion had to be funded. Mr. Lyons stated that payments have begun in this fiscal year and the \$204,426 would cover the payment while answers are being sought by the Committee.

Mr. Lyons Moved for approval of item six as recommended by the Committee. Seconded.

The Personnel and Labor Relations Committees concurred.

PRESIDENT GOLDSTEIN proceeded to a vote to approve item six as recommended by the Fiscal Committee. APPROVED by voice vote with one abstention, Ms. Summerville.

7. \$ 3,390.00 - LABOR NEGOTIATIONS - NON-UNION ADMINISTRATORS - CODE 999-9202 RETROACTIVE PAY FOR 1988/89:
 Board of Representatives researcher \$ 203
 Board of Finance staff analyst 813
 Board of Finance clerk 757
 Mayor's researcher 2,217
 \$3,390
 Request by Mayor Thom Serrani, 7/25/90. Board of Finance approved 8/14/90.

Above also referred to PERSONNEL COMMITTEE

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE, MRS. MAIHOCK AND ONE ABSTENTION, MS. SUMMERVILLE DUE TO A POSSIBLE CONFLICT.

FISCAL COMMITTEE: (continued)

8. \$ 300.00 - STAMFORD YOUTH PLANNING AND COORDINATING AGENCY - CODE 205-7525 DIRECT SERVICES -additional appropriation to cover a donation received by SYPCA. Request by Mayor Thom Serrani, 7/25/90. Board of Finance approved 8/14/90.

APPROVED ON CONSENT AGENDA

9. \$ 20,000.00 - PARKS AND RECREATION DEPARTMENT - AMENDMENT TO THE CAPITAL PROJECTS BUDGET FOR CODE 601-665 PLAYGROUND REHABILITATION additional appropriation to cover donation received from Pitney Bowes. (The purpose of this request is procedural to correct a matter which slipped into a crack last December) Request by Mayor Thom Serrani, 5/25/90. Planning Board approved 6/5/90. Board of Finance approved 8/14/90.

Above also referred to PARKS AND RECREATION COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, MR. MOLLO.

10. \$ 1,000.00 - PARKS AND RECREATION DEPARTMENT - CODE 640.3645 SUMMER BUSING - additional appropriation required to cover budget transcription error. Request by Mayor Thom Serrani, 5/25/90. Board of Finance approved 8/14/90.

APPROVED ON CONSENT AGENDA

11. \$ 633.00 - PARKS AND RECREATION DEPARTMENT - CODE 640-3645 SUMMER BUSING GRANT - additional appropriation to cover grant received to pay transportation costs for 16 trips. Request by Mayor Thom Serrani, 7/27/90. Board of Finance approved 8/14/90.

APPROVED ON CONSENT AGENDA

12. 700.00 - PARKS AND RECREATION DEPARTMENT - CODE 640.3644 BUSING additional appropriation to cover donations by local corporation to Francine Kraus, Head of Special Ed playground program for use in the program. Request by Mayor Thom Serrani, 7/25/89. Board of Finance approved 8/14/90.

APPROVED ON CONSENT AGENDA

13. \$ 7,500.00 - ENVIRONMENTAL PROTECTION BOARD - VARIOUS CODE - additional appropriation for Coastal Studies. This is covered by a grant to start in fiscal year 1990/91.
- | | |
|-----------------------------------|------------|
| Code 111-1135 permanent part-time | \$5,500 |
| Code 111-2130 land supplies | 800 |
| Code 111-2923 copying & printing | 1,000 |
| Code 111-2930 office supplies | <u>200</u> |
| | \$7,500 |
- Request by Mayor Thom Serrani, 7/27/90. Board of Finance approved 8/14/90.

Above also referred to ENVIRONMENTAL PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

14. PROPOSED RESOLUTION AUTHORIZING APPLICATION AND AGREEMENT WITH THE OFFICE OF POLICY AND MANAGEMENT REGARDING THE DRUG ENFORCEMENT GRANT PROGRAM.
Submitted by Mayor Thom Serrani, 7/24/90.

APPROVED ON CONSENT AGENDA

15. PROPOSED RESOLUTION CONCERNING PAYMENT-IN-LIEU-OF-TAXES (PILOT). Program pertains to moderate rent State-financed housing. The PILOT plan pays to the City up to 100% of the Ad Valorem taxes on eligible properties. The City receives approximately 86% of the actual taxes. Submitted by Mayor Thom Serrani, 8/7/90.

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE. MRS. MAIHOCK AND ONE ABSTENTION. MS. SUMMERVILLE DUE TO A POSSIBLE CONFLICT.

16. FOR PUBLICATION - PROPOSED ORDINANCE CREATING AN ECONOMIC DEVELOPMENT COMMISSION. Submitted by Rep. James Rubino, R-7, 8/15/90.

HELD IN COMMITTEE

MR. LYONS deferred discussion on item 16 to Ms. Powers as she is Chairwoman of the Sub-committee handling the item.

MS. POWERS stated the Sub-committee did not have a quorum, therefore the item is being Held.

MR. LYONS Moved the Consent Agenda. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the Consent Agenda. Seconded. APPROVED by voice vote with Mrs. Maihock voting no on items 3, 7 and 15; Ms. Summerville abstaining due to a possible conflict on items 7 and 15; and Mr. Mollo abstaining on item 9.

MR. LYONS Moved for a Recess. Seconded.

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

Recess was from 9:35 to 10:40 p.m.

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

MR. MARTIN said the Legislative and Rules Committee met on Wednesday, September 5, 1990, at 7:00 p.m. and had a second meeting this evening, September 10, at 6:00 p.m. Committee members present were Martin, Nakian, Rubino, Larobina, Domonkos, Zelinsky, Mitchell, Mellis and Maihock. Reps. Fedele and Esposito requested that they be excused from the meeting. Others present for at least part of the meeting were Reps. Goldstein, Boccuzzi, DeLuca, Powers, Rybnick, Stork and there may have been others that were in and out. Also present was Jeannette Phillips, Director of Commission on Aging; Cher Shannon, representing the Drug and Alcohol Abuse Council; Corporation Counsel Mary Sommer; Richard Robinson, Asst. Corporation Counsel; Vincent Akhimie, Director of Traffic and Parking; and Mr. Canino, Purchasing Agent.

LEGISLATIVE & RULES COMMITTEE: (continued)

MR. MARTIN placed items 1 and 2 on the Consent Agenda.

1. (L&R21.06) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING CHAPTER 231, ARTICLE I OF THE CODE OF ORDINANCES. This concerns traffic and vehicles. Submitted by Maria Nakian & David Martin, Co-Chairperson, 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. Approved for publication 8/13/90.

APPROVED ON CONSENT AGENDA

2. (L&R21.39) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING RENT RELIEF FOR ELDERLY RENTERS OR PERSONS WITH PERMANENT TOTAL DISABILITY. Submitted by Mayor Thom Serrani, 8/2/90.

APPROVED ON CONSENT AGENDA

3. (L&R21.40) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR THE ALCOHOL AND DRUG ABUSE COUNCIL, INC. LOCATED AT 929 NEWFIELD AVENUE. Requested by Mr. Manuel Fonseca, The Alcohol and Drug Abuse Council, Inc., 159 Colonial Road, Stamford, CT 06906, 7/31/90.

MR. MARTIN said the Committee voted eight in favor, one opposed with no abstentions and Moved for approval. Seconded.

Mr. Martin stated this abatement was for the time the Alcohol and Drug Abuse Council bought the property on Colonial Road until the property was officially removed from the tax rolls which was approximately one-year in time and approximately \$4,000.

PRESIDENT GOLDSTEIN called for a vote to approve for publication, proposed ordinance concerning tax abatement for the Alcohol and Drug Abuse Council. APPROVED by voice vote with two no votes, Mrs. Perillo and Mrs. Maihock and one abstention, Mrs. Powers.

4. (L&R21.42) REVIEW OF BIDDING PROCESS. Requested by Rep. Robert DeLuca, R-14, 8/15/90.

HELD IN COMMITTEE

5. (L&R21.43) FOR PUBLICATION - PDROPOSED ORDINANCE REGARDING THE USE OF CITY FUNDS FOR BUSINESS TRAVEL AND EXPENSES. Requested by Robert DeLuca, R-14, 8/15/90. (This was originally on the Agenda as a Review of policy, procedures and expenditures incurred for seminars, conferences and meetings)

MR. MARTIN stated the Committee met with Mr. Canino who agreed that the city had no policies or procedures regarding expense and travel arrangements and such a policy should be made directly. Mr. Martin said the Committee Suspended the Rules to consider an ordinance. Mr. Martin Moved for Suspension of the Rules to consider an ordinance regarding a travel and expense policy. The Motion was Seconded.

LEGISLATIVE & RULES COMMITTEE: (continued)

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

MR. MARTIN said a copy of the proposed ordinance was received by all members. The ordinance is a very straightforward and simple ordinance recognizing that there is no written policy and procedures presently governing the use of city funds for travel and expenses. Mr. Martin stated the ordinance requires the Mayor to write a policy and the policy to be approved by the Board of Finance and the Board of Representatives.

Mr. Martin Moved for publication of the ordinance. Seconded.

MR. BOCCUZZI asked if the policy must be back to the Board in 30 days?

MR. MARTIN stated that in the ordinance, it is 30 days after the effective date of the ordinance.

MR. BOCCUZZI Moved to amend the ordinance to 60 days. Seconded.

PRESIDENT GOLDSTEIN called for a vote to amend the ordinance to read, "60 days." APPROVED by voice vote with no dissenting votes.

PRESIDENT GOLDSTEIN proceeded to a vote to approve for publication the proposed ordinance regarding the use of city funds for business travel and expenses. APPROVED by voice vote with one no vote, Mrs. Maihock.

MR. MARTIN stated the Committee considered a resolution, which was distributed to all members, that the Mayor immediately prepare such regulation procedures, and sets out guidelines as to what the Board would like to see. Mr. Martin said the guidelines are not mandates or dictates; they are suggestions as to what he might want to include in the written policy and procedures.

6. SENSE-OF-THE-BOARD RESOLUTION CONCERNING POLICY AND PROCEDURES REGARDING CITY EMPLOYEE EXPENSE ACCOUNTS. Submitted by Reps. Maria Nakian and David Martin, 9/10/90.

RETURNED TO COMMITTEE

Mr. Martin said the Committee voted four in favor, one opposed with one abstention and Moved for approval of the resolution. Seconded.

MR. LYONS yielded to Mr. Larobina.

MR. LAROBINA Moved to return the resolution to Committee. The Motion was Seconded. Mr. Larobina said he did not believe that it was within the proper purview of the legislative body to begin administratively directing the day to day operations of the municipality. Mr. Larobina said the Mayor's office should be given an opportunity to draw up regulations and a policy to be submitted to the Board in accordance with the ordinance.

Mr. Larobina suggested that the Leadership of the Board send a letter to the Mayor suggesting what the Board believes would be proper policy and regulations.

LEGISLATIVE & RULES COMMITTEE: (continued)

PRESIDENT GOLDSTEIN wanted to clarify Mr. Larobina's remarks. She asked Mr. Larobina if he was requesting the resolution to be returned to Committee and in its stead, a letter be sent from the President to the Mayor stating illustrative sets of suggestions for the Mayor and the department heads to consider in drawing up guidelines?

MR. LAROBINA said that what President Goldstein said was correct.

MRS. MAIHOCK said she concurred with Mr. Larobina's opinion. She said that she did not believe it to be appropriate for the Board of Representatives to be involved in the implementation of city policy and that was why she did not vote on the proposed ordinance regarding the use of city funds for travel expenses. Mrs. Maihock stated she did not believe that we have the authority to be involved with those kinds of decisions. She favored that the resolution be returned to Committee.

PRESIDENT GOLDSTEIN proceeded to a vote to return the resolution to Committee and for the President to send a letter to the Mayor suggesting guidelines. APPROVED by voice vote with no dissenting votes.

7. (L&R21.44) FOR PUBLICATION - PROPOSED ORDINANCE ESTABLISHING PROCEDURES FOR BIDDING PROCESS PURSUANT TO CHARTER SECTION C5-100-4. Submitted by Reps. Sandra Goldstein, D-16, David Martin, D-19 and Maria Nakian, D-20, 8/22/90.

HELD IN COMMITTEE

MR. MARTIN 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.

PERSONNEL COMMITTEE - Scott Morris, Chairman

Mr. Hogan reported for Mr. Morris.

MR. HOGAN said the Personnel Committee met on Wednesday, August 29, 1990 and this evening prior to the Board meeting. Mr. Hogan stated the item on the Agenda will be Held.

1. FUTURE ACTION TO BE TAKEN REGARDING CURRENT STATE BINDING ARBITRATION PROCESS. Submitted by Reps. Scott Morris, D-17 and Michael Larobina, D-16, 8/21/90.

HELD IN COMMITTEEPLANNING & ZONING COMMITTEE - David Jachimczyk, Chairman

MR. JACHIMCZYK said the Planning and Zoning Committee met on Wednesday, September 5, 1990. Present were Committee members Domonkos, Jachimczyk, Lyons, Stork, Morris, Nakian and White.

Mr. Jachimczyk placed items one and two on the Consent Agenda.

PLANNING & ZONING COMMITTEE: (continued)

1. APPROVAL OF PETITION FOR ROAD ACCEPTANCE - FAIRVIEW AVENUE, LENGTH 270'±. Filed in the Town Clerk's office under Map No. 11212. Petitioner is Catherine Boemid, President, Bourham Corporation, 15 Willowmere Circle, Greenwich, CT 06878, 7/30/90. Certified for acceptance by Frank J. Soldano, P.E., City Engineer per letter of 8/8/90.

APPROVED ON CONSENT AGENDA

2. APPROVAL OF PETITION FOR ROAD ACCEPTANCE - OCEAN VIEW DRIVE, LENGTH 220'±. Filed in Town Clerk's office under Map No. 11212. Petitioner is Catherine Boemid, President, Bourham Corporation, 15 Willowmere Circle, Greenwich, CT 06878, 7/30/90. Certified for acceptance by Frank J. Soldano, P.E., City Engineer per letter of 8/8/90.

APPROVED ON CONSENT AGENDA

3. REVIEW OF GUIDELINES FOR ACCEPTANCE OF STREETS. Submitted by Reps. David Jachimczyk, D-4 and W. Dennis White, D-1, 8/21/90.

HELD IN COMMITTEE

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 - No report.

The Record will note that Reps. Morris and Owens left the meeting. There were now 34 members present and six absent.

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

MR. DeLUCA said the Parks and Recreation Committee met on Tuesday, August 28, 1990. Present were Committee members DeLuca, Pia, Perillo, McGrath, Fedele, Owens, DePina and Rybnick. Also attending were Reps. Blum, Zimmerman, Zelinsky, Summerville, and Larobina; Parks and Recreation Director Robert Neu; Lisa Chasen from Planned Parenthood; Theo Blackshear; Mr. & Mrs. John Antonelli; and Liz Romanello of WSTC. A complete written Committee report was sent to all members.

1. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM SEPTEMBER 16 TO SEPTEMBER 30, 1990 TO PUBLICIZE "PLANNED PARENTHOOD OF CT-THE CHOICE IS YOURS." Requested by Lisa Chasan, Site Manager, Planned Parenthood of CT., Inc., 1568 Washington Boulevard, Stamford, CT 06902, 8/9/90.

PARKS & RECREATION COMMITTEE: (continued)

MR. DeLUCA stated that there was a long discussion on the item. The item was tabled until this evening. He said a compromise was made to obtain a written opinion from Corporation Counsel. Attending this evening's meeting were Committee members DeLuca, Pia, Perillo, McGrath, Fedele, Rybnick and DePina; also attending were Reps. Zelinsky and Summerville. Richard Robinson, Assistant Corporation Counsel was in the area and was asked to answer a few questions raised by the Committee. Mr. DeLuca said as a result of the opinion received and the discussion with Rich Robinson, the Committee voted three in favor and four opposed for approval of the banner.

Mr. DeLuca Moved for approval of the banner for Planned Parenthood. Seconded. Mr. DeLuca said the dates for the hanging of the banner would be from September 16 to September 30 instead of September 1 to September 15.

Mr. DeLuca said that Rick Robinson stated that based on how the ordinance reads, unless a specific date appears on the banner, we cannot honor the request. Mr. DeLuca said he had a problem with that as many of the requests received, read, "request to hang a banner to publicize "Celebrate Youth Week" or whatever the event may be. He said the only dates are the ones specifying the weeks the banner is to hang. Mr. DeLuca said that never has anyone from the Board gone out to specifically look at a banner to see what it reads. Mr. DeLuca said a suggestion was made in Committee that perhaps, a photo of the banner be taken or the banner be looked at to see exactly what is written on it.

Mr. DeLuca said it would be ridiculous to reject this banner because it does not say for the month of October or a certain period of time.

Mr. DeLuca recommended approval of the banner with Planned Parenthood making a minor addition to the banner stating that "the month of October is national family sex education month." Mr. DeLuca stated that in speaking with Lisa Chasan who represented Planned Parenthood, she stated that in no way did they teach abortion. She said they teach the curbing of venereal diseases, educating parents and youths. They also teach "Effective Parenting Skills" and the goals are obtained by working with the Stamford Board of Education, Stamford Hospital and Planned Parenthood.

Mr. DeLuca asked that members approve the request with the stipulation that "National family sex education month" be placed on the banner.

MR. ESPOSITO said he concurred with Mr. DeLuca and said if the banner is approved contingent upon Planned Parenthood publicizing a specific event, which is "October is national family sex education month" we would be well in the purview of the Board. Mr. Esposito stated that if the banner did not include the specific wording requested at the time of the hanging of the banner, then it should not be allowed to be hung.

MR. ZELINSKY said he did attend the August 28 meeting of the Committee. He was surprised to hear that Mr. DeLuca stated at the beginning of the meeting that he did receive a verbal O.K. from Corporation Counsel Mary Sommer. Mr. Zelinsky said he stated at the meeting that other Committee chairs always request a written opinion not only for themselves but also for the benefit of the entire Board. Mr. Zelinsky said Mr. DeLuca ruled him out of order and was not allowed to speak until much later in the evening.

PARKS & RECREATION COMMITTEE: (continued)

MR. ZELINSKY stated that in the letter received from Planned Parenthood dated August 9, it states, "This letter is to request permission for Planned Parenthood of Connecticut banner to be hung in Stamford." Mr. Zelinsky said the banner states, "Planned Parenthood of CT-The Choice is Yours." The letter was signed by Lisa Chasan, Site Manager. Mr. Zelinsky said that was what was before the Board this evening as that was what the Steering Committee voted to put on the Agenda. Mr. Zelinsky said he was surprised that now we would be voting on "contingent" and the banner would have to be changed and reworded.

Mr. Zelinsky quoted from Code Sec. 214-40, "Any person, firm, corporation or organization who desires to place, erect, construct or maintain any decorative banner, flag, emblem or bunting or similar device upon, over or about any public street or sidewalk in connection with any festival, spectacle, play, show or other event of a general civic and public nature in the city must first secure the approval of the Board of Representatives."

Mr. Zelinsky said that whoever drafted the ordinance, had a reason for the wording of "an event of a general civic and public nature." He said if it were for the Board to just "rubber stamp" requests, the ordinance would have read, "The Board of Representatives shall give permission for any person, group, etc. permission to hang a banner." Mr. Zelinsky said we must follow the way the ordinance is written or we will be in violation of the ordinance.

Mr. Zelinsky referred to Mr. DeLuca's comments concerning the opinion from Corporation where Mr. DeLuca expressed that Corporation Counsel stated there was no problem and the Board of Representatives should approve the request. Mr. Zelinsky said that this evening when a written opinion was received, Mr. DeLuca had a change of heart saying that "maybe that not exactly correct." Mr. Zelinsky quoted from the opinion, "It is important to note that the ordinance does not provide an absolute privilege to hang banners, flags, buntings, etc. The ordinance specifies that the speech must be connected with a festival, spectacle, play, show or other event of a general civic and public nature in the city. If the requesting person or organization does not have a scheduled specific event of a general civic and public nature, then they do not fall under the perimeters of the ordinance and may not hang a banner." Mr. Zelinsky said the opinion is clear and did not understand how we can approve permission contingent upon the change.

Mr. Zelinsky said that we are not here to vote on the merits of an organization. He said that some feel that if they vote against permission, they are against this organization. He said he did not hear anyone express any information to that affect at any of the Committee meetings. Mr. Zelinsky believed that this request should be denied otherwise a door will be opened in the future for other organizations that do not do good work in some areas as this organization does, that may be detrimental to the community.

MRS. McGRATH said in Committee she voted no on the request because she felt it did not meet the criteria in the Code Sec. 214.40. Mrs. McGrath stated that she was told by Lisa Chasan that the banner "Planned Parenthood of CT-The Choice is Yours" refers directly and is in conjunction with "October is National Family Sex Education Month." Mrs. McGrath said she failed to see the connection. She said if she saw the banner, she certainly would have no idea that October is designated "National Family Sex Education Month."

PARKS & RECREATION COMMITTEE: (continued)

MRS. McGRATH asked if the Board would be voting on the approval of the banner which would read, "Planned Parenthood of CT-The Choice is Yours October is National Family Sex Education Month?"

PRESIDENT GOLDSTEIN stated that was correct.

MRS. McGRATH asked if she understood correctly that if a vote is taken on the banner which is to read, "Planned Parenthood of CT-The Choice is Yours October is National Family Sex Education Month and the banner does not state that, the banner will not be permitted to be hung?"

MR. DeLUCA stated that what Mrs. McGrath said was correct.

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 proceeded to a vote to approve the hanging of a banner requested by Planned Parenthood of CT; the banner to state, "Planned Parenthood of CT-The Choice is Yours October is National Family Sex Education Month." APPROVED by a vote of 20 yes and 14 no votes.

2. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM MAY 5 TO MAY 19, 1991 TO PUBLICIZE "CELEBRATE YOUTH WEEK." Requested by Maryellen Chambers, Director, Stamford Youth Planning & Coordinating Agency, 888 Washington Boulevard, Stamford, Ct 06904-2152, 7/25/90.

MR. DeLUCA said the Committee voted five in favor and one opposed with one abstention. Mr. DeLuca Moved for approval. Seconded.

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

3. REQUEST FOR PERMISSION TO HANG A BANNER ON SUMMER STREET FROM SEPTEMBER 23 TO OCTOBER 7, 1990 TO PUBLICIZE "UNITED WAY CAMPAIGN." Requested by Dee Schiavelli, United Way of Stamford, 62 Palmer's Hill Road, Stamford, CT 06902, 7/27/90.

MR. DeLUCA said the Committee vote six in favor with one abstention. Mr. DeLuca Moved for approval. Seconded.

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

4. MATTER OF VACANT MARINA SLIPS IN PARTICULAR AT CUMMINGS PARK AND CZESCIK MARINAS. Submitted by Rep. Robert DeLuca, R-14, 8/7/90.

MR. DeLUCA stated that this matter was not as bad as stated by some concerned citizens. He said Mr. Neu called him and said that he would invite Mr. & Mrs. Antonelli to his office to show them the process used by the Parks and Recreation Department as to how application is made for a slip, the waiting list, notification when a slip is available, etc. Mr. DeLuca said he talked to the Antonellis and they were happy they received a call from Mr. Neu and were looking forward to the meeting. Bob Neu stated at the meeting that changes will be made regarding vacant slips and how they will be handled.

PARKS & RECREATION COMMITTEE; (continued)

MR. DeLUCA Moved to Suspend the Rules to bring up an item not on the Agenda, a request to hang a banner. Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve Suspension of Rules.
APPROVED by voice vote with no dissenting votes.

5. REQUEST FOR PERMISSION TO HANG A BANNER ON BEDFORD STREET FROM SEPTEMBER 30 TO OCTOBER 14, 1990 TO PUBLICIZE THE DOMESTIC VIOLENCE SERVICES.
Requested by Domestic Violence Services, YWCA, Elise R. Berman, 141 Franklin Street, Stamford, CT 06901, 8/16/90.

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

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

MR. ZELINSKY said the Committee did not meet because Connecticut Light and Power Company asked for a postponement so they can get their records together for a meeting to be held in a month or two.

1. MATTER OF POWER OUTAGES OCCURRING FREQUENTLY IN STAMFORD AND WHAT THE UTILITY COMPANY MUST DO TO PREVENT THESE OUTAGES. Submitted by Rep. John R. Zelinsky, D-11, 8/15/90.

HELD IN COMMITTEE

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Frank Mollo, Chairman

MR. MOLLO said the Housing and Community Development Committee met on Tuesday, August 28, 1990, however the invited guests were not in attendance therefore the item was Held until those persons necessary to resolve the matter will attend.

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 and 8/13/90.

HELD IN COMMITTEE

URBAN RENEWAL COMMITTEE - Annie M. Summerville, Chairwoman

MS. SUMMERVILLE said the Urban Renewal Committee will be meeting on Wednesday, September 26, 1990, at 7:30 p.m. either in the Democratic Caucus Room or the Chamber. She encouraged all members to attend to hear the status report.

1. STATUS REPORT FROM THE URBAN REDEVELOPMENT COMMISSION. Submitted by Annie M. Summerville, Chairwoman, Urban Renewal Commission, 8/22/90.

HELD IN COMMITTEE

ENVIRONMENTAL PROTECTION COMMITTEE - Stanley Esposito, Chairman

MR. ESPOSITO said the Environmental Protection Committee held a public hearing and meeting on Tuesday, September 4, 1990 at 7:30 p.m. Mr. Esposito said a large number of people attended the public hearing; 13 members of the public spoke at the hearing and a majority of the speakers spoke in favor of the proposed ordinance. The public hearing was adjourned at 8:30 p.m. and the regular meeting began. Attending the meeting were Committee members Esposito, Zimmerman, Maihock and Stork; also attending were Donald Donahue, Commissioner of Public Works, Jeannette Semon, Supervisor of Liquid Waste and Recycling Coordinator and Mary Sommer, Corporation Counsel. Other members of the Board and interested citizens also attended.

Mr. Esposito said the Committee was charged with getting answers to a number of questions and concerns regarding the proposed ordinance. Questions were answered by the Public Works Department and Corporation Counsel and after a sometimes spirited discussion, all parties agreed in principal to the language in the ordinance that was currently before the Board. Mr. Esposito said that at 11:45 p.m., the Committee agreed to continue the meeting this evening at 6:30 p.m. The Committee made some slight word changes this evening.

1. FOR REPUBLICATION - 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. Approved for publication 8/13/90. Approved for republication 9/10/90. (This item was originally on the Agenda For final adoption)

MR. ESPOSITO said the Committee voted five in favor and none opposed to approve the proposed ordinance. Mr. Esposito Moved for approval for final adoption of the proposed ordinance concerning recycling materials. Seconded.

Mr. Esposito said on page four, section 137-32, the word "all" should appear before "residential cooperatives" and "residential condominiums." The word was inadvertently left out of the most recent text. The proposed ordinance was published correctly. Mr. Esposito Moved for approval of the amendment. Seconded.

PRESIDENT GOLDSTEIN called for a vote to amend as proposed by Mr. Esposito. APPROVED by voice vote with no dissenting votes.

MR. ESPOSITO Moved to amend on page 4, paragraph B., fourth line, "pro rata" before the word "charges." Mr. Esposito said the change was made at the September 4th Committee meeting. He said Corporation Counsel felt that these changes were not substantive changes which require republication. Mr. Esposito's motion was Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the amendment adding "pro rata" before the word "charges." APPROVED by voice vote with no dissenting votes.

MR. ESPOSITO Moved to amend in paragraph B., "If the City conducts recyclable collection, it shall set pro rata fees to cover the additional cost of backyard pickup." This would be a new sentence. Seconded.

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

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ESPOSITO asked that the last amendment be made the second sentence of paragraph B. for clarification reasons. Mr. Esposito Moved for this change. Seconded.

MR. ZELINSKY said he wanted an explanation on the sentence reading: "If the City conducts recyclable collection, it shall set pro rata fees to cover the additional cost of backyard pickup."

MR. ESPOSITO said the intent was to say that in the future, in a given situation, the city may have a collection agent to collect or public works could collect and in either case, pro rata fees would be set for backyard collection for extra service.

MR. LYONS asked if the city refuse division that now collects would at some future date, collect the recyclables, would his constituency be billed an additional fee for the collection?

MR. ESPOSITO said the intent is that we would bill for extra service regardless of who provides the extra service; the person receiving service over and above what is considered regular service, would be billed.

PRESIDENT GOLDSTEIN stated that the motion on the Floor was to change sentence four to make it sentence two.

MR. MARTIN said if the city pickups with its own people and trucks, there is really no way this paragraph sets what the rates shall be.

MR. ESPOSITO stated that what Mr. Martin said was correct. Mr. Esposito stated it was not felt that the rates should be a part of the ordinance; the rates should be dictated in the contract assuming we are dealing with a collection agency.

PRESIDENT GOLDSTEIN proceeded to a vote to rearrange paragraph B. placing sentence four as sentence two. APPROVED by voice vote with five no votes, Mr. Lyons, Mrs. Nakian, Mrs. Perillo, Mr. Blum and Mr. Mollo. Mr. Rybnick abstained.

MR. ESPOSITO said that on page five, paragraph D. is a new paragraph. It reads, "Where a household requires backyard collection due to a physical handicap and the imposition of said charges would constitute a hardship, a fee waiver may be granted in accordance with the rules and regulations adopted pursuant to Section 137-37, herein." Mr. Esposito Moved to amend. Seconded.

MR. ZELINSKY said he would like senior citizens to qualify. He said physical handicap would define a senior citizen because of some other reason could not bring the 15-gallon container from inside the home to the curb.

PRESIDENT GOLDSTEIN said she thought the Committee recognized senior citizens.

MR. ESPOSITO said the Committee considered senior citizens and people with physical handicaps but it was never the intent of the Committee to mandate, fee waivers based on age. Mr. Esposito said that each case would be a totally different case.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. ESPOSITO Moved to amend the proposed ordinance by adding a new paragraph "D." under Section 137-32. Seconded.

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

MR. ESPOSITO Moved to amend on page 5, Section 137-33. The Committee voted five in favor, none opposed to delete the word "leaves." Seconded.

PRESIDENT GOLDSTEIN called for a vote to delete the word "leaves" in Section 137-33. APPROVED by voice vote with no dissenting votes.

MR. ESPOSITO said that Section 137-37 Adoption of rules and regulations was revised. The Committee voted five in favor and none opposed for the revised section.

Mr. Esposito Moved the following amendments:

Mr. Esposito said the Committee at this evening's meeting added two words to the paragraph. The last sentence of the paragraph reads, "The Board of Representatives may at their discretion amend said rules and regulations whenever it deems necessary." Mr. Esposito said the words "and approve" should be inserted after the word "amend."

The entire section should read, "Subject to the approval of the Board of Representatives, the Commissioner of Public Works is authorized to prepare and amend written rules and regulations to enforce the intent of this article, the SWEROC Agreement, the Connecticut General Statutes and the State Regulations adopted pursuant thereto. The Board of Representatives may at their discretion amend and approve said rules and regulations whenever it deems necessary."

"All rules and regulations adopted pursuant hereto shall comply with this Article, the SWEROC Agreement, the Connecticut General Statutes and the State Regulations adopted pursuant thereto."

Mr. Esposito's motion to amend was Seconded.

PRESIDENT GOLDSTEIN called for a vote to approve the amendments. APPROVED by voice vote with no dissenting votes; Section 137-37 will read as articulated by Rep. Esposito.

MR. ESPOSITO thanked the members of his Committee for their many hours of hard work and diligence into looking at the ordinance and asking questions of department heads, and fielding questions from representatives and citizens. Mr. Esposito said that no stone was left unturned, and all the collective questions were pressed to have answered. He said if anyone had any question, he would or members of the Committee would be happy to answer them.

MR. LYONS Moved to amend in Section 137-37 where "the SWEROC Agreement" appears twice in the Section, to delete the three words. The Motion was Seconded.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. LYONS stated that SWEROC is an agency that we are members of. He did not believe that it was necessary to include in the ordinance that their rules are binding upon the Board and city. Mr. Lyons said that if SWEROC has a rule or regulations that the city must comply with, it should be submitted individually so the Board could act on it.

MRS. MAIHOCK said it was unfortunate that we did not know of this sooner so Corporation Counsel could have been consulted. She said an agreement was just voted on last month tying us to the SWEROC organization. Mrs. Maihock wanted to know what the effects would be if we delete SWEROC from the proposed ordinance?

MR. ZIMMERMAN said that he talked to Corporation Counsel. He said Corporation Counsel felt that since the city is part of SWEROC, the SWEROC regulations have the same force as state law. Corporation Counsel also stated that it would not be a disaster to remove it.

PRESIDENT GOLDSTEIN proceeded to a vote to delete "the SWEROC Agreement" in both places in Section 137-37. APPROVED by voice vote with no dissenting votes.

MR. LYONS referred to paragraph B. of Section 137-32. He read, "If the City conducts recyclable collection, it shall set pro rata fees to cover the additional cost of backyard pickup." He said the fees were already established in the proposed ordinance on a three to one or one to four basis. Mr. Lyons said for city trucks picking up district refuse and then picking up recyclables, seeds are being set so citizens can be billed, and this was wrong.

Mr. Lyons said the numbers that are finally approved in the proposed ordinance on backyard pickup, whether it be \$0, \$5.00 or \$10.00 should be the numbers. Mr. Lyons said it should not be open-ended for changes because city trucks are picking up if that is to be the ultimate plan.

Mr. Lyons Moved to delete what is now sentence two in Section 137-32. The sentence read by Mr. Lyons in the above paragraph. Seconded.

MR. ESPOSITO said the fees were not set in the ordinance. He said the outside ceiling charge would be three time the curbside rate which would be the normal pickup routine. Mr. Esposito stated that Corporation Counsel and Public Works felt that the ordinance was not the place for fees but should be illustrated in the contract between the collection agent and the City of Stamford.

Mr. Esposito said it was the opinion of a number of people that extra service cost more and if the city was bound to provide extra service, someone would have to help to pick up the tab. Mr. Esposito stated that curbside pickup could be done in 25% of the time that backyard pickup can be done. He said four times as many homes can be done curbside as to backyard.

MR. MARTIN said the sentence was an improvement over the last draft. He said that in the last draft, the city could decide not to pickup backyard at all. Mr. Martin suggested that if Mr. Lyons intends to achieve that backyard service should be provided to all residents without additional costs, that motion be made first and if subsequent motions do not prove to be passed, then come back to Mr. Lyons' motion.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. LYONS withdrew his Motion. The Seconder also withdrew.

Mr. Lyons Moved to amend under Section 137-32. He read, "Such recyclable materials shall be....."

At this point, dialogue was lost due to changing of tape.

The amendment made by Mr. Lyons was to amend for backyard pickup if requested by a resident.

Picking up the dialogue, Mr. Zelinsky was speaking.

MR. ZELINSKY asked if Mr. Lyons would be agreeable to change his motion to front yard pickup? He said this would be a cost savings for the city.

MR. LYONS stated he would not agree on that. Mr. Lyons said the crux of the ordinance is either for backyard or curbside pickup not anything in between.

MR. STORK said he was in favor of Mr. Lyons' amendment, and as a member of the Environmental Protection Committee, he did vote in favor of the ordinance only for the purpose of getting the proposed ordinance on the Floor of the Board. He said he was clearly in favor of backyard pickup.

Mr. Stork said the taxpayers would support the appropriation of funds in order to receive a service that they are accustomed to having simply by the virtue of the choice they have by living in Stamford as opposed to other communities. Mr. Stork said there will be arguments that other communities do not have backyard pickup but other communities do not do things as Stamford sees fit to do. Mr. Stork said that Greenwich, New Canaan and Darien saw it fit to locate their new city halls in vacant school buildings; not necessarily in a downtown location, but definitely at a low cost to the taxpayers who had to pay for renovations as opposed to a new building.

Mr. Stork said that a former Commissioner Bruce Spaulding in the early 1980's sought to have backyard garbage collection changed to curbside in an effort to save taxpayers' money; the taxpayers rebelled. Mr. Stork said Donald Donahue now the Commissioner and a former member of the Board, at that time authored an ordinance approved by the Board to mandate continuation of backyard pickup. Mr. Stork urged the Board to support Mr. Lyons' amendment.

MR. MOLLO said there was much discussion on what other cities and towns are doing. He said he lives in Stamford and cares what Stamford does. He said he favored Rep. Lyons' amendment for continued backyard pickup. He said he lived in an area that did not provide backyard pickup, and when garbage, etc. is put out the night before, rain, snow and animals get to the garbage. He also said there was a problem when a pickup was missed and the garbage stayed for days; it created a mess, and money was spent for the cleanup.

MR. ESPOSITO said that the curbside pickup of recyclable would not affect the present backyard pickup of garbage. The issue is recycling and the cost for curbside is one-third to one-quarter less to promote curbside pickup. Mr. Esposito stated if the ordinance is approved, people requesting backyard will be the exceptions rather than the rule. Mr. Esposito said that we are dealing with tax dollars.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MRS. POWERS said she was unwilling to impose any additional expense upon the taxpayers. She said this was not garbage being recycled and people are comparing it to the enormous garbage cans. Mrs. Powers stated that many people will not have recyclable to put out twice a week. She said the proposed ordinance should be given a chance and if people complain they are having a great deal of difficult and a hardship and unable to negotiate the proper rates, the ordinance can go back to the drawing board. Mrs. Powers urged her colleagues to go easy on the taxpayers with the less expensive method and if more money has to be spent and times are better, we could go ahead with backyard.

MR. CARDILLO said the amendment for backyard pickup without any extra fee deserves the support of the Board because the issue is whether or not the people of Stamford deserve the continuation and maintenance of the valuable service they presently possess; mainly, backyard pick-up. Mr. Cardillo said to call a certain classification of garbage recyclables does not justify the reduction of services which the people of Stamford have always enjoyed. He said recycling is desirable in order to preserve the environment; however, backyard pickup can encourage fuller participation because it can make the process of collection easier and more efficient. Mr. Cardillo said Mr. Lyon's amendment deserves support so that the people and citizens of Stamford will receive from the Board, a clear and unmistakable message that the Board is committed not only to keeping taxes down but also to the preservation of a very high quality of life by preserving the present level of city services such as backyard pickup.

MR. BOCCUZZI said he was listening to all the comments regarding backyard pickup at no extra charge. He asked who will foot the bill to have Public Works pickup in the backyards? He said the extra fee will be paid by the taxpayer; it will not be free; the bill will not be coming each month, but will be coming twice a year in your taxes. Mr. Boccuzzi said the cost factor regarding the matter has to be reviewed. Mr. Boccuzzi said a \$3 million bill will be put to the taxpayer instead of \$850,000. He said if the senior citizen cannot pay or cannot have the materials at curbside, the city will pick up the tab. Mr. Boccuzzi stated he could in no way see how the Board could vote for backyard pickup.

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 on the motion made by Mr. Lyons' to insert in paragraph A, after "Such recyclable materials shall be placed at the curbside or if requested by a resident be picked up in backyard of resident in a manner and schedule to be determined by the Commissioner of Public Works." The underscore indicates Mr. Lyons' amendment. Deleted in paragraph A, is "other designated location for collection."

The amendment was DEFEATED by a vote of 20 no and 14 yes votes. The amendment required a majority vote.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. MARTIN wanted to know exactly what paragraph D meant. He said if he understood correctly, the paragraph states that before any waivers are granted, there must both be a physical handicap and the charge itself would be a hardship. Mr. Martin said it now reads that if you have a handicap but have a reasonable income, a waiver could not be obtained.

MR. ESPOSITO said the paragraph means that in the event of a physical handicap, where the sole resident of the house is unable to arrange for the recycling bin to be placed at curbside, he/she may request to be given backyard pickup and that would be done at no cost.

MR. MARTIN stated that "and the imposition of said charges would constitute a hardship" should not be in the paragraph. Mr. Martin said he was troubled by having the Commissioner of Public Works determine who can pay and who cannot pay the fees.

Mr. Martin Moved to delete "and the imposition of said charges would constitute a hardship." Seconded.

MR. LYONS said he did not think the fee waiver should be deleted from the paragraph. He said the fee waiver authorizes the Commissioner to waive under any condition whether it be a physical handicap or any hardship. Mr. Lyons asked if that was correct?

MR. ESPOSITO said a point was made in many of the discussions that the owner of a home, resident in the home who may be physically impaired and unable to carry or arrange for a recyclable box to be brought to the curb, may perhaps bend the rules slightly and ask for a backyard pickup when in fact, there may be an extended family living in the home; the individual may be handicapped but other individuals or residents in the home would not be. Mr. Esposito stated in that case, the handicapped individual should not be credited with backyard pickup upon request. Mr. Esposito said the wording gives some lateral movement relative to a case by case review of given situations.

MR. BLUM said there are senior citizens owning homes that live with hardship and cannot take extra expenses. He said he was against any extra expenses for senior citizens.

MR. JACHIMCZYK 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 delete the words, "and the imposition of said charges would constitute a hardship." The motion was APPROVED by a vote of 16 yes and 15 no votes with one abstention.

MR. MARTIN Moved to amend paragraph D to read as follows: "Where a household requires backyard collection due to a physical handicap or other hardship, a fee waiver may be granted in accordance with the rules and regulations adopted pursuant to Section 137-37 herein." The underscored text is the amendment. Mr. Martin's motion was Seconded.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

PRESIDENT GOLDSTEIN called for a vote to amend by inserting "or other hardship" after the word "handicap." APPROVED by voice vote with no dissenting votes.

MR. MARTIN said the Board members received a copy of a proposed amendment that he would like to make. Mr. Martin Moved to delete paragraph B, in Section 137-32. Mr. Martin read the amendment: "Provisions shall be made for extra services which residential owners may obtain at extra cost. In particular, the city shall provide for collection of recyclable materials that the resident places adjacent to their own residence or garage. Such collection shall be referred to as "backyard" collect. The extra fee for backyard collection shall be not more than:

Zoning District RA-2 and RA-3 fee per month \$5.00; RA-1 fee per month \$4.50; R-20 fee per month \$4.00; R-10 and R-7-1/2 fee per month \$3.50; R-6, R-5, RM-1, R-MF, and R-H fee per month \$3.00.

All other Zoning Districts shall be charged not more than \$3.00 per month except that R-D zones shall be charged a fee corresponding to the RA-3, RA-2, RA-1, R-20, or R-10 zone, whichever has the most similar density to the particular R-D zone.

These fees may be increased on January 1, 1992 and annually thereafter based on relative increases in the U.S. Government's Consumer Price Index since January 1, 1991. The Commissioner of Public Works shall determine how such fees are collected. The Commissioner of Public Works may use an outside contractor(s) to collect such fees."

The underscored text was added to the printed text received by the members.

Mr. Martin's amendment was Seconded.

MR. MARTIN said earlier, the Board requested that the Mayor form a Committee or Commission to institute recycling and the Board indicated to consider and perhaps implement a backyard recycling program. He said the process has been going on for almost two years and it is now nearing the final stretch. Mr. Martin said he was concerned that the Public Works Department has had the attitude that curbside is the preferred method and has not pursued the backyard issues as vigilantly and diligently as they told the Board and should have done. He said basically, it has already been determined that there will be curbside pickup with backyard for an optional additional fee.

Mr. Martin said that Public Works must attempt to keep the lowest cost for curbside which will be paid through taxes, but they must work equally diligently to get the lowest possible price for the backyard fees. Mr. Martin said the fees and rates have not been forthcoming, but now know what a curbside rate will be but have not received the rate for backyard. Mr. Martin said it was heard that the total program will be three times to four times as much; the ordinance currently assumes four. Mr. Martin stated that if the Public Works negotiates the contract at the rate they received from the bidder, \$1.73, the ordinance provides the fee for \$5.19. Mr. Martin said the Board has no control on how the contract is negotiated and it may be in the city's best interest to ask the contractor to provide additional services that may not necessarily have an impact on some individuals, but might change the rate. He said backyard services should be tried to be provided for the lowest cost possible.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. MARTIN stated that based on information he received, there was another bidder that gave backyard rates substantially below the rates spoken by Public Works and below the RFP minimum which was three times. He said he believed that Public Works could achieve lower backyard rates if their will and mind was put to it. Mr. Martin stated that the only way the residents can be assured that the city will work for everyone's behalf, both curbside and backyard, is to establish the fixed rates. Mr. Martin said his attempt in these fixed rates was to establish an average rate which approximates the numbers that Public Works has suggested would be realistic. Mr. Martin said he believed that Public Works will come very close to negotiating the rates. Mr. Martin said the amendment is a good compromise and will get the job done.

MR. ESPOSITO said he objected to the amendment. He said that Corporation Counsel made it very clear that the ordinance was not the place to set the rate structure; the contract between the city and the collection agent is the place to orchestrate the rate structure. Mr. Esposito said that the fixed rate amendment was given to him prior to this evening's meeting and he could not tie-in the districts and the proposed fees. Mr. Esposito said that these fees may be subsidizing others district by district. Mr. Esposito said the fees determined for backyard pickup should be determined and set in the contract between the Public Works Department and the collection agent based on a fair and simple schedule. Mr. Esposito said if someone required a collection agent to walk 15 feet on a driveway, he would pay "X," 25 feet, he would pay "Y," and 50 feet or further, he would pay "Z," not however to exceed three times the curbside amount currently arranged by contract between the city and the collection agent. Mr. Esposito stated that the fees should be done by a case to case basis and not by zoning districts.

MR. LYONS said he supported the amendment. He said a cap is set by telling the contractors that you cannot charge over three times the amount. Mr. Lyons said the numbers in Mr. Martin's amendment are lower and exactly what is needed. Mr. Lyons urged the Board to approve Mr. Martin's amendment, and if the contractors cannot live with it, it can be re-evaluated.

MR. ZIMMERMAN said that Mr. Martin's approach had some merit. He said the graduated scale was, in general, a good idea; however, he did not know about the specific nature of the numbers without discussion of the values, plus the breakdown by zoning districts deserves more discussion. Mr. Zimmerman said he thought the specific language belonged in the rules and regulations as opposed to being in the ordinance. He said the ordinance allows for pro rata structure. Mr. Zimmerman said he would be opposed to the amendment but would like to see something similar be discussed in the rules and regulations.

MR. BOCCUZZI said he was against the amendment. He said an average can only be done if everyone in the city takes backyard pickup and pays the fee. Mr. Boccuzzi stated that we do not know how many people will be going backyard in any of the districts. Mr. Boccuzzi illustrated the \$3.50 zone and said suppose the contract says he cannot afford to pickup for \$3.50 and needed \$4.00 or \$4.50, and the person wanting the pickup could afford to pay the contractor and pays more than the fee set by the Board, that would be illegal; the person paying would be paying under the table.

Mr. Boccuzzi said these fees are set and there is no room to work with for backyard and the person who owns the home should have a right to negotiate his fees for backyard pickup.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MRS. MAIHOCK said after hearing all the comments, she was sure that a number of members feel that there are disadvantages for backyard and curbside pickups and recycling will not be a totally enjoyable experience. She said recycling will be beneficial to the city's solid waste management and conservation efforts. She said it was unfortunate that we have taken months with the recycling program. She stated, at this point, she believed that we could get into something unknown in the amendment. She said there is no time as the ordinance must be effected to begin the recycling program. She said we should approve the ordinance although it may not be the ultimate answer to the recycling needs and we should take action on the matter.

MR. BLUM said he agreed with Mrs. Maihock. It was time to proceed with the matter.

MR. STORK said he was in favor of Mr. Martin's amendment, and referring to the comments that it is not proper for this Board to legislate the fees, he stated that Corporation Counsel does not enact the laws of the city, the Board does. Mr. Stork said the Board enacts parking fees and these fees would be in order and he supported them.

MRS. POWER said there was a difference concerning the parking fees. She said in the recycling matter, there has been no offer by anyone to do backyard for \$5.00 or on a set scale and there was no acceptance by the city. She said fees should be negotiated and should not be made a part of an ordinance. She agreed with Mr. Zimmerman that the fees should be part of the regulations.

MRS. PERILLO Moved the question. Seconded.

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

MRS. GOLDSTEIN proceeded to a vote to amend the proposed ordinance by replacing Section 137-32 B. with the amendment proposed by Rep. David Martin. APPROVED by a vote of 18 yes and 15 no votes.

MR. ZELINSKY Moved to amend in Section 137-32, paragraph D. after the word "handicap" insert "or being a senior citizen." Seconded.

MR. ESPOSITO said it was not intended to tie a physically abled person who may be a senior citizens into the ordinance which then would grant a fee waiver and backyard pickups simply because of age.

MR. ZELINSKY said a senior citizens although not physically handicapped may be at an age, many years on, that would make it difficult for the individual to carry the 15-gallon drum to the curbside.

MR. BOCCUZZI said he was against the amendment. Mr. Boccuzzi stated that there were many changes being made and Mr. Zelinsky's amendment would add a cost that would be unfair to other citizens. He said he was not against senior citizens as he is one and is capable, able and willing to carry the basket, not drum, out to the street.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. BOCCUZZI said for two weeks, he separated his recyclable and he got two plastic containers, about seven dog food cans, a few other cans and newspapers. He said the total did not weigh ten pounds for the two-week period. He said a senior citizen who is able could carry out five pounds once a week, and if a person cannot, provisions are made in the ordinance to take care of that type of situation. Mr. Boccuzzi stated that it was impossible to have backyard pickup for all senior citizens and the cost would be very high.

MR. JACHIMCZYK 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 amend the proposed ordinance, Section 137-33, Paragraph D, inserting "and senior citizens" after the word "handicap." DEFEATED by a voice vote.

MR. MARTIN said there were a number of changes made this evening and by the Committee. He said this was a time-pressing situation and perhaps republication could be waived.

PRESIDENT GOLDSTEIN stated it was essential that the proposed ordinance be republished because of the many changes made. She asked if the Parliamentarians agreed with her statement?

MR. HOGAN urged the President to rule that the proposed ordinance be republished in its entirety.

MR. MARTIN said he would concur; the ordinance could not be approved without publication.

MR. LYONS said a Special Meeting on the Capital Budget will be held on September 24, and said if the ordinance is republished and a public hearing held, could not the ordinance be taken up for final adoption at the Special Meeting if included in the Call of the Meeting?

MR. ESPOSITO stated that an opinion should be received from Corporation Counsel if the changes made were substantive.

PRESIDENT GOLDSTEIN stated the Chair ruled after consultation with the Parliamentarians that the changes were substantive.

MR. MARTIN Moved to waive republication. Seconded.

MR. BOCCUZZI said he was not totally satisfied with the present proposed ordinance and urged his colleagues to vote to waive republication.

PRESIDENT GOLDSTEIN said if the 27 votes needed to waive publication were not obtained, we could probably have the proposed ordinance on the Agenda for the September 24 Special Meeting to hear the Capital Budget.

MR. MARTIN said much was said regarding the ordinance. He was not entirely satisfied with the ordinance and said we should proceed with the ordinance and there should not be any more delays. He urged the waiving of republication.

ENVIRONMENTAL PROTECTION COMMITTEE: (continued)

MR. RUBINO said that he would like to waive republication and said an invalid waiver would mean an invalid ordinance. He said republication should not be waived.

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 proceeded to a vote to waive republication of the proposed ordinance concerning recycling. DEFEATED by a vote of 17 no and 16 yes votes.

President Goldstein said that the latter part of the Special meeting called for September 24, could be devoted to the recycling ordinance if the office is able to have the ordinance out for republication and published in a timely manner and for a committee meeting and public hearing to be held a week or so before the Special meeting.

MR. ZELINSKY said there was only a seven-day difference between the meeting of September 24 and October 1. He said there was not that much difference in time if the ordinance was carried over to the October meeting.

PRESIDENT GOLDSTEIN said Mr. Zelinsky's statement was correct, however, the Board's message to hold a meeting on the 24th is that the matter is urgent.

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

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

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 I. Blum, 7/3/90. Report made and Held in Committee 8/13/90.

HELD IN COMMITTEE

LABOR RELATIONS COMMITTEE - John J. Hogan, Chairman

1. PROGRESS REPORT ON LABOR CONTRACTS. Submitted by Rep. John J. Hogan, D-12, 7/24/90. Report made and Held in Committee 8/13/90.

MR. HOGAN said a copy of the Firemens' contract will be received by all members shortly and the contract will have to be voted on by October 10.

RESOLUTIONS

1. SENSE-OF-THE-BOARD RESOLUTION OPPOSING THE YANKEE GAS SERVICES, INCORPORATED PROPOSED 9.4% RATE INCREASE FOR STAMFORD CUSTOMERS. Submitted by Rep. John R. Zelinsky, D-11, 8/14/90.

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

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

MINUTES

1. AUGUST 13, 1990 REGULAR BOARD MEETING - not ready.

COMMUNICATIONS - none.

OLD BUSINESS - none.

NEW BUSINESS - Steering Committee meeting to be held Wednesday, September 12, 1990.

ADJOURNMENT - There being no further business to come before the Board, the meeting was adjourned at 1:00 a.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