

MINUTES OF REGULAR BOARD MEETING

MONDAY, DECEMBER 16, 1991

22ND BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

A regular monthly meeting of the 22nd Board of Representatives of the City of Stamford was held on Monday, December 16, 1991, in the Legislative Chambers of the Board of Representatives, Government Center, 888 Washington Boulevard, Stamford, Connecticut.

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

INVOCATION was given by Mark Kirkland, Deacon  
The Anglican Church of the Advent  
Rye Brook, N.Y.

"Let us pray. Oh, God, the fountain of wisdom whose statutes are good and gracious and whose law is truth; we beseech Thee so to guide and bless this 22nd Board of Representatives, that it may ordain for our governance only such things as please Thee, to the glory of Thy Name and the welfare of the people; in Thy Holy Name, we pray. Amen"

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Richard L. Lyons.

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were 37 members present and three absent. Absent and excused were Carmen Domonkos, Frank Mollo and Gloria DePina.

The Chair declared a quorum.

MACHINE TEST VOTE: President Richard L. Lyons - The machine was not in the best working order.

MOMENTS OF SILENCE:

For the late NATHANIEL "JOHNNY" HENDERSON requested by Rep. Annie M. Summerville, 6th District. "Mr. Henderson was a personal friend of mine. He was a devoted husband and father and leader in our Community. He did much for the betterment of Stamford. On behalf of myself and many members of the Board, I extend my deepest sympathy to his wife, Minnie and members of his family."

For the late PETER LUPINACCI, SR. requested by Rep. Mildred Perillo, 9th District. "Sincerest sympathy is extended to the Lupinacci Family."

For the late FRED A. MAAZ by Rep. Philip R. Stork, 15th District. "Mr. Maaz passed away on November 5th at the age of 88. Mr. Maaz was a retired supervisor for the Pease Company in Stamford and died from heart failure. Mr. Maaz moved to Stamford in 1908 and worked for Pease for more than 40 years before retiring in 1973. Surviving are his wife, Rose, a brother, Albert of Southbury, 17 nieces and nephews, and 41 grand-nieces and nephews. Sincerest sympathy is extended to his wife and family."

MOMENTS OF SILENCE: (continued)

For the late RUTH H. EDWARDS requested by Rep. Philip R. Stork, 15th District. "Ms. Edwards passed away on December 2nd at the age of 87. She was a retired administrative assistant at J. M. Wright Technical School. She worked there from 1924 to 1974 and has no known survivors."

For the late IMMACOLATA D. TARZIA requested by Reps. Philip R. Stork, 15th District, Richard L. Lyons, 1st District, James Rubino, 7th District, Kurt Jetta, 4th District and John R. Zelinsky, 11th District. "Mrs. Tarzia passed away on December 12th at the age of 78. She was the mother of Stamford's Board of Finance Chairman Joseph Tarzia. Mrs. Tarzia was a resident of Stamford for 24 years and in addition to her son, Joe, she was also survived by another son, Michael, three daughters, Rosa, Lucia and Stella, two sisters, two brothers and 11 grandchildren. Sincerest sympathy is extended to the Tarzia family."

For the late MALCOLM M. MEYER requested by Rep. Robert DeLuca, 14th District. "Mr. Meyer was a former resident of Stamford. He relocated to Orlando, Florida where he died at the age of 89. Mr. Meyer was a former candidate for mayor in Stamford and was active in civic affairs. Mr. Meyer was the owner of the Downs-Smith appliance and electrical contracting business. Sincerest sympathy is extended to his family."

For the late CARMINE J. MARINELLA requested by Rep. Philip R. Stork, 15th District, Joseph Lovallo, 15th District, Thomas Pia, 7th District and John J. Hogan, 12th District. "Mr. Marinella was a resident of Stamford for over 57 years. He died at the age of 80. Surviving is his wife, Antoinette Frattaroli Marinella; one daughter, Joan M. Scribner; one brother, James Marinella; three sisters, Mary A. Cerullo, Josephine Rogers and Louise Stamatis; two grandchildren and one great-grandchild. Sincerest sympathy is extended the Marinella family."

For the late NICHOLAS NAPOLITANO requested by former Representative David Blum.

For the late ROSALIE GRECO requested by Rep. John R. Zelinsky, 11th District. "Mrs. Greco was a close family friend. She was a member of the AARP and the Glenbrook, Springdale and St. Bridget's Clubs. She is survived by her husband, Michael Greco, one son, one daughter, three sisters, three brothers and five grandchildren. She will be greatly missed. Sincerest sympathy and condolences to her family."

For the late RALPH SHELDON requested by Rep. John R. Zelinsky, 11th District. "Mr. Sheldon was a retired concert pianist. He is survived by his wife, Wanda Miller Sheldon, of Stamford. Sincerest sympathy is extended to Mrs. Sheldon."

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President Lyons announced a change in the membership of the Labor Relations Committee: Rep. Ralph Loglisci will replace Rep. Joseph Lovallo.

STANDING COMMITTEES

STEERING COMMITTEE: Chairman Richard L. Lyons

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, December 4, 1991, in the Democratic Caucus Room of the Government Center, 888 Washington Boulevard. The meeting was called to order at 7:30 p.m. by Chairman Richard Lyons who declared a quorum.

Present at the meeting:

Richard Lyons, Chairman	John J. Boccuzzi	John R. Zelinsky
James Rubino	Nicholas Pavia	W. Dennis White
Audrey Maihock	Judith Evanko	Mary Lou Rinaldi
Frank Mollo	Joseph Gergle	Robert DeLuca
John Hogan	Carmen Domonkos	Thomas Pia
Maria Nakian	Bobby Owens	Janet Gramza, Advocate
Annie Summerville	Scott Morris	Pam Harris, LWV
Ellen Bromley	Garry Clemmons	Anne Kachaluba
David Martin	William Kosbob	

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

FISCAL COMMITTEE - Ordered on the Agenda were the eight items appearing on the Tentative Steering Agenda and the three items appearing on the Addenda.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda was one of the four items appearing on the Tentative Steering Agenda; the other three items were ordered on the Pending Agenda under the Ethics Review Committee; Ordered on the Agenda was the one item on the Addenda and one item moved from the Health and Protection Committee concerning loitering.

PERSONNEL COMMITTEE - Ordered off the Agenda was the one item appearing on the Tentative Steering Agenda; the grant was no longer available.

PLANNING & ZONING COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda.

PUBLIC WORKS & SEWER COMMITTEE - Ordered on the Agenda were the two items appearing on the Tentative Steering Agenda.

HEALTH & PROTECTION COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda. Ordered moved to the Legislative and Rules Committee was the proposed ordinance concerning loitering.

PARKS & RECREATION COMMITTEE - No items appeared on the Tentative Steering Agenda.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Agenda was one of the two items appearing on the Addenda; the item concerning reimbursement grant for nurses, etc. was ordered off the Addenda as the Mayor should apply for the grant.

STEERING COMMITTEE REPORT: (continued)

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

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

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

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

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

COLISEUM AUTHORITY LIAISON COMMITTEE - No items appeared on the Tentative Steering Agenda.

LABOR RELATIONS COMMITTEE - No items appeared on the Tentative Steering Agenda.

ECONOMIC DEVELOPMENT COMMITTEE - No items appeared on the Tentative Steering Agenda.

ETHICS REVIEW COMMITTEE - No items appeared on the Tentative Steering Agenda. Ordered on the Pending Agenda were three items moved from the Legislative and Rules Committee.

DOWNTOWN REVIEW COMMITTEE - This Committee is no longer in existence.

AUDIT OVERSIGHT COMMITTEE - No items appeared on the Tentative Steering Agenda.

RESOLUTIONS No items appeared on the Tentative Steering Agenda.

NEW BUSINESS - No items appeared on the Tentative Steering Agenda. One item appearing on the Addenda was placed on the Pending Agenda. The item called for the Board to initiate a Charter Revision Commission.

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, seconded and approved, the meeting was adjourned at 8:15 p.m.

FIRST ORDER OF BUSINESS:

LEGISLATIVE & RULES COMMITTEE - Maria Nakian, Chairwoman

1. (L&R22.05) AMENDMENTS TO THE 22ND BOARD OF REPRESENTATIVES' RULES OF ORDER. Submitted by Rep. David R. Martin, D-19, 12/2/91.

MRS. NAKIAN said that there was one amendment to the Rules of Order approved by the Legislative & Rules Committee by a vote of four in favor, three opposed, with one abstention. She said that on page 11, concerning the Postage Allowance. Mrs. Nakian said the postage allowance would be cut from \$500.00 per term to \$250.00 per term and Moved for approval of the amendment. Seconded.



FIRST ORDER OF BUSINESS - LEGISLATIVE & RULES COMMITTEE: (continued)

MR. DeLUCA Moved to amend Mrs. Nakian's Motion. He Moved to delete Section VI of the Rules entirely. Seconded. Mr. DeLuca said that he felt and as many others do, that it was time for the Board of Representatives to set an example of being fiscally responsible.

Mr. DeLuca stated that in prior years, it was stated that approximately \$1,000 was spent and this had no impact on the mill rate or tax. He said to delete the Section sends a message to other departments that the Board is willing to sacrifice and the other departments should also do the same. Mr. DeLuca urged his colleagues to vote on his amendment. He said that constituents can be reached by making up a newsletter and having it delivered by representatives or help from other individuals in the district.

MR. SHERER said that he concurred with Mr. DeLuca. Mr. Sherer said that the Board of Representatives has to set the tone for the rest of the city. He said that during his campaigning, he heard an overwhelming cry from the public that there be some fiscal responsibility, and as important as the newsletters may be or the franking privilege to some members of the Board, it shows the community and departments that the Board is willing to give up something important.

MR. RUBINO said that he agreed with Mr. DeLuca's Motion. He said that the franking privilege from the beginning, in his opinion, was designed to allow taxpayer dollars to be used to perpetuate incumbency. Mr. Rubino stated that if constituents are to be contacted, the postage should be paid by the representative or the phone should be used.

MR. STORK said he supported Mr. DeLuca's Motion to delete the postage allowance from the Rules. Mr. Stork said that the Board is volunteer service to the community and the public believes that the system was put in place to serve them and has worked well for many years. Mr. Stork said that he would vote in support of Mr. DeLuca's Motion.

PRESIDENT LYONS proceeded to a vote on Mr. DeLuca's motion to eliminate Section IV Postage Allowance from the Rules of Order. DEFEATED by a vote of 21 no and 16 yes votes.

MR. MARTIN said that for the Committee to cut the amount in half was a move in the right direction and urged support for the Committee's recommendation.

MR. JETTA Moved to reduce the \$250 amount to \$100. Seconded.

MR. JETTA said that he felt that the \$100 was a good balance between being fiscally responsible and utilizing the need to communicate with constituents.

PRESIDENT LYONS proceeded to a vote to reduce the \$250 to \$100. DEFEATED by a vote of 21 no and 16 yes votes.

MR. BOCCUZZI Moved the question. Seconded.

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

PRESIDENT LYONS proceeded to a vote on the main Motion which was to cut the postage allowance from \$500 to \$250. APPROVED by a vote of 24 yes and 11 no votes with two abstentions.

FIRST ORDER OF BUSINESS - LEGISLATIVE & RULES COMMITTEE: (continued)

MRS. NAKIAN Moved for the adoption of the Rules of Order of the 22nd Board of Representatives. Seconded.

PRESIDENT LYONS called for a vote to adopt the Rules of Order for the 22nd Board. APPROVED by voice vote with 36 in favor and one no vote, Mrs. Maihock.

APPOINTMENTS COMMITTEE - Ellen E. Bromley & Annie M. Summerville, Co-Chairwoman

No report.

FISCAL COMMITTEE - Mary Lou Rinaldi & Carmen Domonkos, Co-Chairwoman

MS. M. RINALDI said the Fiscal Committee met on Wednesday, December 11, 1991, at 7:00 p.m. Present were Committee members Rybnick, Pavia, Jetta, Mollo, Leydon, Kosbob, Hogan, Clemmons, Domonkos, Loglisci and M. Rinaldi. Also in attendance were Reps. John Boccuzzi, Annie Summerville and Elaine Mitchell; several residents, property owners and business owners who attended the public hearing concerning the location of the Alternative Incarceration Program.

Ms. M. Rinaldi placed items one, five and ten on the Consent Agenda. All Secondary Committees concurred or waived the Secondary Committee report.

1. \$1,444,442.00 - STAMFORD DAY CARE PROGRAM - VARIOUS CODES - additional appropriation to cover awarded grant funds for operation of Day Care Program. Request by Mayor Thom Serrani 11/4/91. Board of Finance approved 11/13/91.

Code 750-1110 salaries	\$ 288,139
Code 750-1310 social security	22,043
Code 750-1320 unemployment compensation	1,337
Code 750-1330 medical & life	40,000
Code 750-1390 general insurance - city	7,955
Code 750-2930 office supplies & expense	<u>3,000</u>
Dept. Total	362,474

Code 751-1110 salaries	703,899
Code 751-1310 social security	53,848
Code 751-1320 unemployment compensation	3,749
Code 751-1330 medical & life	65,000
Code 751-1390 general insurance - city	15,562
Code 751-2210 maintenance of buildings	5,000
Code 751-2510 maintenance of vehicles	6,000
Code 751-2740 telephone	6,000
Code 751-2930 office supplies & expense	1,000
Code 751-2934 recreation supplies	7,500
Code 751-2940 conference & training	3,000
Code 751-3481 laundry	500
Code 751-3810 provisions - food	141,240
Code 751-5150 professional consultants	14,000
Code 751-5501 contracted services	<u>55,670</u>
Dept. total	1,081,968
Grand total	<u>\$1,444,442</u>

Above referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

2. \$ 490,875.00 - POLICE DEPARTMENT - VARIOUS CODES - additional appropriation - represents Drug Enforcement Grant from the State for enforcement; four D.A.R.E. officers currently working in schools covered in this request; balance of grant \$366,069 is reserved for overtime to fund drug enforcement actions. Request by Mayor Thom Serrani, 10/28/91. Board of Finance approved 11/13/91.
- |                        |                |
|------------------------|----------------|
| Code 430-1110 salaries | \$ 96,474      |
| Code 430-1310 benefits | 1,399          |
| Code 430-1330 benefits | 22,328         |
| Code 430-1390 benefits | 4,605          |
| Code 430-1201 overtime | <u>366,069</u> |
|                        | \$490,875      |

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MS. M. RINALDI said the Committee voted nine in favor and one opposed for approval. Moved. Seconded.

MRS. MAIHOCK Moved to waive the Secondary Committee report. Seconded.

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

PRESIDENT LYONS called for a vote to approve \$490,875.00 for the Police Department Drug Enforcement Grant. APPROVED by voice vote 36 yes votes and one no vote, Mr. Jetta.

3. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE DEPARTMENT OF CHILDREN AND YOUTH SERVICES. Funds for the Youth Service Bureau. Program is being operated out of the Department of Parks and Recreation. Submitted by Mayor Stanley J. Esposito, 12/2/91.

MS. M. RINALDI said the Committee voted nine in favor with one opposed and Moved for approval. Seconded.

PRESIDENT LYONS called for a vote to approve item three. APPROVED by voice vote 35 yes and two no votes, Mrs. Maihock and Mr. Jetta.

4. \$ 45,690.00 - YOUTH SERVICE BUREAU GRANT - DEPARTMENT OF PARKS & RECREATION DEPARTMENT 666-VARIOUS CODES - additional appropriation to continue Youth Service Bureau grant; city budget already includes funds sufficient to leverage State dollars. State dollars available to Stamford \$45,690 from 10/1 to 6/30/92. Request by Mayor Thom Serrani, 11/1/91. Board of Finance approved 11/13/91.
- |  |               |
|--|---------------|
| Code 666-1130 part-time                      | \$13,852      |
| Code 666-1310 social security                | 1,148         |
| Code 666-2740 telephone                      | 140           |
| Code 666-2930 office supplies & expense      | 400           |
| Code 666-2940 conferences, training & travel | 150           |
| Code 666-7525 direct service grant           | <u>30,000</u> |
|  | \$45,690      |

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

FISCAL COMMITTEE: (continued)

MS. M. RINALDI stated that the \$45,690 was the companion grant for item three. She Moved for approval. Seconded.

The Education, Welfare and Government Committee concurred.

PRESIDENT LYONS called for a vote to approve \$45,690 for the Youth Service Bureau Grant. APPROVED by voice vote with 35 yes and two no votes, Mr. Jetta and Mrs. Maihock.

5. \$243,940.00 - EMPLOYEE BENEFITS AND INSURANCE FOR YEAR 1991/92 - DEPARTMENT 290-1230 UNEMPLOYMENT BENEFITS - additional appropriation to cover city portion of 1991/92 lay off unemployment claims; Board of Education also uses this account. Once Board of Education provides estimate of projected unemployment costs, second additional appropriation request will be forwarded to fiscal boards for approval. Request by Mayor Thom Serrani, 11/1/91. Board of Finance approved 11/13/91.

Above also referred to EDUCATION, WELFARE AND GOVERNMENT COMMITTEE.

APPROVED ON CONSENT AGENDA

6. \$400,416.00 - VOLUNTEER FIRE DEPARTMENTS - DEPARTMENT 470 VARIOUS CODES - additional appropriation to cover Firemens' contract. Request by Mayor Thom Serrani, 11/1/91. Board of Finance approved \$158,126 on 11/13/91 and deferred the \$242,290; approved \$242,290 on 12/5/91.

	FY90/91	FY91/92	2 Yr. Total
4330 Belltown	\$ 15,240	\$ 26,635	\$ 41,875
4340 Glenbrook	28,463	43,451	71,914
4350 Long Ridge	24,778	38,099	62,877
4360 Turn of River	68,771	102,260	171,031
4370 Springdale	<u>20,874</u>	<u>31,845</u>	<u>52,719</u>
	\$158,126	\$242,290	\$400,416

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MS. M. RINALDI said there was a change in the amount. She said that at the November meeting of the Board of Finance, they appropriated \$158,126 for the '90/91 retro pay for the paid drivers in the volunteer departments; at the December meeting of the Board of Finance, an additional \$242,290 was appropriated, which takes in the '91/92 retroactive pay for the same group. Ms. Rinaldi said that the Fiscal Committee decided to appropriate the full amount.

Ms. M. Rinaldi said the Committee voted 10 in favor with none in opposition to approve the item and Moved that full amount of \$400,416 be approved for the Volunteer Fire Departments. Seconded.

PRESIDENT LYONS called for a vote to approve the \$400,416 for the Volunteer Fire Departments. APPROVED by voice vote with 37 yes votes, no dissenting votes.

FISCAL COMMITTEE: (continued)

7. \$130,000.00 - TURN OF RIVER FIRE DEPARTMENT - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1991/92 - CODE 474-226 FOR PROJECT ENGINE REBUILD/REPLACING - additional appropriation for replacement and/or rebuilding three pieces of apparatus over a three-year time frame. To be funded by bonding. Request by Mayor Thom Serrani, 9/3/91. Planning Board approved 10/15/91. Board of Finance approved 11/13/91.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

MS. M. RINALDI said there was a typographical error on the Agenda; the correct amount is \$130,000. She Moved for approval. Seconded.

MRS. MAIHOCK Moved to waive the Secondary Committee report. Seconded.

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

PRESIDENT LYONS called for a vote to approve \$130,000 for the Turn of River Fire Department for engine rebuilding/replacing. APPROVED by voice vote, 37 votes, with no dissenting votes.

8. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT TO RECEIVE GRANT FUNDS FOR RENOVATION OF BOARD OF EDUCATION BUILDING INTO ADULT CENTER FOR SENIOR CITIZENS. If approved, the City will receive \$250,000. Submitted by Mayor Thom Serrani, 10/17/91.

MS. M. RINALDI said the Committee voted nine in favor with one opposed and Moved for approval. Seconded.

MR. JETTA Moved that the resolution be returned to Committee. Seconded.

Mr. Jetta said that he would like the Committee to look further to see if the service was really needed given the rough economic times or is it a duplication of existing services? Mr. Jetta also questioned that aside from the \$1 million renovations costs, what would other longrun costs be in maintaining the Center; that is maintenance, manpower and additional Dial-A-Ride service that would be needed. Also, Mr. Jetta asked if the building was not used for a Senior Center, what benefits, if any, would there be for using the building for other purpose or selling the building? Mr. Jetta wanted to know how many people would be using the program. He said his best estimate would be 200 people at any one time and that would amount to a large expenditure perhaps \$500 to \$1,000 per person.

Mr. Jetta said that he felt that the above issues were not addressed in detail and the detail would be needed to approve the expenditure.

MS. M. RINALDI stated that she hoped the item would not be returned to Committee as there has been a long history of discussion in regards to the Senior Center. She said that two years ago in the Capital Projects budget, over a \$1 million was appropriated for the construction of the Senior Center, and now the \$250,000 can be used to offset construction costs on the Center as the money has already been bonded by the State. Ms. Rinaldi said that we are sure to receive the money.



FISCAL COMMITTEE: (continued)

MR. BOCCUZZI said the item was not new, but may be to some members on the Board. He was against sending the item back to Committee as the previous Board spent many hours discussing the location of the Center, there were meetings with many of the seniors, and they represented many groups throughout the city. Mr. Boccuzzi stated that the seniors were trying to get a Center for about five years. He said that a few years ago, the Fiscal Committee recommended at budget time that they wanted the Board of Education to move into the Government Center.

Mr. Boccuzzi said that the Center will be used by many and if there are stumbling blocks in getting the project done, there will be repercussions. Mr. Boccuzzi asked that the members not return the item to Committee.

MR. RUBINO said that he supported Mr. Jetta's motion. He said he realized that there has been a long history in regards to the item but much of the history was compiled during economic times that were not as bad as the present time. Mr. Rubino stated that the issue must be revisited and the project looked over again.

MR. MARTIN said that approving the \$250,000 is not approving an expenditure; a revenue is being approved, and it does not make sense to turn down revenue during these tough fiscal times. Mr. Martin said the only reason that this should be turned down is if the Mayor decides to cancel the project, and he has not heard anything regarding cancellation. Mr. Martin said if there are other motivations he is unaware of, he can see no reason to turn down the revenue at this point in time.

MR. DeLUCA said that sometimes revenue is accepted but further down the road, the costs can amount to \$2 or 3 million that the city doesn't have. Mr. DeLuca said the \$1 million voted on previously was done when times were good and money was coming into the city. Mr. DeLuca said that he shared the concerns of Rep. Jetta to send the item back to Committee.

MRS. MAIHOCK said that she felt a new report would be valuable to understand how all present costs will impact the taxpayers. She said that the information should be presented before a vote is taken to approve the project.

MR. LOGLISCI said that he thinks that the wealthier seniors rather than those on a limited income would look for the centralized Center. He said that there are many things that should be researched; how many would use the building, what extra costs would accrue to the city and do the senior citizens really need the extra tax costs as taxes are raised to cover all the extra expenses? Mr. Loglisci stated that the city can use funds from the sale of properties; he agreed with Mr. Jetta to return the item to Committee.

MR. STORK said that as he understood, the total project would cost about a \$1,300,000 out of which a \$1 million has been set aside and with the \$250,000 grant would leave a \$50,000 shortfall. He said he would like to know where the funding will come from to makeup the shortfall?

FISCAL COMMITTEE: (continued)

MR. BOCCUZZI asked if the Fiscal Chair knew the exact amount of money set aside for the project?

MS. M. RINALDI stated that she did not have the exact numbers and thought it to be around \$1.1 million.

MR. HOGAN Moved the question. Seconded.

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

PRESIDENT LYONS proceeded to a vote to return to Committee the resolution for application and agreement to receive grant funds for renovation of Board of Education building into Adult Center for Seniors. DEFEATED by a vote of 19 no, 15 yes votes with one abstention.

MR. BOCCUZZI said that he hoped that all the members would support the resolution. He said the seniors were in favor of the Hillandale site; also, work is being done in the Government Center in preparation of the Board of Education's move here. Mr. Boccuzzi stated that much time was spent by the previous Board on the subject and many of the present members know how much work was done. Mr. Boccuzzi said that if the resolution is defeated, all efforts to have the Center will be gone. He said the seniors have paid their dues over many years and deserve their own Center. He urged the Board to vote in favor of the grant.

MRS. BROMLEY said that a vote to accept the grant money will have no tax impact on the taxpayers of the city, or if there is an impact, it would be a negative one as this money would be added to monies that have already been set aside for the project.

MR. DeLUCA said that grant money does have an tax affect on the city. He said the money will come from the State and where does the State receive the money from but from the income tax, sales taxes and other taxes paid. Mr. DeLuca referred to Mr. Boccuzzi's remarks that the seniors were in favor of Hillandale Avenue. Mr. DeLuca said that going back a while at a Steering Committee meeting, Dr. Rosenfield and other senior citizen groups stated that they did not want to go to Hillandale Avenue; they wanted a place in the Government Center. Mr. DeLuca did not think that all the seniors are a 100% for the Hillandale Avenue site, and the Board of Education was never interested in moving to the Government Center and are being forced to move. Mr. DeLuca urged the Board to vote against the resolution.

MR. BOCCUZZI asked for a Point of Personal Privilege. He said that his remarks were true; the Planning and Zoning Committee held a meeting with many seniors and groups in attendance and the results indicated that the seniors were in favor of Hillandale Avenue. Mr. Boccuzzi stated that one senior citizen that attended was not in favor of Hillandale; all the others favored Hillandale.

MR. PIA said that at the Steering Committee meeting, Dr. Rosenfield stated that he and other seniors and groups liked the idea of coming to the Government Center. Mr. Pia stated that at the Planning and Zoning Committee meeting, the story changed and instead of coming to the Government Center, many decided they wanted Hillandale as their Center.

MR. PIA said that he did not know what happened between what was said at the Steering Committee meeting and the Planning and Zoning Committee meeting. He said that he did not know who met with the seniors or why they changed their minds.

Mr. Pia stated that with the economic climate of the present day, why can't the seniors use the Government Center; it would save a lot of money and if times improved, perhaps a move could be made to the Board of Education. Mr. Pia said the Board of Education should be permitted to stay where they are and why should the money be spent. Mr. Pia said that a meeting should be held with Board members and the seniors to discuss the pros and cons on the moving and to come up with figures in regards to using the Government Center and the Board of Education building.

MRS. MAIHOCK stated that many people are re-evaluating their circumstances and it is possible that the senior citizens might want to do the same. She said that she believes that some of the seniors also have second thoughts to the Center. Mrs. Maihock said that she felt the item should be held.

MS. M. RINALDI said that she was privy to information in the job she held for the past nine months. She said the Board of Education is coming to the Government Center as the third and fifth floors are being altered now to accomodate the move. Ms. Rinaldi said that during the December break, the computer systems will be coming from Hillandale Avenue to this building. She said that by February, the Board of Ed will be fully moved, and the floors will not be available.

Ms. M. Rinaldi stated that the Board of Education will be applying for a \$500,000 grant to underwrite some of the moving costs. She said that when the city applied for the funding, which has been bonded by the Bonding Commission, the city had to submit final plans to the state, a stringent cost estimate had to be submitted, which is under the \$1 million mark. Ms. Rinaldi said that the costs is pretty much known as to what it will be to revamp the Board of Ed building for the Senior Center.

MR. LaDESTRO said that the city is facing a deficit, police and firemen are being laid off and the talk is of a \$1 million that has been set aside. Mr. LaDestro stated that does not mean that we have to spend the money in these economic times. Mr. LaDestro said that the members should be given a lot of thought to the project even though a lot of time has been spent on the project.

MR. HOGAN Moved the question. Seconded.

PRESIDENT LYONS proceeded to a vote to Move the question. DEFEATED by a vote of 27 no and 6 yes votes.

MRS. NAKIAN said that a \$1 million was appropriated by the previous Board and that it was not up to the present Board to un-appropriate the money. She said that the money can be spent without anyone else's approval. Also, stated was that the State Bonding Commission has approved the grant to the city and it was not realistic to think that if the city turns down the grant, the money will not be spent; the money will be spent by another community and the citizens of Stamford will pay the money but will not have had the benefit of using the money for something that is wanted in the city.

FISCAL COMMITTEE: (continued)

MRS. NAKIAN said that if the \$250,000 is received from the state, money will be saved as the entire \$1 million will not have to be spent or money added. Mrs. Nakian stated that the Board of Education is in the process of moving and at this point, we cannot stop to rethink. She said if the Board of Ed moves to the Government Center, the building will be empty if there is no Senior Center. She said the project should go forward.

MRS. BROMLEY said that the building will be renovated as the funds have been previously appropriated. She said that when grant money is received, it is from state tax dollars and the money will in no way come back to our pockets.

MR. JETTA asked what the expected annual expenses would be to operate the Center? He said he asked the question in Committee but no one had an answer. Also, he asked where the money would be coming from?

MS. M. RINALDI said that the operating costs will come out of the Commission on Aging as they have a staff already in place and there is no expectation to hire any additional staff to run the Center.

MR. JETTA questioned the expenses for operating the building such as heat, maintenance and other expenses.

MS. M. RINALDI stated that it was difficult to say as the building was not up and running so there was no cost in place as yet.

MR. KOSEBOB stated that during tough economic times, it is probably very tough on the seniors and said that the Board would be amiss in not moving forward with the issue supporting the Senior Center on Hillandale. He said the seniors deserve a place and the project should move forward.

MR. LOGLISCI stated that much is heard that the seniors should have their own place. He said there are many neighborhood senior centers scattered throughout the city, and that is where the seniors like to be; they like to be in their own neighborhoods and with the people they are comfortable with. Mr. Loglisci said the \$1 million could be spent to upgrade some of the places that are already established.

Mr. Loglisci said that the seniors are use to receiving discounts and they always want something special because they have paid their dues but do they realize the cost that eventually will fall upon them. He said there will be a wonderful building utilized by few but paid for by everyone.

MR. DeLUCA said that he did not favor spending any money without knowing what the true costs will be.

MR. MARTIN said that if there is really a concern to stop the Senior Center or if the Mayor wants to stop it, he can do that and if that is what he wants to do, we should hear that. Mr. Martin said that if the people that want to hold the item really want to stop the Senior Center, it should be put on the Agenda to change the direction of the Senior Center and the Mayor should be informed. Mr. Martin said that turning down the revenue is a back-handed way to throw a monkey wrench into the project.



FISCAL COMMITTEE: (continued)

MR. LOVALLO asked if the Board of Education moves into the Government Center, would there room for a Senior Center in the Government Center?

MR. LYONS said that two floors will be taken by the Board of Education.

MRS. PERILLO asked if the grant would be lost if the item was held for a month to receive answers to the many questions that have been asked?

MS. M. RINALDI stated that she did not know; she said the item was bonded as of Friday.

MRS. NAKIAN said that there was a Planning and Zoning Committee meeting, and the seniors came in and were very much in favor of the project.

PRESIDENT LYONS proceeded to a vote to approve the resolution to file an application and enter into agreement to receive grant funds for renovation of Board of Education Building into an Adult Center for senior citizens. APPROVED by a vote of 31 yes, five no votes with one abstention.

9. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE FOR CONSTRUCTION OF A GYMNASIUM AT THE BOY'S AND GIRL'S CLUB OF STAMFORD. The State pending final approval by the Bond Commission, has awarded \$100,000 to the Club for construction of a new gymnasium. Submitted by Mayor Thom Serrani, 10/17/91.

MS. M. RINALDI said that the Fiscal Committee voted nine in favor and one opposed for approval and Moved for approval. Seconded.

MR. LEYDON said that he did not view that the item was in mid-stream; he stated that it was phase II of the project. Mr. Leydon said that in these difficult economic time, we must do our best to watch how money is going to be spent. He said there is a gymnasium facility at the Yerwood Center which is located nearby and perhaps, could be used. Mr. Leydon said that he called the Yerwood Center earlier in the week, and was told that Yerwood is open until 8:30 during the week, and currently, is not open to the public and must be rented out. He said that perhaps the facility could be used and the fees could be dropped if there is a demand by the people in the area.

Mr. Leydon also stated that there is a evening gym program. He said that Westover School is close to the Boys and Girls Club and perhaps can be used for a gym. He said that according to an article in the "Advocate," approximately 120 people use the facility during the day and probably less people use the facility in the evening. Mr. Leydon stated that it would be in the best interest not to spend every state dollars that is available to the city. He said that he would vote no on the resolution.



FISCAL COMMITTEE: (continued)

MR. SHERER said that he was in favor of the resolution. He said that the state has bonded the money and that the city has no monetary obligation in the project. He said the Boys and Girls Club was able to raise the funds required to match the state grant which will be used to leverage a federal grant.

Mr. Sherer stated that he has served on the Board of Directors of the Club and was familiar with the type of individuals that attend the programs. He said that many were young children who come from homes where the parent or parents are working that rely on the Club's facilities to help take care of the children; to keep them busy and off the streets. Mr. Sherer said that it would be unfair to expect the children to spend part of their time in the program in the existing building and then go across town, whether it be to Westover School or the Yerwood Center; these locations are not as close as one thinks for a six, seven or eight year old to walk.

Mr. Sherer said that the effort made by the Boys and Girls Club to raise funds warrants the attention of the Board of Representatives to approve the resolution. Mr. Sherer stated that if the federal funds or other funds are not received, they will not come back to the city to make up the difference; the money will not be spent and the project will not be done.

MR. LOGLISCI said that Rep. Sherer presented the fiscal situation well. Mr. Loglisci stated that the city's future lies in its youth and the gym is a positive step to assist youth into healthy activities.

MR. BOCCUZZI Moved the question. Seconded.

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

PRESIDENT LYONS called for a vote to approve the resolution authorizing the Mayor to enter into an agreement with the state for construction of a gymnasium at the Boy's and Girl's Club of Stamford. APPROVED by voice vote with 35 yes votes and two no votes, Mrs. Maihock and Mr. Leydon.

10. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND ENTER INTO AN AGREEMENT WITH THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A GRANT FOR AN ENGINEERING ASSESSMENT FOR IMPROVEMENTS TO THE SEWAGE TREATMENT PLANT. Submitted by Mayor Thom Serrani, 11/20/91.

APPROVED ON CONSENT AGENDA

11. PROPOSED LOCATION OF THE DAY INCARCERATION PROGRAM AND THE TRANSITIONAL RESIDENTIAL PROGRAM. Proposed location and program to be located at 41 Warshaw Place. Submitted by Sandra L. Dennies, Grants Director, 12/4/91.

MS. M. RINALDI said that the Program is to be located at 41 Warshaw Place. She said the Committee held a public hearing to obtain community input. She said that John Brown and Anna Washington, the sub-contractors, that would operate the Program, David Anderson, Director of the Stamford Partnership and the President of the Southfield Village Tenants voiced approval of the location; all other speakers were in opposition to the location.

FISCAL COMMITTEE: (continued)

MS. M. RINALDI said that manufacturing operation, retail businesses and residents whose properties are in close proximity to the location, all felt that putting the AIC Program in the neighborhood would be disastrous to the area. Ms. Rinaldi stated that both District representatives voiced their opposition to the location.

Ms. Rinaldi said that is a zoning issue which must be mentioned. She said that presently, there were no accommodations in the Zoning Code which permits a transitional residential center and if the site were to be approved, the matter would have to go before the Zoning Board of Appeals to secure an exception to the Code under "emergency use."

Ms. Rinaldi said that based on the above statements, the Committee voted none in favor with 10 opposed and one abstention to the Warshaw Place location. She Moved for approval. Seconded.

PRESIDENT LYONS proceeded to a vote to approve the location of the Day Incarceration Program and Transitional Residential Program at 41 Warshaw Place. DEFEATED by a vote of 32 no votes and one abstention. The record will not that Reps. Owens, Johnson, Bromley and Morris did not vote on the item.

MS. M. RINALDI Moved to approve the Consent Agenda. Seconded.

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

MS. M. RINALDI Moved to Suspend the Rules to take up an item not on the Agenda in regards to an appropriation for the Purchasing Department. Seconded.

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

12. \$ 89,195.00 - PURCHASING DEPARTMENT - CODE 243 VARIOUS - additional appropriation to maintain Department through 6/30/92.

Code 243.1110 salaries	\$83,645
Code 243.2740 telephone	1,550
Code 243.2923 copying/printing	1,500
Code 243.2930 office supplies	<u>2,500</u>
	\$89,195

Request by Mayor Stanley J. Esposito, 12/3/91. Board of finance approved 12/5/91.

MS. M. RINALDI stated that during the Budget process, funding was appropriated for six months for the Department and now the money is running out of the salary account and the employees may be laid off. She said the item is being taken up this month to prevent any lay offs. Ms. Rinaldi said that Fiscal voted 10 in favor with no opposition to approve the item and so Moved. Seconded.

MR. DeLUCA gave detailed figures on the salary account and said that the Purchasing Agent's salary was in the figures but there has not been a Purchasing Agent since the first of July. Mr. DeLuca asked for a clarification on the additional appropriation.

MS. M. RINALDI said that the salary account included just the money for the current and existing staff; she said that it was for the senior buyer and the subordinates to the buyer, it did not include the Purchasing Agent's salary.

FISCAL COMMITTEE: (continued)

MR. DeLUCA asked if the numbers given were incorrect?

PRESIDENT LYONS said that he interpreted Mr. DeLuca's question as, "is the Purchasing Agent's salary in the salary line?"

MS. M. RINALDI said that the Committee was told by Marge Brown that the \$83,645 included only the current staff; it did not include the Purchasing Agent.

MR. DeLUCA again went over the figures for the Department. He said the senior buyer was \$46,000; two clerk-typist \$24,000 each; a purchasing agent \$79,000 and a secretary \$26,000 totalling \$200,000. Mr. DeLuca stated that \$204,000 was approved by the Mayor; a \$102,000 was cut leaving \$102, and now \$95,000 is being added back. Mr. DeLuca said the figure now comes to approximately \$198,000, \$6,000 less than originally in the budget book which included the purchasing agent's salary.

PRESIDENT LYONS stated that the answer given to the Fiscal Chair was that the salary was not and that is what the Board must proceed on.

MR. DeLUCA Moved to return to Committee \$89,195 for the Purchasing Department. Seconded.

Mr. DeLuca said that his rationale was to receive the correct answers. He said that the budget book is incorrect.

MS. M. RINALDI said the request for the Committee to consider the item came from the Board of Finance; they Suspended the Rules to take up the item and asked that we do the same. Ms. Rinaldi said that if the item is returned to Committee, at the end of the month, the people in the Purchasing Department will be laid off because the salary account will be depleted, and because of the bumping process, even if the monies were restored at the next monthly meeting, the employees may not be able to get their original jobs back because of the seniority issue. Ms. Rinaldi urged that the item not be sent back to Committee.

PRESIDENT LYONS called for a vote to return the item to Committee. DEFEATED by a voice vote with one in opposition.

PRESIDENT LYONS called for a vote to approve \$89,195 for the Purchasing Department. APPROVED by voice vote, 35 yes and 1 no vote, Mr. DeLuca and one abstention, Mrs. Maihock.

PRESIDENT LYONS asked the Chair of Fiscal to obtain information for Mr. DeLuca in regards to his questions concerning the Purchasing Agent's salary.

MS. M. RINALDI stated that she would obtain the information for Mr. DeLuca.

MS. M. RINALDI Moved for a Suspension of Rules to take up an item not on the Agenda concerning funds for the restoration of an internal auditor; this item was also considered under Suspension of the Rules by the Board of Finance and requested that Fiscal do the same.

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

FISCAL COMMITTEE: (continued)

13. \$ 28,101.00 - FINANCE COMMISSIONER - CODE 240.1110 SALARIES - additional appropriation to reinstate Internal Auditor (6 months phase funded). Request by Mayor Stanley J. Esposito, 12/5/91. Board of Finance approved 12/5/91.

MS. M. RINALDI said that the primary mandate for the auditor will be to look into personal property audits. She said that both the Tax Assessor and the Acting Finance Commissioner felt that there is revenue that can be obtained by auditing the area. Ms. Rinaldi stated that the Committee felt that reinstating the auditor was important because it may produce revenue. She said that Fiscal voted 10 in favor and none opposed to approve. Moved. Seconded.

PRESIDENT LYONS called for a vote to approve \$28,101 for the Finance Commissioner for the restoration of an auditor. APPROVED by voice vote, 37 yes votes, no dissenting votes.

MR. BOCCUZZI asked that the President send a letter requesting that the new auditor's primary duties should be to work on the personal property taxes, back taxes and to work with the Assessor.

MR. LYONS stated that a letter will be sent addressing Mr. Boccuzzi's request.

LEGISLATIVE & RULES COMMITTEE - Maria Nakian, Chairwoman

1. (L&R22.05) AMENDMENTS TO THE 22ND BOARD OF REPRESENTATIVES' RULES OF ORDER. Submitted by Rep. David R. Martin, D-19, 12/2/91.

TAKEN UP AS THE FIRST ORDER OF BUSINESS - SEE PAGE 4. (APPROVED AS AMENDED)

MRS. NAKIAN said the Committee met on Monday, December 9, 1991, at 7:00 p.m. Present were Committee members Nakian, Bromley, Domonkos, LaDestro, Maihock, Martin, Mitchell, J. Rinaldi and Zelinsky; Rep. Morris was excused. Also in attendance were Reps. Rubino and Owens.

2. (L&R22.01) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR SITE AT 93 SPRUCE STREET DEVELOPED BY NEIGHBORHOOD PRESERVATION PROGRAM OF STAMFORD. Originally submitted by Greg Dunn, Executive Director, Neighborhood Preservation Program of Stamford, CT., Inc., 295 West Main Street, Stamford, CT 06902, 7/11/91; resubmitted by Rep. Maria Nakian, 11/20/91.

HELD IN COMMITTEE

3. (L&R22.06) FOR PUBLICATION, PROPOSED ORDINANCE CONCERNING LOITERING. Submitted by Rep. James Rubino, R-7, 11/13/91.

HELD IN COMMITTEE

PERSONNEL COMMITTEE - John J. Hogan, Jr., Chairman - No report.

PLANNING & ZONING COMMITTEE - W. Dennis White, Chairman

1. REFERRAL OF ZONING BOARD'S ACTION DISAPPROVING APPLICATION 91-009, HUGH F. WINTER, LENA WINTERS/EDWARD B. LYNN & SIRI E. LYNN, 385-401 WOODBINE ROAD, ZONING MAP CHANGE FROM RA-2 ONE FAMILY RESIDENCE DISTRICT (AREA 87,120 SQUARE FEET PER FAMILY) TO RA-1 ONE FAMILY RESIDENCE DISTRICT (AREA 43,560 SQUARE FEET PER FAMILY) FOR PROPERTY LOCATED AT 385 AND 401 WOODBINE ROAD. Pursuant to Charter Section C6-40-6, the Zoning Board referred petition of above application to the Board of Representatives. Action must be taken no later than the January Board meeting. Submitted by Joseph A. Frattaroli Chairman, Stamford Zoning Board, 11/13/91.

HELD IN COMMITTEE

MR. WHITE said that for personal and procedure reasons, he Moved to hold the report will be held until next month. Seconded.

PRESIDENT LYONS called for a vote to hold the item until next month. APPROVED by voice vote with no dissenting votes.

PUBLIC WORKS & SEWER COMMITTEE - Frank A. Mollo & Bobby Owens, Co-Chairmen

MR. OWENS said the Committee met on Wednesday, December 11, 1991, at 7:30 p.m. Present were Reps. Laurie, DeLuca, Zelinsky, Johnson, Owens, Hogan and Mollo.

1. PROPOSED RESOLUTION AUTHORIZING THE CONDEMNATION BY THE CITY OF STAMFORD OF SANITARY SEWER EASEMENTS THROUGH AND UNDER THE PROPERTIES OF WILLIAM PENN DUNSTON, CARD W-10, LOT 25 LINCOLN AVENUE, JAMES A. DOOLEY AND PATRICIA A. BOSHKA, CARD W-11, LOT 26 LINCOLN AVENUE, AND ELSIE WERNER, CARD W-17, LOT 121 LINCOLN AVENUE IN CONNECTION WITH COMPLETING THE HOPE STREET INTERCEPTOR PROJECT. Submitted by Mayor Thom Serrani, 8/29/91. Sewer Commission approved 7/13/91. Board of Finance approved 11/13/91.

HELD IN COMMITTEE

2. FOR PUBLICATION - PROPOSED ORDINANCE REQUIRING EMISSIONS TESTING OF STAMFORD'S INCINERATOR. Submitted by Rep. James Rubino, R-7, 11/13/91.

HELD IN COMMITTEE

HEALTH & PROTECTION COMMITTEE - Audrey Maihock & Joseph Lovallo, Co-Chairpersons

MRS. MAIHOCK said that the Health and Protection Committee met on Wednesday, December 11, 1991, at 8:00 p.m. Present were Audrey Maihock, Co-Chair; Judith Evanko, Joseph A. Gergle, Jr., Ellen Mellis, James Rubino, Bobby Owens, Marggie Laurie, John Zelinsky and Steven E. Heilner, Chairman of the Fire Marshal Association.

1. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING FIRE LANES. Submitted by Steven E. Heilner, Chairman, Fire Marshal Association, City of Stamford, 9/27/91.



HEALTH & PROTECTION COMMITTEE: (continued)

MRS. MAIHOCK said that the purpose of the ordinance was to provide for the reasonable safety and welfare of persons who use buildings open to the public by establishing fire lanes to facilitate the orderly access and operation of fire and other emergency equipment.

Mrs. Maihock said that the Fire Marshal having jurisdiction in the area may petition the Traffic Commission to designate the area a fire lane. She said that the ordinance was created to comply with a recent State Statute, Section 29-293, which provides for the establishment of fire zones. Mrs. Maihock read the Statute, "Said code shall specify reasonable minimum requirements for fire safety in new and existing buildings and facilities, and may, to ensure the reasonable safety of persons occupying or using any premises, open to the public, require the establishment of a fire zone for the orderly access to said premises of fire and other emergency equipment. Regulations may be in accordance with the size, type of construction and nature of use or occupancy of such buildings or facilities. No regulations made in accordance with sections 29-292 to 29-294, inclusive, shall be inconsistent with the provisions of the statutes."

Continuing, Mrs. Maihock quoted, "The state fire marshal, shall develop a schedule of fees for reviewing such plans and specifications, which schedule shall provide for fees payable to the state treasurer in amounts of not less than ten dollars nor more than one hundred dollars, depending upon the complexity of the review."

Mrs. Maihock said that the Committee voted unanimously, six to zero, for publication of the ordinance.

MR. ZELINSKY referred to the cover letter received from Steven Heilner of the Fire Marshal Association. He said that in the first paragraph, it states that a copy of the proposed ordinance was sent to the Fire Commission for their consideration. Mr. Zelinsky wanted to know if any input was received from the Commission?

MRS. MAIHOCK stated that she did not receive anything from the Commission. She said that the Committee was hoping that Mr. Akhimie would be present at the meeting but he was not. She said an opinion must also be had from Mr. Akhimie.

MR. ZELINSKY again referred to the cover letter which stated that the Traffic Commission is studying the potential cost to the city. He wanted to know if any information was received on the cost?

MRS. MAIHOCK said that the cost should be given to the Committee by Mr. Akhimie who did not respond to the "call" of the meeting.

MR. ZELINSKY asked if any information was received from the Traffic Commission?

MRS. MAIHOCK stated that as yet, no information was received.

MR. ZELINSKY stated that in the ordinance, it reads that there shall be a 30-day petition of the owner of any building to the Traffic Commission, but once the Traffic Commission renders a decision, there is no other appeal process. He said that also mentioned was the cost to the city which will be borne by the city and any improvements or maintenance of the markings shall be made by the individual property owners, which costs will be passed on to the tenants. Mr. Zelinsky stated that he did not think the ordinance was ready for publication.

HEALTH & PROTECTION COMMITTEE: (continued)

MR. ZELINSKY Moved that the proposed ordinance on fire lanes be returned to Committee. Seconded.

MRS. MAIHOCK stated that she was not adverse to Mr. Zelinsky's information requests; the Committee felt that it was of sufficient moment to go for publication and amendments could be made later.

MRS. PERILLO stated that the item should be returned to Committee before publication because of the many unanswered questions.

MRS. MAIHOCK said that she would be happy to reconsider the ordinance if that is the wish the Board.

MRS. MELLIS said that she would object to the ordinance being returned to Committees. She said that Mr. Heilner and the group have been trying to get approval of the ordinance for four years, and at this point, the Committee felt the ordinance should be published and many of the questions could be answered at that time.

MR. MARTIN Moved the question. Seconded.

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

PRESIDENT LYONS proceeded to a vote to return to Committee the proposed ordinance concerning fire lanes. APPROVED by a vote of 21 yes and 13 no votes.

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

No report.

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

MR. ZELINSKY said the Committee met on Wednesday, December 11, 1991, at 7:00 p.m. Present were Chairman Zelinsky, Vice Chairman Mellis, Reps. Evanko, Maihock and Laurie.

1. MATTER OF INADEQUATE NURSE STAFFING AT PUBLIC AND NON-PUBLIC SCHOOLS.  
Submitted by Rep. John R. Zelinsky, D-11, 12/4/91.

MR. ZELINSKY said that the item was considered by the previous Board which voted to approve a resolution. He said the resolution, which was received by all members, concerns the safety of children in the public and non-public schools. Mr. Zelinsky said the Committee of the last Board was told by those present at the meeting, including Dr. McBride, that in some schools, a nurse comes in a half-a-day a week, in some, it is every couple of weeks, and in some, they do not see a nurse. He said that it was a precarious situation pertaining to the health of the children in the event of an injury or become sick in either the public or non-public schools.

Mr. Zelinsky said that the Committee voted in favor of a Sense-of-the-Board Resolution concerning the funding of \$385,000. He Moved for approval of the resolution. There was no Second to Mr. Zelinsky's motion.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Frank A. Mollo, Chairman

No report.

URBAN RENEWAL COMMITTEE - Michael Larobina & Mary Lou Rinaldi, Co-Chairpersons

No report.

ENVIRONMENTAL PROTECTION COMMITTEE - Donald Sherer, Chairman

Mr. Sherer deferred to Audrey Maihock, Vice Chair.

MRS. MAIHOCK said the Committee met on Thursday, December 12, 1991, at 8:00 p.m. Present were Audrey Maihock, Vice Chairman; John Zelinsky, Joseph A. Gergle, Jr., W. Dennis White, Frank J. Soldano, Michael A. Pavia, Charles E. Klein and David Emerson.

1. MATTER OF FLOODING BY THE TOILSOME BROOK AT THE END OF VANECH DRIVE.  
Submitted by Reps. John R. Zelinsky, Jr., D-11 and Joseph A. Gergle, Jr., D-11, 11/27/91.

HELD IN COMMITTEE

MRS. MAIHOCK said that a discussion was held on the item. She said that Mr. Pavia, Frank Soldano, and David Emerson were familiar with the problem and have worked on it. She said that Mr. Soldano reported that there was \$266,500 in an unencumbered budget presently under the "Toilsome Brook" account, and \$100,000 has been requested for Toilsome Brook for 1992/93. Mrs. Maihock said that more funding will be needed to finally complete the project.

Mrs. Maihock stated that Charles E. Klein of Vanech Drive addressed a letter to the Committee outlining problems experienced when Toilsome Brook floods; he also came to the Committee meeting. Mr. Klein suggested rebuilding the two obsolete concrete box culverts at West Lane, south of his home, would probably increase the carrying capacity of the street and reduce flooding. Also, additional phases of the project could be implemented at a later date. Mrs. Maihock said that Mr. Soldano agreed that after the West Lane culvert is completed, he would go on to Vanech Drive and try to clean and open up the area.

TRANSPORTATION COMMITTEE - Judith Evanko, Chairwoman

MS. EVANKO said that the Committee met on Thursday, December 12, 1991, at 7:00 p.m. Present were Committee members Joan Rinaldi, Joseph Gergle, Audrey Maihock, Scott Morris and Judith Evanko; also present was Rep. Zelinsky.

1. MATTER OF TRAFFIC SIGNAL AT BEDFORD STREET AND THE CHESTERFIELD CONDOMINIUM COMPLEX. Submitted by Rep. John R. Zelinsky, Jr., D-11, 12/4/91.

MS. EVANKO said the Committee voted in favor of a resolution supporting a request for funding in the next capital projects budget to correct the situation. She Moved for approval of the resolution. Seconded.

TRANSPORTATION COMMITTEE: (continued)

MR. MARTIN Moved that the item be returned to Committee. Seconded.  
Mr. Martin said that if Mr. Akhimie would clearly state his intentions to the Committee to put the item in the capital budget, the resolution would not be necessary.

PRESIDENT LYONS called for a vote to return the item to Committee. APPROVED by voice vote with no dissenting votes.

2. MATTER OF ADVERTISING ON CITY PROPERTY. Submitted by Rep. Robert DeLuca, R-14, 11/27/91.

HELD IN COMMITTEE

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

COLISEUM AUTHORITY LIAISON COMMITTEE - Garry Clemmons, Chairman - No report.

LABOR RELATIONS COMMITTEE - John J. Boccuzzi & Kurt A. Jetta, Co-Chairmen  
No report.

ECONOMIC DEVELOPMENT COMMITTEE - William Belcher, Chairman - No report.

ETHICS REVIEW COMMITTEE - Maria Nakian & James Rubino, Co-Chairpersons  
No report.

REAPPORTIONMENT COMMITTEE - David R. Martin & Philip R. Stork, Co-Chairmen  
No report.

OVERSIGHT COMMITTEE - John J. Boccuzzi & Robert DeLuca - No report.

RESOLUTIONS - None.

MINUTES

## 1. NOVEMBER 6, 1991 REGULAR BOARD MEETING (21ST BOARD OF REPRESENTATIVES)

Not ready.

## 2. DECEMBER 2, 1991 ORGANIZATIONAL MEETING OF 22ND BOARD OF REPRESENTATIVES.

Not ready.

COMMUNICATIONS - Clerk Summerville urged the Board members to update their stationery so it can go to print. Also, she asked that the Board members clean their desks off; any matters left on the desk will be put in the recycling bins. She said there is a shelf under the desk that can be used and there are lockers in Conference Room I that can be used for the storage of papers, etc.

OLD BUSINESS

1. DISCUSSION ON THE BOARD OF REPRESENTATIVES FORMALLY REQUESTING THAT THE CORPORATION COUNSEL'S OFFICE OF THE CITY OF STAMFORD FILE AN AMICUS CURIE BRIEF ON BEHALF OF THE BOARD OF REPRESENTATIVES IN SUPPORT OF THE POSITION OF THE PLAINTIFF-APPELLEES IN THE MATTER OF RICHARD L. LYONS, ET AL. V. THOM SERRANI, ET AL., PENDING IN THE APPELLATE COURT FOR THE STATE OF CONNECTICUT AND BEARING AC NUMBER 10461. Submitted by President Richard L. Lyon, 12/4/91.

PRESIDENT LYONS wanted the record note that he will absent the Chair to discuss item one; Mr. Boccuzzi will be Chairing.

MR. LYONS asked that the Board formally request the Corporation Counsel's office of the City of Stamford, to file an amicus curie brief on behalf of the Board of Representatives in support of the position of the plaintiff-appellees in the matter of Richard L. Lyons, et al. versus Thom Serrani, et al., pending in the Appellate Court for the State of Connecticut and bearing Account Number 10461. Mr. Lyons Moved for approval of his request. Seconded.

MR. LYONS said the matter was an on-going court case concerning the garbage pickup where the previous Mayor refused to obey a city ordinance. Mr. Lyons stated that the Board of Finance, at their last meeting, passed a similar request to the Corporation Counsel, and Mr. Lyons hoped that the Board of Representatives would join the Board of Finance. Mr. Lyons said that there were discussions with the Mayor's office hoping that the situation will be removed from the Courts and will be settled between the Executive and Legislative branch. He said that by joining the Board of Finance would help the position of the Boards in the negotiations. Mr. Lyons stated that he hoped the Board would approve his request.

MR. RUBINO wanted to know what the position of the 22nd Board of Representatives was on the matter?



OLD BUSINESS: (continued)

MR. LYONS stated that he hoped that the position of the 22nd Board would be that if there is an ordinance, duly enacted and on the books of the City of Stamford, and the Mayor refused to obey the ordinance, the Board would insist that the ordinance be obeyed.

MR. RUBINO said that his comments in answer to Mr. Lyons would be that the position of the 22nd Board is not known and the 21st Board of Representatives passed the ordinance and took a position on it. Mr. Rubino said that was long ago in different economic times; presently, the times are not the same. Mr. Rubino made a point that if the Corporation Counsel were to file an amicus brief taking the position that you want the Corporation Counsel to take on behalf of the Board, they would then be in conflict with the position Counsel takes on behalf of the Mayor. Mr. Rubino said that Mr. Lyons' request would probably disqualify the Corporation Counsel from representing the position of the Mayor's office.

Mr. Rubino stated that, in his opinion, what would happen if the Board votes in favor of the request would be that the city would have an additional cost of about a \$100,000 in legal fees in going out and hiring a private law firm to then represent the Mayor's position as the Corporation Counsel's office would be disqualified.

MR. LYONS stated that he did not think the Corporation Counsel's office would be disqualified in defending the Mayor. Mr. Lyons said that there was no doubt that it couldn't represent both sides. Mr. Lyons stated that the original counsel was engaged and paid for by himself and if he has to be the lone defender, it will be that way.

Mr. Lyons said that the question before the Board was, "Does the Mayor of the City of Stamford have to obey a duly enacted ordinance?" Mr. Lyons stated that the Court ruled, "yes," and on the appeal process, the brief being filed by the Corporation Counsel brings in the reason for not obeying the ordinance. Mr. Lyons stated that if the Mayor of the City wants to change an ordinance on the books, all the Mayor has to do is ask the Board to change the ordinance; the Mayor cannot make any changes in a capricious and arbitrary manner. Mr. Lyons said that was what occurred. He said that this happened about six months ago and hoped that the Board did not have a short memory.

MRS. BROMLEY asked if it were the opinion of the Minority Leader that the Mayor does not have to obey city ordinances?

MR. RUBINO said that his opinion was that if Corporation Counsel does what Mr. Lyons wants him to do, that the Law Department would be disqualified from representing the Mayor's office thus costing the city a lot of money.

MR. WHITE stated that money was not the issue; the issue is, "Does the Mayor have the power to control the legislature by setting a financial agenda?" Mr. White said that is what is at stake and if this is allowed, and the Board allows that without taking an active role in such, the Board has reduced itself to nothing more than a discussion club, a debating society or an advisory committee and this would be highly destructive of the legislative process.

OLD BUSINESS: (continued)

MR. WHITE stated that he did not think the Mayor knew what he was doing and thought he had a perfect way of getting his way. Mr. White again said that the issue is not financial, but is the Board going to allow the role of the legislature to be totally suborned? He said that it may cost money to defend our own interest but that was beside the point. Mr. White stated that he hoped that the Board would follow Mr. Lyons lead and that as a Body, would join in the defense.

MR. MARTIN asked if the Board of Finance has already asked Corporation Counsel to file the brief?

MR. LYONS stated that at their last meeting, the Board of Finance officially asked Corporation Counsel to file the brief and now the Board of Representatives is joining them.

MR. MARTIN asked Mr. Rubino if that does not already create a conflict in the Corporation Counsel's office?

MR. RUBINO stated that he did not know the position of the Board of Finance.

MR. LYONS stated that what was before the Board of Representatives was approved by the Board of Finance at their last meeting and sent on to the Corporation Counsel to file.

MR. RUBINO said the Counsel would not file because the Board of Finance did not pass the ordinance.

MR. MARTIN said the issue was, "Does the Mayor have to follow the law;" the Mayor has to follow federal laws, state laws, union contracts and other types of contracts. Mr. Martin stated that the Board should support efforts to protect the laws of the City of Stamford.

MR. SHERER stated that in reply to some of Mr. White's comments, the lawsuit was not the lawsuit of the Board of Representatives but was a private lawsuit of two citizens, Mr. Lyons and Mr. Malloy, and as such, it was not imperative that the Board of Representatives take a position with regards to the issue in a court of law. Mr. Sherer said that perhaps, the Board could change the ordinance or enter into negotiations with the Mayor's office to avoid the same thing happening again. Mr. Sherer said that filing an amicus curie brief was not the right way to go and sees Mr. Lyons in error when he speaks to the point of having the Law Department represent both sides; this was a basic conflict of interest having one lawyer representing both sides. Mr. Sherer said that with the fact that Corporation Counsel was advising the Mayor, to expect Corporation Counsel to file a brief in support of a contrary position, puts the Corporation Counsel in the middle of a conflict situation. Mr. Sherer stated if an amicus brief is prepared, there are extra costs besides the time spent on the issue; there is also the issue of printing the brief as there are strict requirements by the courts as to format, etc. which cannot be done by Central Services. Mr. Sherer urged the Board not to participate in the matter.

MR. KOSBOB Moved the question. Seconded.

ACTING CHAIR BOCCUZZI called for a vote to Move the question. DEFEATED by voice vote.

OLD BUSINESS: (continued)

MR. RUBINO stated that in answer to Mr. Martin's question, there was no conflict created by the request from the Board of Finance to file the amicus curie brief. He said that there is a conflict if the brief is filed. Mr. Rubino said that he has not heard that the brief is going to be filed by the Corporation Counsel's office. Mr. Rubino stated that it would more likely create a conflict if the vote is in favor of the request to file the brief.

MR. LYONS Moved the question. Seconded.


ACTING CHAIR BOCCUZZI proceeded to a vote to request Corporation Counsel's office to file an amicus curie brief on behalf of the Board in support of the position of the plaintiff-appellees in the matter of Richard L. Lyons, et al versus Thom Serrani, et al, pending in Appellate Court. APPROVED by a vote of 19 yes and 16 no votes with one abstention.

PRESIDENT LYONS resumed the Chair.


MS. M. RINALDI stated that each month, a running total of what is appropriated from the contingency fund will be sent to all members.

NEW BUSINESS - None.

ADJOURNMENT - Upon a motion duly made and Seconded and Approved by a voice vote, the meeting was adjourned at 11:05 p.m.

  
Anne A. Kachaluba, Administrative Assistant  
and Recording Secretary  
22nd Board of Representatives

APPROVED:

  
Richard L. Lyons, President  
22nd Board of Representatives

RLL:ak  
Enclosures (Note: Due to a malfunction, there are no printouts on some votes)

## STAMVOTE - ATTENDANCE

12-16-1991

NO	NAME	NO	NAME
1	PRS EVANKO, JUDITH	21	N/P DE PINA, GLORIA
2	PRS NAKIAN, MARIA	22	N/P DOMONKOS, CARMEN
3	PRS PIA, THOMAS	23	PRS CLEMMONS, GARY
4	PRS OWENS, BOBBY	24	PRS LAURIE, MARGGIE
5	PRS LOGLISCI, RALPH	25	PRS PERILLO, MILDRED
6	PRS KOSBOB, WILLIAM	26	PRS PAVIA, NICHOLAS
7	PRS LADESTRO, GREGORY	27	PRS MITCHELL, ELAINE
8	PRS RYBNICK, GERALD	28	PRS SHERER, DONALD
9	N/P MOLLO, FRANK	29	PRS MORRIS, SCOTT
10	PRS LOVALLO, JOSEPH	30	PRS HOGAN, JOHN J.
11	PRS MAIHOCK, AUDREY	31	PRS ZELINSKY, JOHN
12	PRS JOHNSON, FRED	32	PRS BROMLEY, ELLEN
13	PRS DE LUCA, ROBERT	33	PRS LAROBINA, MICHAEL
14	PRS GERGLE, JOSEPH	34	PRS RINALDI, JOAN
15	PRS STORK, PHILIP	35	PRS LEYDON, JOHN F.
16	PRS BELCHER, WILLIAM	36	PRS JETTA, KURT A.
17	PRS RUBINO, JAMES	37	PRS RINALDI, MARY LOU
18	PRS MELLIS, ELLEN	38	PRS MARTIN, DAVID
19	PRS WHITE, W. DENNIS	39	PRS BOCCUZZI, JOHN
20	PRS SUMMERVILLE, ANNIE	40	PRS LYONS, RICHARD

NOT PRESENT 3

PRESENT 37

NOTE: NO PRINTOUT ON TEST VOTES: MALFUNCTION

## STAMVOTE - VOTE PROCESSING

12-16-1991

		<u>VOTE NUMBER 1.</u>			
		<u>FISCAL ITEM NO. 8.</u>			
NO	NAME	NO	NAME		
1	NO EVANKO, JUDITH	21	N/P DE PINA, GLORIA		
2	NO NAKIAN, MARIA	22	N/P DOMONKOS, CARMEN		
3	NO PIA, THOMAS	23	NO CLEMMONS, GARY		
4	N/V OWENS, BOBBY	24	NO LAURIE, MARGGIE		
5	NO LOGLISCI, RALPH	25	NO PERILLO, MILDRED		
6	YES KOSBOB, WILLIAM	26	NO PAVIA, NICHOLAS		
7	NO LADESTRO, GREGORY	27	N/V MITCHELL, ELAINE		
8	NO RYBNICK, GERALD	28	NO SHERER, DONALD		
9	N/P MOLLO, FRANK	29	NO MORRIS, SCOTT		
10	NO LOVALLO, JOSEPH	30	YES HOGAN, JOHN J.		
11	N/V MAIHOCK, AUDREY	31	NO ZELINSKY, JOHN		
12	NO JOHNSON, FRED	32	NO BROMLEY, ELLEN		
13	NO DE LUCA, ROBERT	33	N/V LAROBINA, MICHAEL		
14	YES GERGLE, JOSEPH	34	NO RINALDI, JOAN		
15	NO STORK, PHILIP	35	YES LEYDON, JOHN F.		
16	NO BELCHER, WILLIAM	36	NO JETTA, KURT A.		
17	NO RUBINO, JAMES	37	NO RINALDI, MARY LOU		
18	NO MELLIS, ELLEN	38	NO MARTIN, DAVID		
19	YES WHITE, W. DENNIS	39	NO BOCCUZZI, JOHN		
20	NO SUMMERVILLE, ANNIE	40	YES LYONS, RICHARD		
N/P	3	N/V	4	YES	6
				NO	27
				ABS	0

Motion to Move the Question on resolution , etc. to receive grant funds for renovation of Board of Education Building into Adult Center for seniors - DEFEATED by a vote of 27 no and 6 yes votes.