

MINUTES OF REGULAR BOARD MEETING

MONDAY, APRIL 3, 1995

23RD BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

The regular meeting of the 23rd Board of Representatives of the City of Stamford was held on Monday, April 3, 1995, in the Legislative Chamber of the Board of Representatives, Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 9:25 p.m. by President Mary Lou Rinaldi after both parties met in Caucus.

INVOCATION was given by Rep. John J. Hogan, Jr., D-12.

"Fill our hearts with the spirit of your love, with your wisdom and your understand, oh, Lord. Look after us and help us in our deliberations and the gift of knowledge that our decisions may be right. And, seeing what is right, grant us the courage to do it with firm resolve despite the objections of others, and give us the grace as lawmakers to strive always in our labors to make this community a great city in which to live. Amen."

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Mary Lou Rinaldi.

ROLL CALL: was taken by Clerk of the Board Annie M. Summerville. There were 38 members present and two absent. Absent were Rep. Alice Fortunato (excused) and Rep. David Wilk.

The Chair declared a quorum.

MACHINE TEST VOTE was taken by President Mary Lou Rinaldi. The machine was in good working order.

ELECTION OF CONSTABLE TO FILL VACANT CONSTABLE POSITION:

(To replace Louis P. Argenio Sr.)

REP. SUMMERVILLE nominated Jon T. Gallup (D) to fill the vacant constable position. She said that Jon Gallup is a personal friend and she has known Mr. Gallup for a long time and he will serve the city well. Moved. Seconded.

PRESIDENT RINALDI called for a vote to approve Mr. Gallup. APPROVED by voice vote with no dissenting votes.

PURSUANT TO SECTION C2-10-3 OF THE CHARTER - FILLING A VACANCY ON THE BOARD OF REPRESENTATIVES:

PRESIDENT RINALDI read a letter of resignation from Rep. David E. Wilk.

"Dear Madam President:

"It is with the deepest sense of sadness and regret that I am writing you this letter. Due to increased demands of my time because of business commitments, I'm finding it more and more difficult to dedicate the time to my constituents in the 11th District with the service they require and deserve. Therefore, effective immediately, I hereby resign my seat on this Board of Representatives.

2. MINUTES OF REGULAR BOARD MEETING - MONDAY, APRIL 3, 1995

PURSUANT TO SECTION C2-10-3 OF THE CHARTER - FILLING A VACANCY ON THE BOARD OF REPRESENTATIVES: (continued)

"In closing, I want to say there are challenging times ahead and important decisions to be made. By working together the Board will have an opportunity to make Stamford a model city for the next century. Best wishes and continued success.

"Sincerely,

"/s/ David E. Wilk"

REP. LOGLISCI said that he was unhappy to lose a valuable member of the Board and Dave Wilk proved to be a valuable member. Rep. Loglisci said that he was pleased that David Wilk has found an able replacement. Rep. Loglisci nominated William Joram. He said that Bill is a project manager in the systems and marketing research division of Pfizer Corporation; holds an MBA with honors from New York University and a BA degree in economics and English from Haverford College. Mr. Joram has been active in the Republican Party and helped in several campaigns and will be a tremendous asset to the Board. Rep. Loglisci Moved for appoint of Bill Joram as a representative from the 11th District. Seconded.

PRESIDENT RINALDI called for a vote to approve Bill Joram. APPROVED by voice vote with no dissenting votes.

PRESIDENT RINALDI administered the Oath of Office to Mr. Joram. Mr. Joram took his seat.

MOMENTS OF SILENCE:

For the late JEAN NIZIOLEK requested by Representative John J. Boccuzzi.
"Mrs. Niziolek was the daughter of the late Wojciech and Anna Krawiech Delor. She was a resident of Stamford for 48 years. She worked for 15 years for Clairol Inc. She was a communicant of St. Clement Church and active in the Women's Guild. She was also past president of the Ryle School PTA. Mrs. Niziolek is survived by her husband, Frank J. Niziolek; four daughters, Christine M. Niziolek, Mary Ann Greene, Diane Vitti and Barbara Corniello; two brothers, Kazimierz Delor and Michal Delor; a sister, Zofia Swiderska; six grandchildren and several nieces and nephews. My sincerest sympathy to Mr. Niziolek and family."

For the late CHRISTOPHER D. ABEL requested by Representatives Ellen Mellis and John F. Leydon, Jr.

"Christopher Abel died on March 19, 1995, after a long, six-year battle with Hodgkin's disease. He was 25 years of age. Though his life was cut short and he did not have the luxury of many decades of fulfilling dreams, he nonetheless lived his life to the fullest. Chris was captain of the fencing team at St. Luke's as well as a member of the soccer and tennis teams; he graduated from there in 1987. He also was an accomplished skier and was a member of the Connecticut State Ski team specializing in slalom racing. He received an honorary alumnus certificate from the President of Gettysburg College just prior to his death.

"He leaves behind a legacy of memories for his parents, Carol. and Michael and his sister, Suzanne, to cherish and a legacy documenting his life and travels. To his parents, sister, and family, on behalf of the Board of Representatives, we extend heartfelt sympathy and condolences. May time bring you peace in memories of Chris and his splendid life."

MOMENTS OF SILENCE: (continued)

For the late NATHANIEL WRIGHT requested by Representatives Annie M. Summerville and Elaine Mitchell.

For the late JOHN GREEN requested by Representative Annie M. Summerville. "John "Shawn" Green died March 31, 1995. He was 39. He was the son of Bishop John H. Green and Evelyn Hardington Green. He was a member of the One-way Church of Christ and served as a drummer, organist, soloist and president of the church's Young Peoples group and was also a choir member. Shawn was the winner of many wheel chair races and raced for The Athlete's Foot store to benefit the Burke Rehabilitation Center in White Plains, N.Y. He is survived by his wife, Tina Andrews Green; three brothers, Elder Benjamin L. Green, D. Clark Green and Lennis Kyle Green; a sister, Gena Tomasita Sludd; his maternal grandparents, and many aunts, uncles, nieces and nephews. My sincerest condolences to Mrs. Green and family."

For the late THURSTON SHAYS requested by the 23rd Board of Representatives. "Thurston C. Shays was the father of U.S. Rep. Christopher Shays. He was a retired actor and sales manager. He led a long, productive and happy life. He was associated with many, many theatrical and musical productions and activities. He had a career in advertising sales for WNBC radio and television and also became a salesman for the Metropolitan Newspaper Group and later, was business manager of the Lee Johnson School of Business in Norwalk. Mr. Shays served as an elected town representative in Darien.

"He is survived by his wife, Peggy Oliver Shays; four sons, Michael, Tony, Christopher and Peter; nine grandchildren and four great-grandchildren.

"Our sincerest sympathy to Mrs. Shays and family."

For the late JOHN BOSHKA requested by Representative Thomas Pia.

For the late JOHN MOAVERO requested by Representatives Thomas Pia and John J. Boccuzzi.

For the late ANASTASIA MOSSMAN requested by Representative Ralph F. Loglisci. "Anastasia "Nina" Mossman died March 20, 1995. She was the daughter of the late Walter and Anastasis Bankowski. She volunteered at St. Joseph Medical Center and Meals on Wheels and was a member of the American Association of Retired Persons. Mrs. Mossman is survived by two daughters, Harriet Conte and Regina Schultz; a brother, Harry Bankowski and three grandchildren. She was predeceased by her husband, Robert Mossman and a son, Ernest Adams Jr. My sincerest sympathy to the Mossman family."

For the late VINCENZA TOSCHES requested by Representative Ralph F. Loglisci. "Mrs. Tosches was the daughter of the late Carmine and Angelina Passero. She was a retired seamstress. She is survived by three sons, Michael A. Tosches, Carmine P. Tosches and Louis Tosches; two daughters, Justine Jay Arcano and Angela Chickie Lacerenza; two brother, Angelo Passero and Bart Passero; a sister, Alphonsina Caporizzo; 16 grandchildren; and 24 great-grandchildren. My sincerest sympathy to the Tosches family."

MOMENTS OF SILENCE: (continued)

For the late DANIEL J. GERARDI requested by Representative Ralph F. Loglisci. "Mr. Gerardi was the son the late Bartholomew and Anna Marie Gerardi. He owned and operated the Dans Korner Store for 33 years. He was a member of the Richmond Park Republican Club and a member of its board of Directors. He is survived by his wife, Dora Florenza Gerardi; a son, Bart D. Gerardi; a daughter, Annette M. Benedetto; two brothers, Joseph Gerardi and William Gerardi; two sisters, Mary Lombardo and Edith Monacco; and eight grandchildren. My sincerest sympathy to the Gerardi family."

For the late ALLAN S. AMBRUSO requested by Representative Ralph F. Loglisci. "Allan S. Ambruso resided in Cerritos, Calif. He was a former Stamford resident. Allan was born July 26, 1945, the son of the late Anthony and Julia W. Ambruso. He was a carpenter. He was a U.S. Marine Corps veteran and served two tours of duty in Vietnam. He was a member of the Veterans of Foreign Wars and served as president of the Ship Modelers Association of California. Mr. Ambruso is survived by a daughter, Tina Marie Ambruso of Cerritos; three brothers, Dennis Ambruso, Frank Ambruso and Daniel Ambruso; several aunts, uncles, nieces and nephews. Allan will be deeply missed by his family and his friends. My deepest sympathy to the Ambruso family."

For the late MARION ZWART requested by Representative John J. Hogan, Jr.

For the late AUGUSTUS LEO O'CONNOR JR. requested by the 23rd Board of Representatives.

"Leo O'Connor was the son-in-law of Representative Alice Fortunato. Our deepest sympathy to the O'Connor and Fortunato families."

Eulogy for Augustus Leo O'Connor Jr. delivered on April 3, 1995 by his brother-in-law, Patrick J. Fortunato.

"In classical mythology, the Elysian Fields was the place where the souls of the good dwell after death in a state of delight and happiness.

"To know Leo was to know laughter. His generosity of spirit, his all encompassing wit, and his ability to diffuse any situation with humor were all part of his Irish charm. He had more friends than anyone I know, and that's because we all felt his commitment to us. He brings us together today, and we are all the better for having known him and loved him.

"On the day he married my sister, we sang and danced and toasted to all things good. The birth of their son sparked a deep devotion which is reflected in Matthew's eyes and will always be.

"Husband, father, son, brother, friend--we are all diminished at your passing.

"Sleep on, Sweet Prince, and flights of angels sing thee to they rest."

MOMENTS OF SILENCE: (continued)

For the late EDWARD C. HEINS SR. requested by Representative John R. Zelinsky, Jr.

"Mr. Heins was a printer at Fairview Printers for 25 years before retiring in 1993. He was a member of St. John's Lutheran Church in Stamford and was an advisor to the church youth group. He coached Stamford Youth Group baseball and softball and worked with the Cub Scouts in Stamford.

"In addition to his mother, he is survived by his wife, Carol Sturm Heins; two daughters, Deborah Lanzaro and Christine Heins; a son, Edward C. Heins Jr.; a sister, Alice White; a brother, George Heins; four grandchildren; and several nieces and nephews. My deepest sympathy and condolences to his wife and family."

STANDING COMMITTEES

STEERING COMMITTEE: Chairwoman Mary Lou Rinaldi

REPORT. Waived.

REP. 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, March 15, 1995 at 7:30 p.m. in the Democratic Caucus room of the Government Center, 888 Washington Boulevard. The meeting was called to order by Chairwoman Mary Lou Rinaldi at 7:36 p.m. A quorum was present.

Present at the meeting:

Mary Lou Rinaldi, Chairwoman	John J. Hogan	Audrey Maihock
Ralph Loglisci	Jeffrey Curtis	Kit Martinsen
Robert DeLuca	Thomas Pia	John J. Boccuzzi
Marggie Laurie	Donald Sherer	Carmen Domonkos
Maria Nakian	Annie Summerville	John J. Zelinsky, Jr.
Elaine Mitchell	David Martin	Rob Manfredi, WSTC
Bobby Owens	Philip Stork	Anne Kachaluba

Suspension of Rules approved to place on the Agenda the election of a constable to fill a vacancy.

APPOINTMENTS COMMITTEE - Ordered on the Agenda was one of the two items appearing on the Tentative Steering Agenda and one item from the Addenda. Held in Steering was the name of Joseph Marrucco for Golf Authority.

FISCAL COMMITTEE - Ordered on the Agenda were 11 of the 14 items appearing on the Tentative Steering Agenda and one from the Addenda. Ordered off the Agenda were three items.

LEGISLATIVE & RULES COMMITTEE - Ordered on the Agenda were 11 of the 15 items appearing on the Tentative Steering Agenda; two items were Held and two items ordered off the Agenda. Also, ordered on the Agenda was one item from the Addenda and one from the Pending Agenda.

STEERING COMMITTEE REPORT: (continued)

PERSONNEL COMMITTEE - Ordered on the Agenda were three of the six items appearing on the Tentative Steering Agenda; one item was ordered off the Agenda, one item was Held in Steering and one item was placed on the Pending Agenda. Ordered on the Agenda was one item appearing on the Addenda and one item was ordered off the Addenda re annuity plan for non-union administrators, mayor and cabinet.

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

PUBLIC WORKS & SEWER COMMITTEE - Two items appeared on the Tentative Steering Agenda; one was ordered on Pending and one was ordered off the Agenda.

HEALTH & PROTECTION COMMITTEE - No items appeared on the Tentative Steering Agenda.

PARKS & RECREATION COMMITTEE - Ordered on the Agenda was the one item appearing on the Tentative Steering Agenda and one item from the Pending Agenda. Ordered off the Pending Agenda was the matter re beer kegs in parks.

EDUCATION, WELFARE & GOVERNMENT COMMITTEE - No items appeared on the Tentative Steering Agenda.

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

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

ENVIRONMENTAL PROTECTION COMMITTEE - No items appeared 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.

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

ECONOMIC DEVELOPMENT COMMITTEE - Ordered on the Pending Agenda was the one item appearing on the Tentative Steering Agenda.

PUBLIC SAFETY COMMITTEE - Ordered Held in Steering was the one item appearing on the Tentative Steering Agenda.

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

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

RESOLUTIONS - No items appeared on the Tentative Steering Agenda.

ADJOURNMENT - There being no further business to come before the Steering Committee, upon a motion made, Seconded and Approved, the meeting was adjourned at 8:30 p.m.

Mary Lou T. Rinaldi, Chairwoman
Steering Committee

APPOINTMENTS COMMITTEE - Annie M. Summerville, Chairwoman

REP. SUMMERVILLE said that the Committee met on Tuesday, March 28, 1995 at 7:00 p.m. Present were Chairwoman Annie Summerville, members John Boccuzzi, Gloria DePina, Alice Fortunato, Ellen Mellis, Thomas Pia, Philip Stork and Herman Alswanger. Absent was David Wilk. Also present was President Mary Lou Rinaldi; Ellen Camhi, Democratic City Committee Chair; Kurt Zimbler, Republican Town Committee Chair; Rosemarie Grosso and Robert Daly, Democratic Appointments Committee Co-Chairs; and Donna Loglisci, Republican Appointments Committee Chair.

Rep. Summerville placed item one on the Consent Agenda. Also, Mr. Marrucco's name was placed on the Consent Agenda.

E. GAYNOR BRENNAN GOLF COMMISSION

TERM EXPIRES

- | | | |
|------------------------------|----------------|----------|
| 1. <u>MR. JACK PAVIA</u> (R) | Reappointment. | 12/01/97 |
| 19 DePinedo Avenue | | |
| (Held in Committee 3/1/95) | | |

APPROVED ON CONSENT AGENDA

2. MEETING WITH CHAIR OF DEMOCRATIC CITY COMMITTEE AND REPUBLICAN TOWN COMMITTEE TO REVIEW APPOINTMENTS. Requested by Annie M. Summerville, Chairwoman, Appointments Committee, 3/10/95.

HELD IN COMMITTEE

REP. SUMMERVILLE said that a report was given to all members. She said the report should help to inform the members as to what the Appointments Committee is trying to do to fill the Commissions and Boards in the city. She said that a progress follow up report will be made next month.

REP. SUMMERVILLE Moved to Suspend the Rules to take up an item Held in Steering; Mr. Marrucco's name appears for the Golf Authority. Seconded.

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

STERLING FARMS GOLF AUTHORITY

- | | | |
|-----------------------------------|---------------|----------|
| 3. <u>MR. JOSEPH MARRUCCO</u> (R) | Reappointment | 01/01/98 |
| 33 Wyndover Lane | | |
| (Held in Committee 3/1/95) | | |
| (Held in Steering 3/15/95) | | |

APPROVED ON CONSENT AGENDA

REP. SUMMERVILLE Moved the Consent Agenda. Seconded.

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

FISCAL COMMITTEE - Carmen Domonkos, Chairwoman

REP. DOMONKOS said that the Fiscal Committee met on Wednesday, March 29, 1995 at 7:00 p.m. in the Democratic Caucus Room. Present were members, Carmen Domonkos, John Hogan, Ralph Loglisci, Elaine Mitchell, Maria Nakian, Nicholas Pavia, Ron Sabia and Donald Sherer; Gloria DePina was excused. Also, attending were Reps. Maihock, Owens, Pia and Martinsen; Chief Tully, Carl Ruspini, Sandra Dennies, Peter Mynarski and Chief Reid and Chief Coppola of the Big 5 Volunteer Fire Departments.

Rep. Domonkos placed items 1, 2, 3, 5, 6, 7, 8, 9, 11 and 12 on the Consent Agenda. All Secondary Committees concurred or waived the Secondary report.

Rep. Domonkos said that on items 7 and 8, a public hearing was held which is a requirement by the State of Connecticut for grants regarding money provided for bridges. The public hearing was held at 7:00 p.m. and no one from the public spoke.

Rep. Domonkos said that item 7 is a proposed resolution authorizing the Mayor to enter into a contract with the State of Connecticut to receive state assistance for reconstruction of the West Main Street bridge, and that's on Consent.

Rep. Domonkos said that item 8, is for \$55,330 for the Department of Public Works amendment to the capital projects for fiscal year 1994/95 for the West Main Street bridge. She said that there was money in capital projects budget for 1994/95 for construction of the bridge; now a grant is being received from the state; the total grant can be up to \$199,641. She said that part of the capital money is being redesignated, \$144,319 as a grant; \$55,330 is being asked as an additional appropriation; this is the remainder of the grant which will be coming to the city.

Rep. Domonkos Moved the Consent Agenda. Seconded.

PRESIDENT RINALDI called for a vote to approve the Consent Agenda. APPROVED by voice vote with Rep. Maihock voting no on item 9.

1. \$ 75,000.00 - TURN OF RIVER FIRE DEPARTMENT - CODE 470.4360 1994/95 OPERATION BUDGET - additional appropriation for funds to meet operating expenses for 1994/95 fiscal year. Request by Mayor Stanley J. Esposito, 11/23/94. Board of Finance approved 3/11/95.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

2. \$ 9,100.00 - FIRE DEPARTMENT - CODE 450.1223 MEDICAL EXAMINATIONS - additional appropriation to pay for medical exams and drug screenings for 20 firefighter candidates. Request by Mayor Stanley J. Esposito, 1/31/95. Board of Finance approved 3/11/95.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

3. \$ 140,352.00 - POLICE DEPARTMENT - CODE 410-1110 SALARIES - additional appropriation to fund 24 vacancies. Request by Mayor Stanley J. Esposito, 1/31/95. Held in Committee 3/1/95. Board of Finance approved 3/11/95.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

4. \$ 25,000.00 - POLICE DEPARTMENT - POLICE EXTRA DUTY - CODE 425-1101 - additional appropriation to create a new department to pay police for extra duty assignments. State law requires tax be charged on extra duty assignments. Before new positions can be created by the Personnel Commission, there is a requirement that funding be in place. Request by Mayor Stanley J. Esposito, 3/10/95. Board of Finance approved 3/11/95.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

REP. DOMONKOS said that the city has been advised by the state requiring cities to pay sales tax to the state on salaries earned by police doing extra duty on public and private projects. Rep. Domonkos stated that in the past, whoever hired the extra duty police officer would pay them directly. She said that is causing a problem because it is a service and the state requires that taxes be paid on services. Rep. Domonkos said that now the city is required to pay the officers and then collect the money plus administrative costs from those people who need to hire the officers; the system is being set up now; payments must be made in advance unless the work is being done by a large contractor who would have to set up a bond with the city.

Rep. Domonkos said that in next year's city budget, it is estimated that a fund will have to be set up for approximately \$1.8 million as this is what has been paid to outside police officers each year over the past two years. She said administrative costs and the 6% tax plus any other taxes that have to be paid will be added. Rep. Domonkos stated that the \$25,000 is to set up staffing for the remainder of the year as the city is ordered that this should be in effect by May 1; Stamford is the only town in the area that is not doing this. She said that the police department will have to go before the Personnel Commission to set up the positions--one position will be in the Police Department doing the scheduling and a civilian is wanted for that instead of a police officer spending time scheduling. Rep. Domonkos said that there will be probably one and a half persons working in the Finance Department doing the actual computation and payroll, etc. She stated that hopefully, the money collected will offset the money paid to the officers. She said that if the city cannot collect the money, we will be out the money as the city will be paying the officers.

Rep. Domonkos Moved for approval of the \$25,000. Seconded.

FISCAL COMMITTEE: (continued)

REP. DeLUCA said that the first case was against the Town of Berlin. He talked to Sgt. McCormick of the police department who is in charge of handling the off duty work; the town is small and has 37 officers and it has a manual system. Rep. DeLuca stated that the Sgt. mentioned that New Britain has 170 police officers and they also have a manual system but have two people. Rep. DeLuca stated for our city, he estimated that two to three people would be needed. He said that Berlin has a flat rate of \$30.00 an hour plus a 25% surcharge on that and on that a 6% sales tax.

Rep. DeLuca asked what is the proposed hourly rate and surcharge that the city is planning and what are the safeguards if the city does not collect the money? He said that Berlin has a separate account and money coming in goes into the general fund. He referred to Rep. Domonko's comment that if the contractor does not pay, the city is out the money. He said that in Berlin, if a contractor does not pay, the next time he comes in for a permit, no permit is issued until the bill is paid and the tax collector is utilized and liens are filed.

REP. DOMONKOS said that with individuals for affairs, they will be required to pay in advance but large contractors like utility companies will be required to post bonds. Also, she stated that considered was that no permits be issued if not paid up.

Rep. Domonkos stated that presently with the increase in the new contract, she believed the rate to be \$32.00 an hour. She said that a blended rate is being considered because there may be a patrolman, a sergeant or a captain on duty.

REP. DeLUCA asked about the procedures for billing; would it be on a monthly basis? He said that Berlin bills every two weeks and he hoped that the city would not bill just once a month.

REP. DOMONKOS said that question was not asked; the police will be paid once a month and there was no indication of what the billing schedule would be.

REP. DeLUCA requested that when the appropriation comes back to the Board, that answers be received on the salaries of the people, what the billing procedures will be, the definite hourly rate, surcharges, fringes and safeguards to be used. Rep. DeLuca said that he was disturbed that the facts are not in place as time is of the essence.

REP. DOMONKOS agreed with Rep. DeLuca. She said that the city was contacted in late 1989 that this would be required and the city did not take any action until threatened.

REP. MARTIN asked if the basic plan was to have two and a half employees to administer the plan? Also, he asked what the anticipated workload would be and how many instances would have to be billed for daily?

REP. DOMONKOS stated that in the past two years, for each year there has been close to \$1.8 million paid to off duty policemen; so it is figured that the volume will be approximately the same. Rep. Domonkos did not know how many transactions that would include.

REP. MARTIN thought that the two and a half positions was excessive to administer the program. He asked that Rep. Domonkos keep this in mind in the budget process, and he wanted to know the workload of these people to justify the number of people.

FISCAL COMMITTEE: (continued)

REP. PIA said that he would like to see the operation privatized. He said that he spoke to Bob Ruszkowski and talked to the state legislature. He said that he hoped to have information for the Steering meeting.

REP. DOMONKOS said that the Committee voted 8-0 to approve. Moved. Seconded.

PRESIDENT RINALDI called for a vote to approve \$25,000 for police extra duty. APPROVED by voice vote with two no votes, Reps. Pia and Maihock.

5. \$ 1,477.00 - HEALTH DEPARTMENT - HEALTH EDUCATION RISK REDUCTION GRANT FY 94-558 - CODE 94-558-2930 OFFICE SUPPLIES AND EXPENSES - additional appropriation to cover additional grant funds to reduce health risks to children in the home. Request by Mayor Stanley J. Esposito, 3/2/95. Board of Finance approved 3/11/95.

APPROVED ON CONSENT AGENDA

6. \$ 12,060.00 - HEALTH DEPARTMENT - #94-578 LEAD PAINT HOUSING INSPECTOR - CODE VARIOUS - additional appropriation to cover grant for Housing Code Inspector.
- | | |
|------------------------------------|--------------|
| 1220 car allowance | \$ 2,280 |
| 1310 social security | 2,420 |
| 1330 medical & life | 5,000 |
| 2940 conferences training & travel | <u>2,360</u> |
| | \$12,060 |
- Request by Mayor Stanley J. Esposito, 3/2/95. Board of Finance approved 3/11/95.

Above also referred to HEALTH AND PROTECTION COMMITTEE.

APPROVED ON CONSENT AGENDA

7. PROPOSED RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE STATE OF CONNECTICUT TO RECEIVE STATE ASSISTANCE FOR RECONSTRUCTION OF THE WEST MAIN STREET BRIDGE. Grant will be in the amount of 24.79% of construction costs. Estimated costs of project is \$805,330. Submitted by Mayor Stanley J. Esposito, 2/17/95.

APPROVED ON CONSENT AGENDA

8. \$ 55,330.00 - DEPARTMENT OF PUBLIC WORKS - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1994/95 FOR PROJECT CODE 330.215 WEST MAIN STREET BRIDGE - additional appropriation for the reconstruction of the West Main Street Bridge. Project total is \$805,330 but there is only \$750,000 existing, of which \$144,319 is currently being redesignated from bonds to grant funding. To be financed by grant. Adoption of resolution regarding funding to be financed by grant, if obtained, otherwise to be financed temporarily and/or permanently by borrowings, as to which the City expresses its official intent, all as more particularly stated on Exhibit A. Request by Mayor Stanley J. Esposito, 3/2/95. Planning Board approved 3/14/95. Board of Finance approved 3/11/95.

Above also referred to Public Works and Sewer Committee.

APPROVED ON CONSENT AGENDA

FISCAL COMMITTEE: (continued)

9. \$1,500,000.00 - CULTURAL CENTER - AMENDMENT TO CAPITAL PROJECTS BUDGET FOR FISCAL YEAR 1994/95 FOR PROJECT CODE 735.070 PALACE THEATER RENOVATIONS - additional appropriation for grant funds to assist in renovations to the facility. To be financed by a grant. Adoption of resolution regarding funding to be financed by a grant, if obtained, otherwise to be financed temporarily and/or permanently by borrowings, as to which the city expresses its official intent, all as more particularly stated on Exhibit A. Request by Mayor Stanley J. Esposito, 2/17/95. Planning Board approved 3/14/95. Board of Finance approved 3/11/95.

Above also referred to ECONOMIC DEVELOPMENT COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE NO VOTE, REP. MAIHOCK.

10. MATTER OF COST AND PROVISION OF MEDICAL INSURANCE FOR THE BIG FIVE VOLUNTEER FIRE DEPARTMENTS. Requested by Carmen Domonkos, Chairwoman, Fiscal Committee, 12/7/94. Held in Committee 1/5, 2/6 and 3/1/95.

HELD IN COMMITTEE

REP. DOMONKOS said that the Committee has been looking into the possibility of reducing the cost of the volunteer fire department paid employees' health insurance. She said that all the departments have different policies which are small and they pay a lot for coverage that is not that great in many cases. Rep. Domonkos said that the Committee is looking into the idea that those employees be covered by the city's health insurance, therefore, reducing the cost because they are paid through the city budget even though it is a volunteer department. She said that one concern was that the employees remain independent and if they have health insurance through the city, that they do not become city employees but remain employees of the volunteer department.

Rep. Domonkos stated that Corporation Counsel McCabe received an opinion from an outside law firm indicating that there would be no conflict and the coverage could be provided and still be separate employees, employed by the Big 5. She said that the Personnel Department was asked to provide the volunteers information and costs so comparisons can be made.

11. SENSE-OF-THE-BOARD RESOLUTION REGARDING FUNDING FOR HOUSING AUTHORITY LEAD ABATEMENT PROGRAM. Submitted by Carmen Domonkos, Chairwoman, Fiscal Committee, 3/10/95.

APPROVED ON CONSENT AGENDA

12. ADOPTION OF RESOLUTION REGARDING FUNDING TO BE FINANCED TEMPORARILY AND/OR PERMANENTLY BY BORROWINGS, AS TO WHICH THE CITY EXPRESSES IT OFFICIAL INTENT, ALL AS MORE PARTICULARLY STATED ON EXHIBIT A. This pertains to \$700,000 for Board of Education Code 810.322 Sprinkler and Code abatement amendment to Capital Projects budget. Board of Finance approved funding 2/16/95; resolution approved 3/11/95. Board of Representatives approved funding 3/1/95.

APPROVED ON CONSENT AGENDA

LEGISLATIVE & RULES COMMITTEE - Maria Nakian, Chairwoman

REP. NAKIAN said that the Legislative and Rules Committee met on Monday, March 27 at 7:00 p.m. with Committee members Nakian, Domonkos, Fedeli, Leydon, Maihock, McDonald, Martin, Mitchell, Scalzi, Sherer and Zelinsky present. Also present on #1, Kit Revell and Julianna Field from the American Red Cross; on #2, Rep. Gabe DeLuca; at the public hearing on #4, the sale of the Riverbank School, Representatives Summerville, Rinaldi, Mellis, DeLuca, Loglisci, Martinsen, Pia, Sabia, and Laurie. She said that there may have been other representatives present and apologized if she did not see them. Also, State Senator William Nickerson was there and approximately 200 people; 49 people spoke at the public hearing; 16 spoke in favor and 33 were opposed to the sale. Also, of the 200 people, she said that she thought that approximately, give or take, half of that number appeared to be in favor of Hospice and the other half opposed, distinguished by wearing buttons. Rep. Nakian stated that at the public hearing, Richard Redniss, was accompanied by Janice Casey and Attorney Mark Santagata made a presentation for Hospice; Henry Fryd made one for the Riverbank neighbors who were opposed to the sale.

Rep. Nakian said that L&R had a second meeting on Tuesday, March 28th at 7:00 p.m. with the same Committee members present. Also present on #13 and #16, was David Vecchia, Purchasing Agent; on #8, Michael Pavia, Lou David and Mickey Docimo from Public Works and Ken Fay; on #7, 9, 10 and 11, in addition to Michael Pavia and Lou David were Patrick O'Connor, Robert Ruskowski, Joan Lom, Peter Mynarski and Frank Harrison, all of the Finance Department and attending the public hearing on #7, the tipping fee ordinance, was Public Works Committee members Curtis, Owens, Martinsen, Laurie, DeLuca, Johnson and Sabia; Reps. Loglisci and Corelli; three speakers, Mark Beaudry from the Chamber of Commerce; Denny Donahue from Davis Waste Management; and Joe Loughran, the owner of Brock's Restaurant who spoke against the \$49.00 tipping fee; and approximately 10 other people.

Rep. Nakian placed item 1, 2, 6, 9, 11, 12 and 13 on the Consent Agenda. The Secondary Committee waived the secondary report. She Moved for approval. Seconded.

PRESIDENT RINALDI called for a vote to approve the Consent Agenda. APPROVED by voice vote with Rep. Perillo abstaining on item 9.

1. (L&R23.71) FOR PUBLICATION - PROPOSED ORDINANCE INCREASING THE TAX EXEMPTIONS FOR VETERANS. Requested by Reps. Robert DeLuca, Ralph Loglisci, Thomas Pia, Kit Martinsen, John J. Boccuzzi and John R. Zelinsky, Jr., 12/6/94. Held in Steering 12/14/94 and 2/15/95. Held in Committee 2/6/95.

APPROVED ON CONSENT AGENDA

2. (L&R23.68) APPROVAL OF RESOLUTION APPROVING RENEWAL OF LEASE BETWEEN THE CITY OF STAMFORD AND CONGRESSMAN CHRISTOPHER SHAYS FOR OFFICE SPACE ON THE 2ND FLOOR OF THE GOVERNMENT CENTER. Submitted by Mayor Stanley J. Esposito, 1/12/95. Planning Board approved 1/31/95. Board of Finance approved 2/16/95. Held in Steering 2/15/95.

APPROVED ON CONSENT AGENDA

3. (L&R23.73) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR PROPERTY AT 433 WEST MAIN STREET OWNED BY THE FIRST HAITIAN FREE METHODIST CHURCH OF STAMFORD. Requested by Dwight T. Gregory, Superintendent, New York Conference, Free Methodist Church of North America, 575 Main Avenue, P. O. Box 1375, Passaic, NJ 07055, 1/30/95. Held in Committee 3/1/95.

HELD IN COMMITTEE

4. (L&R23.69) FOR FINAL ADOPTION - PROPOSED ORDINANCE CONCERNING THE SALE OF CITY-OWNED PROPERTY TO HOSPICE CARE, INC. for \$750,000. Property is the former Riverbank School located at 1095 Riverbank Road. Requested by Mayor Stanley J. Esposito, 1/12/95. Planning Board approved 1/19/95. Board of Finance approved with two amendments, regarding subdivision of portion of premises, etc. and an amendment to the ordinance, 2/16/95. Planning Board approved amendments, 2/27/95. Approved for publication 3/1/95.

REP. NAKIAN "This ordinance provides for the sale of almost 13 acres of property including the old Riverbank School to Hospice Care. The history of this goes back to a proposal that was made to the Mayor's Selection Committee, and their letter transmitting this to us says that they chose Hospice Care because this proposal met the three concerns of the Committee; the use of city property, the reuse of an existing school building and the neighbor compatibility.

"They put several major restrictions on the sale and basically, their restrictions said that the auditorium could not be used as an auditorium; that Hospice was required to pursue payment-in-lieu of taxes from the state or if this was not successful, to make their own payments-in-lieu of taxes beginning in the 10th year equivalent of the present \$10,000 in taxes and capped at \$25,000 per year and to go on in perpetuity; that open space of not less than 5 acres is to be preserved; that the city has the option to purchase this open space at any time for \$1.00 and that the property can be used only by Hospice; it cannot be leased or subleased to any other entity.

"The proposal then went to the ZBA (Zoning Board of Appeals) and the ZBA in October of '93 granted a Special Exception Certificate and there were 15 conditions that the ZBA placed on the sale. These conditions which I have sent out several time to everybody have been recorded in the land records of the City of Stamford and will be placed as deed restrictions in the deed of sale.

"The Board of Finance took up the sale of the property and first of all, they required that Hospice diligently pursue the subdivision of this parcel B and if the subdivision is obtained and the land sold, that the City is entitled to all the proceeds from the sale of the property, and this language also is included in our ordinance and will be included in any deed.

"When L&R took up the ordinance, we were concerned that there was no fully negotiated contract backing up the ordinance by which we would approve this sale, and for many reasons, we are not in favor of approving something until we know that the conditions that we thought we had agreed to will always be those conditions; that there will be no change. Therefore, I asked, actually two or three weeks ago, that the Law Department draw up what they had as a draft ordinance and bring it to us in a form that was substantially the final contract. This was taken up during the week; the Law Department asked Attorney Ken Povodator to represent the City in drawing up the contract and Hospice was represented by Attorney Santagata. And, both sides I found to be very open to suggestions from the L&R Committee.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. NAKIAN (continuing) "As we got the first report, there were several concerns that were raised and the contract was renegotiated and it is in its final form this evening and some of the points that I will mention that the \$750,000 is paid \$40,000 at the time of the signing of the contract, \$360,000 at closing of title and the city is taking back a mortgage on the property for \$350,000 which will be paid over a 10-year period. The initial \$40,000 is held in escrow and if the initial sale does not get the approval of our three Boards, the \$40,000 is returned to Hospice. Following the closing of the title, Hospice will make every possible effort to establish a Hospice residence there by obtaining all necessary financing and approvals. If at any time during the five years following the closing of title, they chose to sell the property because they could not get these permits, then there are two contingencies; if the proceeds from the sale are less than the acquisition costs paid so far for the property plus marketing expenses, then their obligation to the city is terminated, but if the proceeds exceed the acquisition costs paid thus far plus the marketing costs, then the buyer, Hospice, is reimbursed for their costs and marketing expenses and the remaining proceeds are divided 80% to the city and 20% to Hospice. There was some concern among the Committee regarding that and it was further amended or further negotiated this evening to say, if there are still excess funds beyond that \$750,000 that was the sale price to the city, then after Hospice receives its full reimbursement for renovation costs, etc., then all the rest of the proceeds come to the city; so, we thought was a good-faith effort to protect the city in this. Also, all other mortgages that Hospice may put on the premises for renovation or for part of the purchase price is subordinated to the city mortgage so that the city is protected.

"The option to sell within five years is waived if Hospice gets an unappealed building permit; the city at any time has a right of first refusal, they may exercise their option to match any offer that Hospice has on the property and that is good any time not just within the five years.

"The parcel B can either be purchased by the city for \$1.00 or if Hospice sells it, all the money goes to the city; that Hospice will develop the property as set forth in their proposal of 1994, but any alterations and plans are in consultation with the ZBA and if there should be a conflict between the original proposal and the contract, the contract takes precedent; that if either party fails to comply with the terms of this contract and that would include making the mortgage payments to the city, the city can enforce the contract according to law which can mean foreclosure; that the buyer must comply with all the restrictions of the ZBA; that the buyer will submit to the ZBA an application for Hospice to limit the Hospice to 30 beds rather than the original 48 beds; they cannot reapply for the additional beds for a three-year period and in no circumstances can the facility ever be more than the 48 beds; that they won't use the auditorium for any public function or rent it out for any commercial use, and, again, that they can't lease or sublet to any other institution or entity.

"The Committee discussed this with both attorneys present. We felt that the concerns of the city were addressed. We felt that given the fact that this is a sale and usually, in a sale, you sell something and you have no further control over it, but as much as we could control in a contract, we were protecting the neighborhood from any failure of Hospice to live up to this agreement, and we voted to approve the ordinance selling the property by a vote of 6 in favor, 1 opposed and 2 abstention, and I so Move." The Move was Seconded.

LEGISLATIVE & RULES COMMITTEE: (continued)

PRESIDENT RINALDI "For the record, Mr. Pavia and Mr. Curtis have left the Floor; they will not be participating in any of these discussions."

REP. ZELINSKY "Thank you, Madam President. As a member of the Legislative and Rules Committee, I did attend and listen to all the speakers at the public hearing we had last week. Let me preface my remarks by stating for the record, that I am a 100% in favor of the Hospice Care organization and all the wonderful good work they do for people."

"I have received several telephone calls from constituents and other residents in Stamford asking me to vote in favor of the sale of Riverbank School to Hospice Care, Inc., and also some telephone calls from residents that reside outside my district against the present conditions in the contract. I do plan on voting for the sale, however, there were several interesting concerns raised and expressed by Stamford residents who reside near or within the vicinity of the Riverbank School. Before we vote for final adoption, I strongly believe in fairness to all sides that we should Hold this item for one month, and one month only, to address those concerns of those residents who will be affected by this sale. Thank you."

PRESIDENT RINALDI "There will be absolutely no communication from the gallery or I will clear the room. Is there a Second to Mr. Zelinsky's motion? Seconded. "You did not make a motion? It was a wonderful speech then, Mr. Zelinsky."

REP. SUMMERVILLE "Madam Chairman, a Point of Clarification, Rep. Pavia has acknowledged the fact that he is not leaving the Floor and will be participating."

PRESIDENT RINALDI "Fine."

REP. ZELINSKY "Madam President, I just wanted to clarify something so you know, I'm under the understanding that the representative who represents that district will make that motion to Hold; so I did not want to do that out of courtesy to him; that's why I did not make that motion. Thank you."

REP. MAIHOCK "This sale and contract of the Riverbank School should be denied by this Board. It is not in the best financial interest of the city in the opinion of many. It is also not in the best interest of the integrity of residential zoning of the city which many people have complained to me about. We are stewards of our city's assets; our Charter gives us responsibility for the welfare and safety of the city's people and protection and security of their properties."

"In a letter dated March 15, 1995 from Assessor Frank K. Kirwin to Mr. Richard W. Redniss, it states, 'The former Riverbank School property carries an assessed value of \$4,969,230.' This is a valuable city asset that should not be sold for \$750,000 in view of the city's present financial limitations and need particularly when we would only receive \$400,000 the buyer presumably could receive from the State of Connecticut, and the remaining \$350,000 from the second year through the 11th year in buyer's yearly payments of \$35,000 each. The buyer would have an obligation to pursue asking the state to give funds under the state's PILOT program and if they were not forthcoming, and it is at the moment dubious, by the 10th anniversary of the closing of title, the buyer would then be asked for a payment-in-lieu of municipal taxes; an amount that would be lower than could be realized if the property were developed into single-family homes."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MAIHOCK (continuing) "This sale has ramifications that are substantial because the use Hospice proposed would have significant impact on the character of the Riverbank neighborhood as well as the North Stamford area generally due to the precedent it would create. There is a ZBA and Court precedent for denial of a nursing home in Stamford. Hospice also, which now has a downtown space of 5,000 square feet seeks to increase its administrative offices at Riverbank School to 7,800 square feet; more than half of the 51,000 square feet in the facility is dedicated to 'office space.' The change now to 30 beds sought can have even worse consequences for the development of this property. Fewer beds mean more available space. It certainly doesn't take much imagination to envision that that could mean even more space available for Hospice's administrative use of this property; that's a question.

"As far as the new contract is concerned, it is incredible to me how acceleration of deliberations has progressed in the City of Stamford. I became concerned when I read in the first paragraph on page 1 where it identifies Hospice Care, Inc. hereinafter referred to as the buyer, whether one or more. I asked our attorney why whether or more was there. He said, 'It shouldn't be.' I ask through you, Madam Chairperson, to Mrs. Nakian, can we representatives make a motion to delete that?"

REP. NAKIAN "The question of the 'one and more' is a legal term. If it would satisfy anybody's fears, I'm sure there is no objection to making it 'it' but basically, this is a standard real estate contract and there are a lot of terms that lawyers use that seem very strange to the rest of us, but they are understood by lawyers and the fact that it says, 'one or more buyers' does not mean that there are one or more buyers. Also, Hospice, according to all the plans that I've seen, has 51 plus thousand square feet of space and 7,800 is projected to be strictly office space. I believe that the discrepancy comes from what you define as 'office space' and about half of it is space for the residents whether they're bedrooms or recreational space. There are other uses and there is 7,800 square feet of what I would call more conventional type of office space although it is not commercial office space.

"Before we go any further, I would just like to say that I forgot completely to mention that all the Committee members were at the meeting today with the exception of Mr. Martin and I would like to publicly apologize to him. He was out of town the day that we decided to call the meeting and I did not notify him in time to change his appointment and I'm very sorry about that."

REP. MAIHOCK "Getting back to my question, Maria, I just wondered should we delete that? I mean it may be some kind of legalese but it does look a little intimidating when you first see it."

REP. NAKIAN "Could you tell me where that is, Mrs. Maihock? It's almost exactly the same."

REP. MAIHOCK "As I indicated, it comes after where it states, 'hereafter referred to as a buyer' then it says, 'whether one or more.' I just feel that's very confusing. Maybe it's very understandable to a lawyer but let me tell you, if you see whether one or more buyers are considered, it is very intimidating."

REP. NAKIAN "Mrs. Maihock, I will call the Law Department tomorrow and ask them if they would remove those words."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MAIHOCK "Do we have to vote on that?"

REP. NAKIAN "I don't believe that's a material change."

REP. MAIHOCK "I have one more, Maria, please. On page 24, I brought this up also tonight. I feel there's another very similar, very ambiguous statement under, 'Exclusive Use of Property by Hospice.' That was on page 24. 'So long as buyer holds title to the premises, it shall be utilized exclusively by the buyer,' then it says, 'or any successor non-profit charitable organization.' It was explained tonight by one attorney that this would still be Hospice related, however, the last three sentences state, 'and the premises and its improvement shall not be leased or sublet to any other institution or entity no matter how closely related in work and mission,' so I really cannot understand the necessity to have that in there and I ask again, is it possible to delete that or is there some reason that we should not? Thank you. I'm not finished but I just ask."

PRESIDENT RINALDI "Do you want to answer that, Maria?"

REP. NAKIAN "The sense of this paragraph is that the building will be exclusively by Hospice. Now sometime in the future, Hospice Care, Inc. could evolve into another non-profit organization; there are no plans to do this; they, Hospice, swears up and down, that they have no plans to be folded into or to acquire any other organization. But, what if they even change their name, do they then not own the building, 'no' they just become known as another organization but the safeguard here is that they can't have any other organization which is not Hospice even though it may not be under the original name or the original Board of Directors or whatever. They can't lease space to the Red Cross; they can't lease space to the Visiting Nurses; they can't lease space to any other organization. If Hospice itself should become another organization, they still own the building."

REP. MAIHOCK "I certainly don't deny that, but as I say, by having that in there, there's always the possibility in the future that that could be interpreted by someone that they could bring in a successor non-profit charitable organization in some fashion, and I think it is a dangerous inclusion and should be removed. Now, I ask is it possible to remove that?"

REP. NAKIAN "Audrey, I am not an attorney. The other change I think was a semantic change and if people feel better without those few words, fine. I would not begin to say, 'we could make this change or we couldn't make this change' without changing the sense of the contract. And, you asked the question at the meeting and you're asking it again. I don't think you liked the first answer you got and my answer is going to be, I am not in a position to arbitrarily make that change."

REP. MAIHOCK "I do think it's a dangerous inclusion and I will say this, I have many other things about this contract that I feel really are more slated toward the buyer than to the seller actually, and I really have many misgivings about it, and so with this one also, I think this is not a good clause to be in it and I absolutely will not vote to approve this. Thank you very much."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. LOGLISCI "Thank you. Tonight's vote will be very difficult for me. There's been voluminous amounts of paper, research and strong emotions expended by all on this important project, and I want to thank and appreciate Rick Redniss' efforts to help me see Hospice's point of view. However, in the end, while my heart supports Hospice and the wonderful services it provides, my head cannot overlook the many concerns presented against Hospice's proposed size, location, and true value received by the city and so I must vote against the ordinance."

REP. STORK "Thank you, Madam President. First of all, I'd like to go right back to the open remark made by my colleague, Rep. Zelinsky. I don't think there's a single member of our Board that does not support the concept of Hospice care. If anyone doesn't then, you probably don't have an ounce of sympathy in your soul. But having said that, there is just a lot about this that just isn't right."

"One of the considerations that the Mayor's panel had, and I believe it was their third consideration, was neighborhood compatibility for this Hospice Care center. Who are they kidding? Just because Richard Redniss says so. I don't have to tell you what Richard Redniss does for a living; he's been around here for a long time; this is what he does."

PRESIDENT RINALDI "Mr. Stork, let's talk about the contract."

REP. STORK "I was talking about the contract, Madam President. Anybody who has not listened to the concerns of the people who live in that area have their head in the sand, and furthermore, we're elected on this Board to represent the people; that's what I intend to do tonight. I tend to vote against this proposal. Now, having also said that, there are solutions. I was very pleased to hear that our two hospitals in the City of Stamford want to have Hospice facility attached to them. This is great; this is what Hospice should be and what could be a better location than next to a medical facility? Furthermore, for the development of the property at the school, there appears to be two developers that are willing to put in a six house development that will earn tax revenue for the City of Stamford forever as long as those houses are there, so I think there are better solutions than what's been proposed, and again, I will vote against it."

REP. NAKIAN "There were other proposals for that facility, it's true, but according to the information that we received, the first proposal was for \$10,000 assuming that they got six lots out of that; the second proposal by the same proposer was for \$10,000. There was a second proposal for residential. The first proposal was for \$410,000 on six two acre lots and it was contingent upon getting the subdivision; the second was for \$502,000 again contingent upon the subdivision. \$10,000 is not very much more, true, there were taxes but also according to the information we were given, you know, I'm in the position of giving you all this information. I can't back any of it up because it was provided to the Committee; it is not my information but I certainly will pass on the information that the Committee had that it cost more than the taxes you get on a residence in North Stamford to educate the children. There are trade-offs is my only point."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. NAKIAN "None of the proposals were for \$750,000. They were all contingent upon getting subdivisions. One of the proposals was contingent upon down zoning the land from two acre zoning to one acre so that more houses could be fit in. I'm not sure that you can make these comparisons. Selling it to somebody else may be a valid point, but there is no one reference point that you can come with and you can say, 'this proposal is bad and that proposal is good.' This was the proposal that offered the most money and it was the proposal that the Selection Committee felt gave something back to the community as a whole meaning all of Stamford in the form of a service for people who have the need for a place to die."

PRESIDENT RINALDI "Thank you."

REP. CORELLI "I Move the question, please. so we can take a vote."

PRESIDENT RINALDI "Is there a Second?"

Motion Seconded

PRESIDENT RINALDI "There are three first-time speakers. The question has been Moved and Seconded. All those in favor of Moving the question, please say aye. Opposed? We'll vote by use of the machine. Maria."

REP. NAKIAN "Whether you're in favor of it or against it, I think that the other Representative from that district should have the right to speak. We heard from one, I really think that Rep. Martin has the right to speak also. I would strongly ask everyone not to cut off his right to do that."

PRESIDENT RINALDI "Vote by use of the machine. If you are in favor of Moving the question, please vote yes. If you are opposed, please vote no. Has everyone voted? The motion has lost. The vote is 26 no, 6 yes, 1 non-voting." (Note: The correct vote is 29 no, 6 yes and 4 not-voting with 1 not present; print out sheet attached)

PRESIDENT RINALDI "As it turns out, Mr. Martin, you're next."

REP. MARTIN "Thank you, Madam Chairman. I know this is going to disappoint my fellow Board members and I apologize, but as I have said to other members of my Caucus that I was going to Move to Hold this for one month and I make that motion and will speak to that motion if I get a Second."

The motion was Seconded.

REP. MARTIN "Thank you. How can anyone opposed Hospice; they do an extraordinary job of caring for people who are in the most desperate of situations, I don't think there's anyone who has really looked at this would ever deny that, and who would ever oppose them from trying to do more of that, and I, for one, feel very sympathetic and I think Hospice has every right to be proud of what they're doing, why they're doing and they have a right to be proud of how they intend to do it."

"I'm asking this contract be Held because I don't believe this contract provides the protections that it should as of yet to my constituents that it should and I believe they're intitled too. And, I think that we need to put some of this in perspective to understand that."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MARTIN (continuing) "There's been an enormous amount of noise, in my opinion, about this issue. There's a number of issues which I believe which are really important enough to sway this debate one way or another and sometimes I feel that both sides would rather talk about those noise issues because they both give them something to talk about.

"I think the heart of the debate is the fact that there is nothing within two miles of the Riverbank which is even half the size of what the Hospice proposal would be. The operation that they intend would be twice as large its operation as any other activity within a two mile radius. And, I'll extend that into Greenwich and into New York and I think it gets a little bit south of the Merritt. And, that's not what many of the neighbors have bargained for and they're very concerned about that.

"As you know, I did a survey of my constituents because, quite frankly, I have constituents within my district in the immediate vicinity of Hospice who think that Hospice is such a wonderful organization and they don't like the way Riverbank School has been handled by the city that they are in fact, favor of it, and I get calls on both sides of this issue. Well, my constituents by my reckoning are in fact opposed to this. But, I think, the most important aspect that I tell from this aside from their overall opinion, is the fact that the number one issue that they mention as a thing that is most scary to them is the possibility of future zoning changes and even further more intense development; that's the number one concern that they raised. It wasn't whether the septic was going to blow up; yes, that's a concern for some, but that was a minority. It wasn't that there were too many residential units; there were only 7% of the people that said there were too many residential units. Not only was it the majority of the respondents but if you look at the people who are actually in favor of Hospice, and many of them chose to answer they had no concerns at all, but even those who were in favor of Hospice, one quarter of those say they are concerned about future zoning changes at this site and more intense development. And that is roughly, over three times as great as their next greatest concern. I believe it's a valid concern, and I believe with all due respect to the city's law department and the way they crafted this particular ordinance...or this contract, I don't believe that we've accomplished all that we should accomplish in that regard.

"Now, Ms. Nakian made note of my absence this evening. I've been asking for a contract from our city law department for six weeks and I think I've been asking for longer than that; but I know that I've been asking for at least six weeks. A week ago, we got two contracts and they didn't agree with one another and one said for 'draft purposes' etc. etc. etc., and I don't need to go into the shortcomings of that. And on Tuesday night as you know, the L&R Committee discussed this and decided it would Hold this item, and based upon that information, I made alternative work plans for this Monday evening. Now, come Friday afternoon at 4:30, I hear that these plans have been changed and at 10:30, I get a new contract in my mail, and I am, personally, unable to finish reading that contract until one in the morning. And I look at it and I see that the L&R Committee has corrected some of the, I would call them, almost embarrassing shortcomings of the contract that I saw Saturday morning, and if this were a simple sale transaction, it really didn't affect as many people as deeply as this does, I would say that this would be prepared to go ahead.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MARTIN (continuing) "But I have at least three particular areas of concern and I believe that we can remedy those areas of concern and despite the opposition of many of the neighbors, if we are able to do that, I give you my commitment that I'll support something that better protects the neighbors and the contract that I have this evening.

"First of all, and perhaps this is only legalese but in the paragraph #3, it refers to 'Agreement fully and finally approved by the Office of the Mayor, the Planning Board, the Board of Finance, the Board of Representatives,' etc. This agreement here has not been approved by the Planning Board, the Board of Finance, so while I don't want to sit here and start amending this particular contract because I agree with Ms. Nakian that this is probably an inappropriate form to do this, we don't have the approvals of those Boards of this contract because they never got a contract. I think that's just a legal technicality but nevertheless, it should be straightened out.

"The second point has to do with paragraph #34. 'Use of the Auditorium' Ms. Nakian in her opening comments, and I may misquote her and she may not have this entirely accurate something to the effect that they cannot use the auditorium as a auditorium. Obviously, I don't think that's exactly what she meant to say, but the general impression has been that Hospice has been willing to limit the use of the auditorium in recognition of the neighbors' concerns. This paragraph 34. does not achieve what the neighbors are concerned about and I don't believe it achieves what Hospice has committed to. It says, 'that they shall refrain from using the auditorium for any public function.' Which in fact is the only benefit the neighbors could ever get would be if Hospice would extend that as a public forum for them to meet there; it doesn't prohibit the private meetings and the concerns the neighbor has that perhaps on a regular basis, and I personally don't think that will happen, but perhaps they would have traffic spilling out on to Riverbank Road; excuse me, not traffic but the parking spilling out on to Riverbank Road and Rocky Rapids trying to fill up a 300-seat auditorium without parking that commensurates with that. And, there's no prohibition here from them holding conferences of various types in that auditorium. I'm not saying that we have this worked out; I'm saying I didn't understand Hospice to represent what this paragraph 34. says and I don't believe this is what the neighbors understood Hospice to say.

"And, finally, and most importantly, there's been a lot of reference to relying on the Zoning Board on the Zoning Board of Appeals to protect the property owners of certain future changes in this site. And, I believe as the survey points out and as I for one, am fearful that because of Hospice's good name, because of their charitable work, when we move a few years down the road, and the current people who put this proposal together are no longer with us, or Hospice is acquired by some other organization with some larger intent and larger purpose that many of the provisions that might make sense in this context no longer do and we find ourselves back in front of the same people who are very sympathetic and gradually over time, we have exactly what the neighbors are concerned about; the steady erosion of the zoning character of that neighborhood and, again, as I point out, it already starts out being twice the proposal, is roughly twice the intensity of use of any other facility within two miles. I think the next closest would be the Long Ridge School.

"So that is what I would try to hope that we could reach out and solve over the next month. And, that basically what I ask this Board to consider to Hold it to make those additional protections for the neighbors.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MARTIN (continuing) "I, for one, am fully cognizant that this proposal has the support of many of the city leaders; it has the support of many of the people in the community at large; and it has the support of many members of this Board, and I wouldn't want to say to anyone that this is some deliberate attempt to thwart or somehow frustrate because I think that's a waste of our time and everyone else's time. But, I believe we could get some improvements and to be delivering contracts two days before the meeting to representatives who had to make alternative plans when the original plans were not to hold meetings, I don't believe that's the proper way to do business, and I think it has not been in the favor of the constituents' concerns in this case. Thank you."

PRESIDENT RINALDI "The motion before us is to Hold this item for one month so the subsequent speakers if they could limit their comments to that issue. Ms. Conti."

REP. CONTI "Thank you, Madam President. I won't be long winded or redundant. As far as the issue to Hold, I really think that since it's out in the open and we have many members of the community here, perhaps we should just go ahead and take a vote on it. I do plan on voting against the sale of the Riverbank site to Hospice Care, Inc. for many of the same reasons that were already shared by fellow members, but also because the overwhelming majority at the public hearing and the members of the community here today, overwhelming are opposed to the sale of this property to Hospice Care, and as a matter of conscience, we really should vote what the people want and the people really do not want this sale to Hospice Care, Inc. Thank you."

REP. DeLUCA "I would be against Holding this for another month. I sat in at the meeting this evening and I was satisfied with all the answers we got from our own Assistant Corporation Counsel and from Mark Santagata. This has been kicking around for about a year or more, and I believe with the public hearings we have all our answers and to Hold this another month would be an injustice to Hospice because I believe (inaudible) something to do with the water levels, water tables and if we don't do it now, then it becomes too late; holding it up another month means that we have to delay this here for another year when the water table is at the certain position that's needed to really do their work that is required for construction. I believe we all have our minds made up; we all know how we plan on voting. Like, Ms. Conti says, 'We either vote it up or down' and that should be done this evening."

PRESIDENT RINALDI "Thank you, Mr. DeLuca. Ms. Martinsen."

REP. MARTINSEN "Thank you, Madam Chair. I also will not be long and I wouldn't compare with David Martin. I also believe that this is an issue regarding zoning. The residents that came out to the public hearing, they all seem to be in favor of a residence, it's the commercial office space that they're concerned with. And you know, I know this was in our paper work, I hope that we will never use in all of the arguments that will come before us in the future, that educating children is a drain on the city and so we really don't have a tax benefit. You know in the same way couldn't we use the same argument for senior citizens that don't have any children that they should get a tax break?"

PRESIDENT RINALDI "If you could limit your comments to the motion to Hold and not the merits of the issue because that's what's before us."

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MARTINSEN "I'd be in favoring of Holding it, either way."

REP. BOCCUZZI "Move the question."

The motion was Seconded.

PRESIDENT RINALDI "All those in favor say aye. Opposed. We will then take it to a vote. We will vote by use of the machine. Let me explain. The motion before us...I will clear the room if there is any kind of dialogue from the gallery. If you are in favor of Holding this item for one month per Mr. Martin's motion, vote yes. If you are opposed, obviously, vote no.

"Again, yes if you want to Hold; no if you want to not Hold. Is every body clear on that vote? Has everyone voted? The motion to Hold has lost by a vote of 11 yes, 27 no, and one not voting. Mr. Sherer, we'll return to the main motion."

REP. SHERER "I Move the question." The Motion was Seconded.

PRESIDENT RINALDI "We will vote by use of the machine. This is the proposed ordinance concerning the sale of city-owned property to Hospice Care, Inc. If you are in favor of that sale, please vote yes; if you are opposed, vote no. The question was Moved and Seconded. Has everyone voted?

"The motion has Carried by a vote of 29 yes, 9 no and 1 not voting."

5. (L&R23.77) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTIONS 214-16 AND 214-17 OF THE CODE OF ORDINANCES CONCERNING FAILURE TO REMOVE SNOW AND ICE. Submitted by Reps. Carmen Domonkos, D-18 and Maria Nakian, D-20, 2/15/95. Held in Committee 3/1/95.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

REP. NAKIAN said that the current ordinance says that the homeowner or occupants abutting any city sidewalk is responsible to remove any snow or ice on the sidewalk either four hours after a snow fall or by 10:00 a.m. the next morning. She said that if the snow and ice is not removed, the city can come in and remove the snow and ice and can place a lien against the property owner that would be paid with the next taxes. Rep. Nakian stated that to the best of her knowledge, the city has never done this, and last winter and also this winter, the conditions of the sidewalks were terrible forcing people to walk in the streets and someone was killed this winter while walking in the street.

Rep. Nakian said that the proposed ordinance deletes the requirement that the city remove snow and ice and instead provides a fine if the sidewalks are not cleared by the abutting property owners. She said that the fine is the standard \$100 that the city can levy for each offense and the fine can be appealed through the appeal process which was enacted several months ago.

Rep. Nakian said that the Committee voted 9 in favor and 1 opposed with no abstentions for approval. Moved. Seconded.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. ZELINSKY said that as a member of the Committee he voted against the ordinance. He said that he agreed with the intent to protect residents; however, in his district after large snowfalls, after his constituents complied with the law and shoveled the sidewalks in front of their residents, hours later or the next day, the Stamford plows will come by and plow huge chunks of harden snow and ice back on to the sidewalks. Rep. Zelinsky said that was not fair to his constituents or any other constituents forcing them to shove again and be fined for their efforts. He said that he commended the Chairperson of the Committee for addressing his concerns but unfortunately, other Committee members could not see his concern. He said that he could not vote to approve this ordinance and hoped before final adoption, something could be addressed whereby if city plows plow the sidewalks over, the constituents would not be responsible for it.

REP. OWENS Moved to waive the Secondary Committee report. Seconded.

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

REP. PAVIA commended the Committee on their actions. He said his district has a lot of sidewalks and both residential and commercial people make sure that their driveways are shoveled but not their sidewalks. He said that he understands about the plows but there is a point when they do not return and that is when you should go out to clear the walks to insure the safety of the community.

REP. PERILLO said that she would vote against the ordinance as she has received many complaints from people who paid to have their sidewalks cleared and the city came back more than once and plowed the snow back to the sidewalk. She said there was no provision in the ordinance protecting the homeowner from the city. She said that the city should be just as responsible as the resident.

PRESIDENT RINALDI called for a vote to approve for publication the proposed ordinance concerning removal of snow and ice. APPROVED by voice vote with six no votes, Reps. Summerville, Zelinsky, White, Owens, Perillo and Leydon.

6. (L&R23.80) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING THE PURCHASING ORDINANCE CONCERNING CONTRACT EXTENSIONS. Submitted by Reps. Andrew McDonald, D-4 and Maria Nakian, D-20, 3/6/95.

APPROVED ON CONSENT AGENDA

7. (L&R23.55) FOR FINAL ADOPTION - PROPOSED ORDINANCE AMENDING CHAPTER 137, ARTICLE I OF THE CODE OF ORDINANCE CONCERNING GENERAL REGULATIONS REGARDING GARBAGE, RUBBISH AND REFUSE. Submitted by Michael A. Pavia, Commissioner of Public Works, 8/26/94. Held in Committee 10/3/94 and 1/5 and 2/6/95. Held on Pending Agenda 10/12/94. Approved for publication 3/1/95.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. NAKIAN said that the Committee is urging the Board of Finance to require the city to keep a record of the municipal solid waste whichs comes in on city trucks and when the mill rate is set for the coming year, the Board of Finance take that amount into consideration and asses the same tipping fee that the B and C districts have against the A and CS district so that each of the districts as far as residential homeowners are concerned will have some combination of both a tax increase and a tipping fee making it more nearly equal.

Rep. Nakian stated that the issue of fairness is mostly to the businesses. She said that most of the businesses are in the A district and not only do they pay the same amount in their taxes that all districts pay to haulaway garbage but they pay for the collection of city garbage and do not get it; condominiums do not get it but they are reimbursed; private business is not reimbursed.

Rep. Nakian said that various amounts for the tipping fee were considered; \$65.00 was proposed by the administration; the first ordinance out of L&R proposed \$32.50 and any number chosen at this point is arbitrary. Rep. Nakian said that many have asked to be shown the impact of the tipping fee on the various taxing districts and Rep. Martin came up with figures that showed the impact; Public Works Department came up with figures; the Finance Department came up with figures but none of the figures agreed. Rep. Nakian said that the Mayor proposed a Committee to study the situation--two members from the Board of Representatives, Reps. Boccuzzi and Loglisci. She stated that a suggestion was made that at least one of the Co-Chairs of the Public Works Committee should also be on the Committee.

Rep. Nakian said that the L&R Committee is anxious to see what the Mayor's Committee will come up with. She said that hopes are for a tipping fee and background information showing how the fee was arrived at and this will be the number and the impact will be known on various segments of the city.

Rep. Nakian said that the Committee proposed cutting the \$49 fee which was approved by the Board last month to \$40. She said that the number is not so low that the private haulers feel that they immediately must raise the rates. She said the Committee felt that they did not want the rates to be raised for the \$49.00 and never having them go back down again. Rep. Nakian said they wanted to be fair to all aspects of the city, therefore, the proposed ordinance this evening proposes a \$40.00 tipping fee; the Committee pledges that when the Mayor's figure comes it, it will consider the information and if the number is different, the ordinance will be amended.

Rep. Nakian said that the Committee voted 7 in favor and 3 opposed for final adoption. Moved. Seconded.

REP. OWENS Moved for waiver of the Secondary Committee report. Seconded.

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

REP. NAKIAN said that two amendments were made; in Sec. 137-10 B., delete \$49.00 fee to be replaced by \$40.00 and Sec. 137-13 A., according to state statutes there cannot be tiered fines. therefore, the ordinance should read ...(\$100.00) for each separate offense.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. NAKIAN Moved to amend Sec. 137-10 B. to delete \$49.00 and replace it with \$40.00. Seconded.

REP. ZELINSKY said that he was against the amendment to change the \$49.00 to \$40.00. He said that the \$49.00 approved last month was a good compromise. He also could understand those residing in districts who are adversely affected would like to have the fee as low as possible and he would if he represented a district like that. Rep. Zelinsky said that he was trying to be fair as he was not supporting the \$65.00 a ton and urged his colleagues to support and keep the \$49.00 fee.

REP. WHITE said that Rep. Zelinsky was correct. He said the \$49.00 was a compromise and then it was decided to wait until the committee or panel would review the facts and figures and then come up with a set price in the near future. Rep. White stated that now, a month later, L&R comes back with a new proposal for \$40.00 after coming out of Committee last month with a \$32.50 fee per ton which was voted down. Rep. White said that if the \$49.00 fee is a problem for business, it is the cost of doing business. He said that it should stay at \$49.00 per ton.

REP. LOGLISCI said that he voted for the \$49.00 and he is on the committee looking into permanent fees and has been assured by L&R that they will look strongly at the recommendations the committee comes up with. Rep. Loglisci stated that the figure is expected by July and the \$49.00 does not take effect until July.

REP. SCALZI said that he was concerned that Stamford will become a magnet for garbage if the fee is too low. He said that to be considered is that increased costs of business are deductible. He said that he would like to create incentives for businesses to change their practices to create less garbage; a bottom line to be reached will often times change practices to conform with objectives for profit.

REP. SHERER said that hearing "compromise" so often, he did not know who compromised with whom and one person decided to be the compromiser. He said that the proposal was \$32.50, a hand was raised for \$49.00 for publication and there was very little discussion. Rep. Sherer stated that in his Caucus, there was no discussion whatsoever about compromising and he heard from the Democrats that there was no discussion about a unified compromise coming out of Caucus. He said that the expectation after publication was that there would be thorough research and a public hearing and testimony which helps what course will be taken.

Rep. Sherer said that at the L&R hearing, he did not see the speakers that are opposed to the amendment. He said that the Committee is not playing games with anyone; a thorough hearing was held with the public present, the business community, garbage and refuse collectors and their representatives were present. Rep. Sherer said figures were received from Public Works. He said that at \$49.00, there is a chance of putting the refuse collectors over the top as now they have a \$21.00 a ton increase which they will pass to the homeowners; \$40.00 or under, the consensus of the collectors was not to pass it through and if passed, it would be perhaps \$.50 a month.

Rep. Sherer said that he heard from the business people that if one is paying \$900 a month for pick up, it would be up to \$2,000 a month if the fee goes to \$49.00.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. SHERER said that the higher costs may be deductible, but it will put people out of business.

REP. CORELLI said that she was hearing, "It's the cost of doing business." She said that attitudes like that have brought a lot of business out of the State of Connecticut. She said that if a person is paying \$900 for garbage collection and is going to be charged \$3,000, how much can that person raise in his restaurant business or deli business before he is going to go out of business? Rep. Corelli said that she thought we had economic development to bring jobs and now we are telling people, "We don't care, it's the cost of doing business, you can shut the doors, it doesn't matter." Rep. Corelli stated that \$40.00 is a fair price for everyone; it's reasonable and Public Works can cut other ways to save money so that the tipping fee doesn't have to get raised.

REP. MONTELLO said that on the commercial side, don't forget that they are already paying taxes for refuse picked up in their buildings so they are paying through their tax base and then they pay private haulers to haul the garbage away at this tipping fee. Also, he said that in his district, the 13th, there is a small carter issue that they have to pay the tipping fees to the City of Stamford within 10 days upon receipt of the bill. Rep. Montello stated that if the tipping fee goes up, cash management for the small carter will be so difficult in collecting their monthly refuse maintenance contracts that they will not be able to keep up with paying the city. He said that the small carters will be put out of business and the large carters will be left to pick up garbage which is going to increase the fees to everyone across the city. Rep. Montello said that a number of issues here should be taken to heart and consider the compromise of \$40.00 for the tipping fee.

REP. BOCCUZZI said that in going from \$40.00 to \$49.00 and \$900 to \$3,000, how can \$9.00 a ton cost any business or anybody \$2,100? He said that this was gone over with the garbage collectors once before and if the rate is \$40.00 or \$49.00, the collectors will be charging before July 1. He said that he thought the \$49.00 breaks down more evenly throughout the city. He said that other cities charge more than \$49.00 and if we have a lower fee, carters from other cities will come to Stamford to dump; he was in favor of the \$49.00 fee.

REP. DOMONKOS said that she agreed with Rep. Sherer. She said that she believes that members feel that those on the L&R Committee from the north are protecting their districts. She said that some of the representatives in the downtown districts who have large numbers of commercial businesses would be the ones who want to increase the tipping fee; the businesses will be taking the hit on the fee.

Rep. Domonkos said it was not correct to indicate that the L&R Committee is doing something to protect the people in North Stamford. She said the tax rate will be equalized. She also stated that the small business men have it tough to make ends meet and we have to protect them. Rep. Domonkos said that she did not feel that last month's vote was a compromise; if it were, the vote would have been closer and unanimous.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. MARTIN said that there were legitimate good policy arguments for having a relatively high tipping fee and having a low number. He said \$49.00 would be a 75% increase in the tipping fee and he did not think that to be right. Rep. Martin said that if the committee comes back with \$49.00, he will support it and there would not be a lot of harm done if we have a \$40.00 tipping fee from July 1 until September 1 while the issue is settled with the committee. He said that if we start with \$49.00 and find the numbers to be \$40 or less, we will have a mess as a policy has been implemented where we leaped instead of looked. Rep. Martin said that "compromise" means two parties reaching mutual agreement about something which neither may have as their first choices but is good enough that both can support. He said that \$49.00 is not a compromise and he is not saying that \$40.00 is, but suggested that perhaps the \$40.00 is middle-ground between \$30 and \$50 or thereabouts and that is why that figure was chosen.

REP. NAKIAN said that Stamford's system is basically unfair; some people are taxed and there is a user fee on some people and some people have both. Rep. Nakian said that she was in favor of everybody paying their fair share but with a system that is basically unfair, it is hard to make amends.

Rep. Nakian said that her Committee spent a lot of time and effort on the issue and talked to many people at the public hearing--with haulers and the business community. She said that she did not want to raise the tipping fee so high knowing that we might be changing it again and hurt one segment of the city. She said that the city depends upon business and downtown and how can we say to them that we want you here and we want you to pay more than your fair share of what this is going to cost for the city. Rep. Nakian said that she knows the \$49.00 was approved but this is not the first ordinance that has had a public hearing and came back with an amendment because the Committee believes that it is unfair to business and we need business in Stamford. She asked that the amendment be approved and pledged the figures from the committee will be studied and if changes are necessary, they will be made.

REP. SUMMERVILLE thanked her fellow members who spoke in favor of the \$40.00 motion. She said that she represents the downtown and has spoken to members telling them it was unfair to the small businessmen. She said that we talk about the Enterprise Zone and incentives for jobs. Rep. Summerville said that all the comments made by Reps. Nakian, Martin, Domonkos and other are true. She said that we have to make up our minds as to whether we are going to be fair to the overall city or just areas that we deal with. She said that what Rep. Sherer said is true that some people are going to go out of business; will the Enterprise Zone bring them back but to a certain area? Rep. Summerville stated that we need all of the small business people downtown and we need to protect the good citizens in town who are taxpayers and voters like all other areas of the city. She said that \$40.00 is a compromise on both sides and a fair compromise. She said that the first she heard of about the Mayor's Committee was at the special meeting.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. SUMMERVILLE said that out of fairness to the Public Works Department and the Commissioner, we should not have had the committee; unfortunately, we have it. She said that she will not put all her trust in a committee as the Board represents all the people and she respects the committee but it is not for them to come back to the Board with ideas. She said that she heard that the \$49.00 figure was voted on in order to give the Committee something to work on. Rep. Summerville state that the \$49.00 figure was first heard by her when she heard the motion made on the Floor of the Board. She said that she respects those wanting \$49.00 and hoped they would compromise on the \$40.00 figure.

REP. ZELINSKY said that a previous speaker alluded to the many people at the public hearing. He said that there were only three people that came on the tipping fees that spoke against it and this is not a large number of people that are greatly concerned about the fee.

REP. SCALZI said that he wanted to amend his comments. He said that they were directed to the Board to look at the future affects if the fee is lowered to \$40.00. He said that he was concerned that the Board look at the future affects if more garbage is coming into the town and not to give incentives, and there are legitimate concerns about businesses but there are certain businesses that create more garbage to create more profit; his comments were directed to that and not to the ones that cannot help having the garbage they have.

REP. DeLUCA said that it seems we are putting one area of the town against the other. He said that we should be working for the benefit of the whole city not just certain areas. He said that we have to be fair to the commercial people as well as residential areas affected by this. He urged his colleagues to forget the \$49.00 and go along with the \$40.00 which seems fair and equitable even though taxes will go up a little more. He said that businesses are encouraged to come to town and not leave; the \$40.00 is a good fee and the Board is to represent everybody and not just certain areas of town.

REP. BOCCUZZI said that he has heard about commercials, public, private homeowners but the Board is forgetting one thing--the second phase of reval is coming up. He said that commercial property taxes in the second phase are going down and the homeowners taxes are going to go up. He said that there will be less income from the commercials and the commercial property owners got a break for three years.

REP. MARTINSEN said that increased tipping fees is a number one issue across the country and along with increased tipping feess comes a great increase in illegal dumping. She said that she was in favor of the \$40.00 fee and it would alleviate a lot of extra manpower which is not being counted on to pick up trash that will be along the roadsides and little nooks and crannies where people will take a chance saying that if they don't get caught, it's free.

REP. PERILLO Moved the question. Seconded.

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

The record will note that Reps. Pia, Pavia and Housey left the meeting.

LEGISLATIVE & RULES COMMITTEE: (continued)

PRESIDENT RINALDI proceeded to a vote on the amendment to approve the \$40.00 tipping fee. APPROVED by a vote of 27 yes, 8 no votes with 1 abstention.

REP. NAKIAN Moved to amend Sec. 137-13 A. concerning fines, according to state statutes there cannot be tiered fines; added to the ordinance ..."each separate offense" to be deleted "the first offense, two hundred dollars for the second offense and three hundred dollars for the each subsequent." Seconded.

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

REP. NAKIAN Moved for final adoption of the ordinance on regulations concerning garbage, rubbish and refuse. Seconded.

REP. OWENS Moved to waive the Secondary Committee report. Seconded.

PRESIDENT RINALDI called for a vote to waive. APPROVED by voice vote with no dissenting votes.

REP. MAIHOCK said that she thought the \$40.00 a ton seems to be a reasonable fee; however, it still has not been decided that North Stamford's mill rate will reflect the credit they deserve. She said that she will abstain.

REP. MARTIN said material changes have been made in the ordinance thus requiring republication or waiver of republication.

PRESIDENT RINALDI asked if the Rep. Nakian if the changes are substantial and the ordinance has to be republished?

REP. NAKIAN said that she did not think the changes were that substantial but suggested that publication be waived. She said that it would be legitimate to waive publication so that the regulations are in place.

Rep. Nakian Moved to waive republication. Seconded.

PRESIDENT RINALDI called for a vote to waive republication. APPROVED by voice vote with Rep. White voting no and Reps. Maihock and Perillo abstaining.

REP. NAKIAN Moved item 7 for final adoption. Seconded.

PRESIDENT RINALDI called for a vote to approve final adoption. APPROVED by voice vote with Reps. White and Maihock voting no and Rep. Perillo abstaining.

8. (1&R23.82) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 137, ARTICLE V OF THE CODE OF ORDINANCES CONCERNING CONDOMINIUM REIMBURSEMENT FOR GARBAGE COLLECTION. Submitted by Reps. David Martin, D-19 and John R. Zelinsky, Jr., D-11, 3/6/95.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

HELD IN COMMITTEE

LEGISLATIVE & RULES COMMITTEE: (continued)

9. (L&R23.83) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 137, ARTICLE II OF THE CODE OF ORDINANCES CONCERNING PRIVATE REFUSE COLLECTION. Submitted by Michael A. Pavia, Commissioner of Public Works, 8/26/94. Held in Committee 10/3/94, 1/5, 2/6 and 3/1/95. Held on Pending Agenda 10/12/94.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA WITH ONE ABSTENTION, REP. PERILLO.

10. (L&R23.84) FOR PUBLICATION - PROPOSED ORDINANCE REPEALING CHAPTER 137, ARTICLE III OF THE CODE OF ORDINANCES CONCERNING SPRING AND FALL PICKUP. Submitted by Michael A. Pavia, Commissioner of Public Works, 8/26/94. Held in Committee 10/3/94, 1/5, 2/6 and 3/1/95. Held on Pending Agenda 10/12/94.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

REP. NAKIAN said that item 10 was approved by a vote of 9 in favor with 1 opposed. She said that spring pick up has not been done in about 20 years and the fall pick up says that yard debris will be collected; this has never been done. Rep. Nakian said that in the ordinance just approved, there is a provision for picking up leaves. She said that Commissioner Pavia was asked if he can provide figures comparing the cost of having a spring clean up against the cost to the city of picking up all the junk that is dumped on city streets or if there is any other type of program such as New Haven has where they pick up on appointment. She said that the Commissioner will come back with options.

Rep. Nakian Moved for publication of item 10. Seconded.

REP. OWENS Moved to waive the Secondary Committee report. Seconded.

PRESIDENT RINALDI called for a vote to waive. APPROVED by voice vote with no dissenting votes.

REP. CONTI asked if picking up Christmas trees was part of the program?

REP. NAKIAN said that she spoke to the Commissioner regarding that and he stated that it was not part of the spring or fall pick up; that the trees were not a policy of the city and the method of operating has always been that it is up to the sector; if the sector has time, they pick up the trees.

REP. CONTI asked if that meant that the trees will not be picked up?

REP. NAKIAN stated that it was not part of the spring or fall pick up and the city does not want to be committed to the expense of doing a pick up just for Christmas trees; the city is willing to pick up if they have the time and manpower.

REP. CONTI said that she would vote against the ordinance because she would like to have clarification on the pick up. She said that many resident depend on that service and she would not want to see it done away with.

LEGISLATIVE & RULES COMMITTEE: (continued)

REP. DOMONKOS said that she could see why we are publishing to eliminate the service. She said that when the Commissioner comes before the Committee at budget time, he indicates how much it costs to pick up appliances and garbage dumped behind the schools, back streets and South End. She said that the Commissioner indicated that he was going to do a comparison as to what it would cost to do a spring pick up and what it costs to pick up on an on going basis. Rep. Domonkos said that there would be less dumping if residents had an opportunity to put out their appliances, etc. She stated that the Commissioner said that he was going to do comparisons; she preferred that the item be Held.

REP. NAKIAN said that she had no objections to Holding the ordinance but the reason for repealing is that the ordinance in its present form has no program, no conditions and no parameters. She said that she would prefer that the ordinance be taken off the books and work with the Commissioner to develop a program that is workable.

REP. DOMONKOS said that why we go to the expense of publishing to eliminate and then publish a new one. She said that she would like to see the ordinance modified and published once.

Rep. Domonkos Moved to Hold the ordinance. Seconded.

REP. ZELINSKY said that he was in favor to Hold. He said that he was called recently about all sorts of garbage, doors, tables and chairs dumped on a church parking lot. He said that the police were called and the rubbish was traced to someone doing renovations in another area of the city. Rep. Zelinski stated that this could be avoided if there was some type of a pick up and the Commissioner should look into a program before the ordinance is repealed.

REP. MELLIS said that the ordinance should be kept on the books until it can be replaced with something else.

PRESIDENT RINALDI called for a vote to Hold item 10. APPROVED by voice vote with no dissenting votes.

11. (L&R23.85) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING CHAPTER 137, ARTICLE IV OF THE CODE OF ORDINANCES CONCERNING SEPARATION AND RECYCLING OF CERTAIN MATERIALS. Submitted by Michael A. Pavia, Commissioner of Public Works, 8/26/94. Held in Committee 10/3/94, 1/5, 2/6 and 3/1/95. Held on Pending Agenda 10/12/94.

Above also referred to PUBLIC WORKS AND SEWER COMMITTEE.

APPROVED ON CONSENT AGENDA

12. (L&R23.86) FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING TAX ABATEMENT FOR STAMFORD CHAPTER, AMERICAN RED CROSS, 986 BEDFORD STREET, 2ND FLOOR. Requested by Phyllis Weinstein, Executive Director, American Red Cross, 986 Bedford Street, Stamford, CT 06905, 3/1/95.

APPROVED ON CONSENT AGENDA

LEGISLATIVE & RULES COMMITTEE: (continued)

13. (L&R23.64) FOR PUBLICATION - PROPOSED ORDINANCE AMENDING SECTION 23-18.5 OF THE CODE OF ORDINANCES CONCERNING FEDERAL AND STATE BIDS AND ADDING SECTION 23-17.1 CONCERNING AWARDDING OF CONTRACTS WHICH CONTAIN ALTERNATES.
Submitted by Reps. David Martin, D-19, Maria Nakian, D-20 and Carmen Domonkos, D-18, 11/4/94. Held in Committee 12/5/94. Held on Pending 12/14/94.

APPROVED ON CONSENT AGENDA

PRESIDENT RINALDI thanked Maria Nakian and her Committee for all the their efforts this month; the Committee had to deal with public hearings and controversial items on their Agenda.

PERSONNEL COMMITTEE - John J. Hogan, Jr., Chairman

REP. HOGAN said that the Committee met on Thursday, March 23, 1995. Present were Reps. Philip Stork, Mary Fedeli, Gloria DePina and John Hogan. Testimony was heard from MEA representatives Bill Krynitzky and Karen Sabia relative to the MEA contract. Rep. Hogan said that since there was no quorum, an adjourned meeting was held this evening, April 3, at 6:15 p.m. Present were Reps. Vitti, Conti, Zelinsky, Stork and Hogan; Reps. Fedeli, McDonald and DePina were excused as they were attending other meetings.

1. FOR PUBLICATION - PROPOSED ORDINANCE CONCERNING THE CREATING AND DESIGNATING THE POSITION OF COMPUTER ASSISTED MASS APPRAISAL (CAMA) MANAGER/SPECIAL ASSISTANT TO THE ASSESSOR AS UNCLASSIFIED. Submitted by Mayor Stanley J. Esposito, 11/16/94. Held in Steering 11/16 and 12/14/94. Held in Committee 2/6 and 3/1/95.

HELD IN COMMITTEE

2. THE POSSIBILITY OF CHARGING A FEE TO TAKE EXAMINATIONS. Requested by Reps. Robert DeLuca, R-14, Ralph Loglisci, R-14, John J. Boccuzzi, D-2 and Jeffrey T. Curtis, Sr., D-9, 12/6/94. Held in Steering 12/14/94. Held in Committee 2/6 and 3/1/95.

HELD IN COMMITTEE

3. APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF STAMFORD AND THE STAMFORD MUNICIPAL EMPLOYEES ASSOCIATION COVERING THE PERIOD JULY 1, 1993 TO JUNE 30, 1998. SALARY INCREASES ARE: 1993 -3.25%; 1994 - 3.25%; 1995 - 2.5%; 1996 - 2.5; 1997 - 3.75%. Other changes made in medical insurance, pension contributions, etc. Submitted by C. R. Grebey, Director of Labor Relations, 2/15/95. Board of Finance recommends that contract not be approved, 3/11/95.

Above also referred to LABOR RELATIONS COMMITTEE.

REP. HOGAN said that the Committee voted 5-0 to approve the agreement.
Moved. Seconded.

The Secondary Committee concurred.

PERSONNEL COMMITTEE: (continued)

REP. HOGAN said that Mr. Grebey was present at the meeting this evening and a number of questions were asked of Mr. Grebey which were answered to the satisfaction of the majority members of the Committee.

REP. LOGLISCI said that he was going to vote against the agreement but was convinced by some in caucus to vote for it. He said that MEA has the largest number of members who live in Stamford and are the lowest paid. Rep. Loglisci said that his problem that is consistent in the contracts is where the contribution rates are lowered without lower pensions in order to claim there are savings on the city's side by the city lowering its contribution rates. He said that he did not like playing with the actuarials as someday we can be in trouble if the return rates go down.

PRESIDENT RINALDI called for a vote to approve the agreement between the City and the Municipal Employees Union. APPROVED by voice vote with three no votes, Reps. Maihock, Corelli and Martin and one abstention, Rep. Perillo.

4. APPROVAL OF ARBITRATION AWARD BETWEEN THE STAMFORD BOARD OF EDUCATION AND THE STAMFORD ADMINISTRATIVE UNIT covering the period from July 1, 1995 through June 30, 1998. The four issues were awarded to the Stamford Administrative Unit. Submitted by Allen G. Grafton, Assistant to the Superintendent, Stamford Public Schools, 888 Washington Boulevard, Stamford, CT 06904-2152, 3/13/95. Recorded with Town & City Clerk 3/10/95. Action must be taken no later than 4/3/95. Board of Finance to issue advisory opinion.

Above also referred to LABOR RELATIONS COMMITTEE.

REP. HOGAN said that item 4. failed in Committee by a vote of two in favor, three against with no abstentions. Moved. Seconded.

REP. BOCCUZZI said that the Labor Relations Committee voted two in favor, two opposed and one abstaining.

REP. HOGAN suggested that the vote on this item be taken two ways; in the affirmative and also in the negative.

PRESIDENT RINALDI stated that the item is another arbitration award and this Board is involved in a legal dispute about how the Board votes. She said a vote will be taken both ways so that everybody is satisfied. The first vote will be in the affirmative; if the arbitration award is rejected as a result of that vote, then we will vote the way the state wants us to vote--the motion will be framed to reject and a second vote will be taken. President Rinaldi said that the outcome will be exactly the same and she wanted to cover all bases.

CLERK SUMMERVILLE wanted the record to show that Reps. Leydon and White left the Floor and will not be participating on this item.

REP. LOGLISCI said that the arbitration award coming back shows arrogance by the Labor Committee of the Board of Education. He said that a request was made of them to put a zero year, in with the second and third year at the rate requested. He said that they decided that they would put in for three zeros and the arbitrators voted against that. Rep. Loglisci said that if the award is sent back to arbitration, it has to be sent back with the same terms as the last time.

PERSONNEL COMMITTEE: (continued)

REP. LOGLISCI said that if the award is sent back with three zeros, what is to say that the arbitrators don't decide to give to the administrators more than what was given this time. He said that due to the arrogance of the Board of Education, he will have to vote in favor of the contract.

REP. HOGAN said that he did not think Rep. Loglisci is correct in sending the award back. Rep. Hogan said that the award can be sent back with changes from the Board of Education and he agreed with Rep. Loglisci that the Board of Education was derelict in their responsibilities by sending up the last best choice which was really no choice because it was zero, zero, zero. Rep. Hogan said that the arbitrator's citation says that it was ridiculous to send up a proposal which contained no raise whatsoever. Rep. Hogan stated that the award should be rejected this evening and sent back.

REP. LOGLISCI said that his understanding was that the proposal cannot be changed and when it is sent back, you send it back the same set of rules. He asked if Rep. Hogan had information on that?

REP. HOGAN said that he did not have the statute with him. He said that in the award it says that the figures they are asking for would be based upon whether or not a second arbitration panel is convened and if so, the result thereof. Rep. Hogan said that assuming from that, the Board has the opportunity to make a last best offer again. He said that after that, this Board will not be subject to voting on the arbitration award; the award will take effect immediately.

REP. BOCCUZZI said that he agreed with Reps. Loglisci and Hogan on one part of their statements. He said that he feels this Board was set up by the Board of Education going with three zeros and the city is lucky that the administrators did not go up with a 5, 5, 5 because if they did, they would have received that as no arbitration panel will give zero three years in a row.

Rep. Boccuzzi said that he is bothered mostly by the fact that when he brought this to the attention of Mr. Peyser, representing the Board of Ed, Mr. Peyser told him that he went to the bargaining unit asking them about a zero and the unit would not accept that. Rep. Boccuzzi said that he told Mr. Peyser that you do not go to arbitration if you have an agreement and what the unit said should not have made any difference. Rep. Boccuzzi said that he spoke to the Labor Negotiator and was told that the Board of Education can change their proposal at another arbitration meeting.

REP. HOGAN said that he did not like the position this Board was put in. He said that he read both the briefs and the administrators presented one of the best brief he has ever read and the Board of Education brief left a lot to be desired.

Rep. Hogan quoted one sentence from the summation of the Labor Board, "No matter whose description of Stamford is taken, the majority of the panel finds that a zero increase in either or all of the years in question is not warranted."

REP. LAURIE said that before voting, she wanted more assurance that both sides or either can put in a different proposal. She asked for more clarification on the matter.

PERSONNEL COMMITTEE: (continued)

REP. HOGAN said that there would be no reason for a second arbitration panel if it were not possible to change the terms and conditions of the first arbitration award.

REP. LAURIE said that the last time an award was rejected, a brief was prepared explaining in detail why the city could not afford to pay the award; she asked if that would be a basis for a different arbitration decision? Rep. Laurie said that before she votes to turn it down this evening, she wanted more assurance.

PRESIDENT RINALDI said that the Board has to vote on the award this evening; it cannot be held.

REP. CONTI said that it was nothing short of an insult on the integrity of the Board that the Board of Education made such a weak argument in arbitration and putting in the three zeros was not making an argument. She thought that the Board would have the ability to change the terms and conditions; also, she said that we need to send the award back to arbitration the second time if only to make a statement. Rep. Conti said that the lowest paid administrator is making about \$25,000 more than the highest paid teacher and things have gotten out of control.

A motion was made to Move the question. It was Seconded.

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

REP. HOGAN Moved to vote in the affirmative to uphold the recommendation of the Personnel Committee. Seconded.

PRESIDENT RINALDI said that it was the policy of the Board to frame every motion in the positive. The first vote will be to approve the arbitration award between the Stamford Board of Education and the Stamford Administrative Unit. If in favor, vote yes; if you are opposed, vote no. (21 votes needed to approve)

PRESIDENT RINALDI proceeded to a vote. The motion was not approved by a vote of 14 yes, 15 no, 7 not voting and three absentions.

PRESIDENT RINALDI said to satisfy the members and the state, a vote will be taken to reject. She asked for confirmation on the number of votes needed to reject.

REP. HOGAN said that 21 votes were needed to reject.

REP. BOCCUZZI said that he thought that a two-thirds vote was needed to reject an arbitration award.

REP. HOGAN said that Rep. Boccuzzi was correct, a two-thirds vote is needed to reject an award.

PRESIDENT RINALDI stated that the vote needed is two-thirds of the members present and voting this evening which is 22.

REP. HOGAN said that blanks and extensions are not counted.

PERSONNEL COMMITTEE: (continued)

REP. HOGAN Moved to reject the arbitration award. Seconded.

PRESIDENT RINALDI said that if you want to reject the arbitration award and send it back for a second round, you vote yes. She proceeded to a vote. The vote was 19 yes, 12 no, 6 not voting and two abstentions. The motion to reject has not passed, therefore, no action has been taken and the arbitration award is approved by default.

REP. HOGAN said that if he may disagree with the Chair, in quoting from Robert's Rules of Order, under the basis for a vote, voting results, "Two thirds vote when the term is unqualified" as it was here, "being at least two thirds of the votes casts by persons legally entitled to vote excluding blanks or abstentions at a regular or properly called meeting at which a quorum is present." Rep. Hogan said that the total number of people voting on the issue was 31; two-thirds or 21 votes were needed.

PRESIDENT RINALDI said that there were 19 yes votes, 12 no, 6 not voting and two abstentions. President Rinaldi said that the award was not rejected as there were 19 votes. She asked if Rep. Sherer, the Republican Parliamentarian, agreed?

REP. SHERER said that he agreed.

PRESIDENT RINALDI said that no action was taken because the Board failed to reject, therefore, the arbitration award is approved by default.

PLANNING & ZONING COMMITTEE - Donald Sherer, Chairman - No report.

PUBLIC WORKS & SEWER COMMITTEE - Jeffrey Curtis & Bobby Owens, Co-Chairmen

REP. OWENS said that at the joint meeting with L&R on March 28 to consider the tipping fee, his Committee was out in full force. He thanked all his members for coming. He said that no vote was taken as the subject is very controversial.

HEALTH & PROTECTION COMMITTEE - Ralph Loglisci & Audrey Maihock, Co-Chairs

No report.

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

REP. DeLUCA said that the Committee met on Wednesday, March 22, 1995 at 7:30 p.m. Present were Committee members DeLuca, Pia, Perillo, Martinsen, Fortunato and Laurie; also present was Steve Elkins, Director of Parks and Recreation; John Hudock, Administrator for the Parks and Recreation Department; Commission members Lesando and Springer; Rep. Stork and Assistant Corporation Counsel Boodman.

PARKS & RECREATION COMMITTEE: (continued)

1. PROPOSED RESOLUTION AMENDING PARKS AND RECREATION DEPARTMENT REGULATIONS (PURSUANT TO SECTION 15-1 OF THE CODE OF ORDINANCES) CONCERNING THE ESTABLISHMENT OF A POLICY AND PERMIT TO ALLOW USE OF KEG BEER IN THE PARKS. Parks and Recreation Commission approved 3/1/95. Submitted by Stephen L. Elkins, Director, Parks and Recreation, 3/2/95.

REP. DeLUCA said that the Committee voted six in favor with none opposed to reject the regulation as submitted. Rep. DeLuca Moved for approval of the regulation. Seconded.

PRESIDENT RINALDI called for a vote to approve the Parks and Recreation regulation concerning permits for keg beer. DEFEATED by voice vote.

2. STATUS OF THE RFP FOR THE DEVELOPMENT OF ROSA HARTMAN PARK. Requested by Robert DeLuca and Thomas Pia, Co-Chairmen, Parks and Recreation Committee, 9/2/95. Held in Committee 10/3, 11/1/94 and 2/6/95. Held on Pending Agenda 11/16/94 and 2/15/95.

REP. DeLUCA said the item should be taken off the Agenda as the Parks and Recreation Department is in the process of issuing an RFP to hire a consultant to come up with a master plan for all parks.

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

No report.

URBAN RENEWAL COMMITTEE - Maria Nakian, Chairwoman - No report.

HOUSING & COMMUNITY DEVELOPMENT COMMITTEE - Elaine Mitchell, Chairwoman

REP. MITCHELL said that a report was given to all members. The report is attached to these Minutes.

1. REPORT ON PUBLIC HEARING HELD JANUARY 17, 1995 FOR SCDP YEAR 21 PLAN. Submitted by Mayor Stanley J. Esposito, 9/12/94. Held in Committee 10/3, 11/1, 12/5/94, 1/5, 2/6 and 3/1/95.

REPORT MADE

2. STATUS REVIEW WITH SUB-GRANTEES FUNDED BY THE COMMUNITY DEVELOPMENT PROGRAM. Submitted by Elaine Mitchell, Chairwoman, Housing & Community Development Committee, 10/12/94. Held in Committee 11/1, 12/5/94, 1/5, 2/6 and 3/1/95.

REPORT MADE

ENVIRONMENTAL PROTECTION COMMITTEE - Kit Martinsen, Chairwoman - No report.

TRANSPORTATION COMMITTEE - Marggie Laurie, Chairwoman - No report.

SPECIAL COMMITTEES

HOUSE COMMITTEE - Gerald Rybnick, Chairman - No report.

LABOR RELATIONS COMMITTEE - Nicholas Pavia & John J. Boccuzzi, Chairmen

No report.

ECONOMIC DEVELOPMENT COMMITTEE - Nicholas Pavia, Chairman

No report.

PUBLIC SAFETY COMMITTEE - Ralph Loglisci & John J. Boccuzzi, Co-Chairmen

No report.

REVALUATION COMMITTEE - John J. Hogan, Jr., Chairman

REP. HOGAN said that the Committee met on March 23, 1995. Present were Reps. Loglisci, Pia and Hogan; Rep. Martin was excused. The item was Held.

1. MATTER OF HAVING REVALUATION CONDUCTED EVERY TWO OR THREE YEARS. Submitted by Reps. John R. Zelinsky, Jr., D-11, Maria Nakian, D-20 and David Martin, D-19, 11/24/93. Held in Steering 12/13 & 12/15/93. Held in Committee 2/1, 3/7, 4/4, 5/2/94, 2/6 and 3/1/95. Held on Pending Agenda 5/18/94 and 11/16/94.

HELD IN COMMITTEE

CHARTER REVISION COMMITTEE - Donald Sherer & David Martin, Co-Chairmen

REP. MARTIN said that the report will be submitted this Friday, April 7, and the Committee will hold its first meeting on April 10, 7:30 p.m.

1. CURRENT STATUS OF THE 15TH CHARTER REVISION COMMISSION'S PROGRESS. Requested by David Martin, Co-Chair, Charter Revision Committee, 2/15/95. Held in Committee 3/1/95.

HELD IN COMMITTEE

RESOLUTIONS

A motion was made to Suspend the Rules to take up four resolution. Seconded.

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

A motion was made to approve the four resolutions. Seconded.

1. SENSE-OF-THE-BOARD RESOLUTION HONORING NORMAN LOTSTEIN FOR HIS DEDICATION TO THE STAMFORD DOWNTOWN SPECIAL SERVICES DISTRICT. Submitted by Reps. Mary Lou Rinaldi, D-5 and Annie M. Summerville, D-6, 4/3/95.
2. SENSE-OF-THE-BOARD RESOLUTION CONGRATULATING THE ANNUNCIATION GREEK ORTHODOX CHURCH IN STAMFORD, CONNECTICUT ON THE OCCASION OF THEIR 90TH ANNIVERSARY. Submitted by Rep. John R. Zelinsky, Jr., D-11, 4/3/95.
3. SENSE-OF-THE-BOARD RESOLUTION HONORING DEPUTY CHIEF JOHN F. MORIARTY ON HIS RETIREMENT AFTER 50 YEARS WITH THE STAMFORD POLICE DEPARTMENT. Submitted by the 23rd Board of Representatives, 4/3/95.
4. SENSE-OF-THE-BOARD RESOLUTION CONGRATULATING FATHER SHERMAN W. GRAY JR., PASTOR OF THE HOLY NAME OF JESUS CHURCH ON THE OCCASION OF HIS 25TH ANNIVERSARY OF HIS ORDINATION TO THE HOLY PRIESTHOOD. Submitted by Reps. John R. Zelinsky, Jr., D-11 and Andrew McDonald, D-4, 4/3/95.

PRESIDENT RINALDI called for a vote to approve the four resolutions. APPROVED by voice vote with no dissenting votes.

MINUTES

1. JANUARY 5, 1995 REGULAR BOARD MEETING - Approved.
2. FEBRUARY 6, 1995 REGULAR BOARD MEETING - Approved.
3. MARCH 1, 1995 REGULAR BOARD MEETING - Not ready.

COMMUNICATIONS - Rep. Ronald Sabia thanked the members for their many cards, good wishes and prayers received by his wife, Louise, during her recent illness.

OLD BUSINESS - None.

NEW BUSINESS - A resolution was approved to change the date of the Budget meeting from May 2 to May 8 to give the Fiscal Committee enough time to consider the budget. The date of the Steering Committee meeting was changed from May 17 to Monday, May 15, 1995.

ADJOURNMENT - Upon a motion duly made and Seconded and Approved by voice vote, the meeting was adjourned at 12:37 a.m.



Anne A. Kachaluba, Administrative Assistant
and Recording Secretary
23rd Board of Representatives

APPROVED:



Mary Lou T. Rinaldi, President
23rd Board of Representatives
MTR:ak
Enclosures