MINUTES OF REGULAR BOARD MEETING

MONDAY, AUGUST 5, 1996

24TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT,

The regular meeting of the 24th Board of Representatives of the City of Stamford was held on Monday, August 5, 1996 at 8:00 p.m. in the Legislative Chamber of the Board of Representatives in the Government Center, 888 Washington Boulevard, Stamford, Connecticut.

The meeting was called to order at 8:15 p.m. by President Carmen Domonkos after both parties met in caucus.

INVOCATION was given by Rep. Nicholas Pavia (R-10). Attached hereto and made a part hereof is the transcript of Rep. Pavia's invocation.

President Domonkos commented that tonight is the last evening that Rep. Pavia will be serving on the Board. A reception was held the other night wishing him well, and Rep. Pavia was named honorary chaplain for the Board.

PLEDGE OF ALLEGIANCE TO THE FLAG was led by President Carmen Domonkos

ROLL CALL was taken by Clerk of the Board Annie M. Summerville. There were thirty-three members present; seven (7) members were absent and excused: Reps. Curtis, Esposito, Gaztambide, Mellis, Mitchell, Ponzini and Sherer.

The Chair declared a quorum.

MACHINE TEST VOTE was taken by President Carmen Domonkos. The machine was in good working order.

MOMENTS OF SILENCE for the late:

Joseph C. Vaccaro, requested by Reps. Domonkos, Drucker and Sabia Rita Soinas, requested by Rep. Drucker
Jennie. Passaro, requested by Rep. Sabia
Lucy S Giuliani, requested by Reps. Loglisci, Pavia and Sabia
Frank J. Memoli, requested by Reps. Loglisci, Pavia and Sabia
Max Walt, requested by Reps. Domonkos, Loglisci, Pavia and Sabia
David McKeithen, Sr., requested by Reps. DePina, Domonkos, Loglisci, Mitchell and Summerville

Frank Ursone, requested by Reps. Loglisci and Sabia
Peter DeFormato, requested by Reps. Pavia, Summerville and Zelinksy
Joseph Mocarski, Sr., requested by Rep. Zelinsky
Louis Marie Abbazia, requested by Reps. Sabia and Zelinsky
Joseph Durkin, requested by Rep. Pavia
James Rich, requested by Rep. Gergle.

STANDING COMMITTEES

STEERING COMMITTEE: Chairwoman Carmen Domonkos

Rep. Domonkos: A motion to waive the reading of the Steering Committee report was made, seconded and approved by unanimous voice vote.

Rep. Domonkos: The Steering Committee met on Wednesday, July 17, 1996 at 7:00 p.m. in the Democratic Caucus Room of the Government Center. The meeting was called to order at 7:10 p.m. The following Representatives were in attendance:

John Boccuzzi
Lucy Corelli
Jeffrey Curtis
Robert DeLuca
Carmen Domonkos, Chair

Paul Esposito

Alice Fortunato
Joseph Gergle

John Leydon
Ralph Loglisci
Ellen Mellis
Maria Nakian
Bobby Owens
Donald Sherer
Randall Skigen
Annie Summerville

APPOINTMENTS COMMITTEE: Annie M. Summerville, Chairwoman

Rep. Summerville: The Appointments Committee met on Tuesday, July 30, 1996 at 7:00 p.m. in the Democratic Caucus Room of the Government Center. Present were Reps. Summerville, Alswanger, Boccuzzi, Curtis, DePina, Fortunato, Gergle and Sabia. Excused were Reps. Corelli and Mellis. Absent was Rep. Pia.

1. <u>Urban Renewal Commission</u>:

RETURNED TO COMMITTEE

Mr. Neal M. Jewell (R) 355 Thornridge Drive Replacing R. Rimmer

(Term Expired)

Term Expires: 12/1/98

06/13/96 - Requested by Mayor Dannel P. Malloy

07/01/96 - Held in Committee

07/30/96 - Committee voted 3-1-4

Rep. Loglisci moved that the Committee hold Mr. Jewell's appointment until next month.

Rep. Corelli questioned whether the ninety-day rule would affect this motion. Mr. Jewell's nomination was sent to the Board on June 13, 1996, so September 13 would be the day that he would automatically be appointed.

2. Water Pollution Commission:

Celeste Johnson (R)

Replacing J. Rinaldi

APPROVED ON

59 Mill Stream Road

(Term Expired)

CONSENT AGENDA

Term Expires: 12/1/97

06/13/96 - Requested by Mayor Dannel P. Malloy

07/01/96 - Held in Committee

FOR DISCUSSION: Referral of appointments for vacant elected positions to the Appointment Committee for review.
 07/12/96 - Requested by Randy Skigen (D-19)

NO REPORT/

HELD IN

COMMITTEE

07/30/96 - Held in Committee

FISCAL COMMITTEE: David Martin, Chairman

Rep. Martin reported the Fiscal Committee met on Monday, July 22, 1996. Present were Reps. Abazzia, Drucker, Loglisci, Martin, Nanos, Owens, Sherer and Weiner. The Administrative Subcommittee of the Fiscal Committee met on Wednesday, July 31, 1996. Present were Reps. Abazzia, DeLuca, Martin and Weiner.

1. \$160,000.00

(F24.103) ADDITIONAL APPROPRIATION. Smith House Septic System Repairs; Dept. No. 520-Capital Project No. 374. To repair and modify the facility's septic system.

APPROVED ON CONSENT AGENDA

06/21/96 - Submitted by Mayor Dannel P. Malloy 06/20/96 - Board of Finance - Emergency Approval

06/20/96 - Approved by Board of Finance 06/20/96 - Approved by Planning Board ,

07/22/96 - Committee voted 7-0-1

Secondary Committee: Public Works

Committee report

 F24.111 RESOLUTION authorizing the Mayor to enter into state agreements for 55% funding assistance regarding development of the facility plan for the sewage treatment plant. 06/21/96 - Submitted by Mayor Dannel P. Malloy 07/22/96 - Committee approved 8-0-0 APPROVED ON CONSENT AGENDA

3. \$ 133,396.67

(F24.112) ADDITIONAL APPROPRIATION. Local Law Enforcement Grant; Dept. 411.1201-Overtime. Grant provides additional man hours of patrol; there is a City match of 10%. 06/28/96 - Submitted by Mayor Dannel P. Malloy 07/11/96 - Board of Finance Approved \$13,339.67 ITEM WITHDRAWN

Rep. Martin reported the Committee originally approved this item 8-0-0. There was considerable discussion in Committe as to why the Police Department could not find \$13,339.67 in the current budget. Thereafter, Mr. Byrne indicated the Police Department could fund this from existing moneys and thus the request was withdrawn.

Secondary Committee: Public Safety & Health Committee report waived

4. (F24.114) Report on Quarterly Capital Project Report

REPORT MADE

Rep. Martin reported the Mayor sent down the Quarterly Capital Project Report. The Administrative Subcommittee met with Directors Hamilton and Broom regarding this report, which is required by ordinance passed five years ago. This is only the second time this report has been sent down. The purpose of this report is to keep the Board and the public informed as to the status of capital projects and to ensure proper management of the projects on an on-going basis. The Mayor plans on keeping current with this report.

The Mayor recommended closing out a number of items, and this information was forwarded to all board members. This board has sixty days to object to the closing of any of the items. The Fiscal Committee makes no recommendations as to objecting to any of the items and takes no action at this time.

5. \$2,482,728.00

(F24-115) ADDITIONAL APPROPRIATION.

HELD IN COMMITTEE

Police Extra Duty. Dept. 425-Various.

06/28/96 - Submitted by Mayor Dannel P. Malloy

07/11/96 - Approved by Board of Finance

07/22/96 - Held in Committee

Secondary Committee: Public Safety and Health

6. (F24.116)

RESOLUTION authorizing the Mayor to enter into a contract with the State Department of Public Health to conduct the 1996/1997 Women's, Infants' and Children's (WIC) Nutrition Program.

07/11/96 - Submitted by Mayor Dannel P. Malloy

APPROVED ON CONSENT AGENDA

07/22/96 - Committee approved 8-0-0

7. \$385,297.00

(F24.117) ADDITIONAL APPROPRIATION.

APPROVED BY VOICE VOTE

Police Extra Duty. Dept. 425. Various.

07/12/96 - Submitted by Mayor Dannel P. Malloy

07/11/96 - Approved by Board of Finance 07/22/96 - Committee approved 7-1-0

Rep. Martin reported that this relates to the off-duty work of police officers. The City collects the fees and pays the police officers, making appropriate payroll adjustments. This amount is due the police officers, and for the most part, this money has already been collected in the prior year.

Secondary Committee: Public Safety and Health Committee voted 3-3

8. \$46,800.00

(F24.118) SUPPLEMENTAL AGREEMENT for engineering services for Cold Spring Road and Long TAKEN
Ridge Road intersection improvements between Allan
Davis Associates and the City of Stamford.
07/11/96 - Approved by Board of Finance
07/22/96 - No action taken as no board approval required

Rep. Martin also reported that the Administrative Subcommittee met with Director of Administration Thomas Hamilton to discuss implementation of the new accounting system and was assured that it will be operational around October 1, 1996. Further, the matter of reserve estimates for tax appeals was discussed, however it was held in executive session.

LEGISLATIVE & RULES COMMITTEE - Maria Nakian, Chairwoman

Ms. Nakian reported that the Legislative & Rules Committee met on Monday, July 29, 1996 at 7:00 p.m. in the Democratic Caucus Room. Present were Reps. Nakian, Fox, Lasco, Sherer, Skigen, Ventura and Zelinsky. Reps. Esposito, Fedeli and Sabia were excused. Also present were Reps. Boccuzzi, DeLuca, Domonkos, Gergle and Giordano. Public hearings were held on Item Nos. 1 and 2. No one from the public attended on Item No. 2. On Item No. 1 there were approximately 12-15 residents of High Line Trail. In addition, Phyllis Erlandson, Sanitarian, Stamford Health Department; E. Gaynor Brennan, Esq.; Thomas Cassone, Esq.; Patricia Broom; Jeanette Semon; and Mani Poola, Traffic Engineer were in attendance.

 (LR24.19) FOR FINAL ADOPTION - Proposed Ordinance Concerning the Extension of Water Mains and Designating the Water Pollution Control Commission as the Water Commission. 02/08/96 - Submitted by Reps. Ellen Mellis (D-13), Robert DeLuca

(R-14), Paul Ventura (R-13), and Maria Nakian (D-20)

03/04/96 - Held in Committee

04/02/96 - Held in Committee

05/01/96 - Held in Committee

06/03/96 - Held in Committee

07/01/96 - Approved for Publication

07/29/96 - Committee approved 7-0-0

APPROVED BY VOICE VOTE

AMENDMENT NO. 1 APPROVED BY VOICE VOTE

AMENDMENT NO. 2 APPROVED BY VOICE VOTE

Rep. Nakian reported that 12-15 residents of High Line Trail attended the public hearing, and it appeared the residents are approximately evenly divided between those in favor and those opposed to the ordinance. All board members have received a letter from those residents in opposition to this ordinance stating they feel it is unfair to assess every property owner for the cost of the water main if they don't need it. However, this ordinance was written according to state law, which requires all property owners be assessed the cost. Two amendments to the ordinance were proposed to address concerns of the residents. The two amendments were forwarded to all board members.

The first amendment, in Section C, Page 2, reads: "in conformance with all applicable regulations of the Stamford Health Department and the Public Health Code concerning public and private water supply." The Committee approved this amendment 7-0-0.

The second amendment is on Page 3, under Section 4, and provides for notification of the individual property owners abutting the water main. The Committee approved this amendment 7-0-0.

 (LR24.46) FOR FINAL ADOPTION - Proposed Ordinance Concerning the Sale of Riverbank School to the Mead School for Human Development. APPROVED BY VOICE VOTE

06/26/96 - Submitted by Mayor Dannel P. Malloy

06/20/96 - Approved by Board of Finance

06/20/96 - Approved by Planning Board

07/01/96 - Approved for Publication

07/29/96 - Committee voted 6-0-1

Rep. Martin stated that he was very much in support of the sale of the property to Mead School. However, Mead School has made representations that it would limit the number of students, and the Law Department will not include those representations in the contract. Rep. Martin stated that because of this, he will be voting against this ordinance.

Ms. Nakian pointed out that this was discussed in Committee. The Committee felt that the ZBA is the proper vehicle for placing special exemptions upon a use, and that the contract is not the only means of placing limitations on the school.

Rep. Martin stated that the City has been experiencing creeping zoning exceptionism. By not including these restrictions in the contract, going through the ZBA, for example, will allow for changes at a later date. If the Board is truly intent on limiting enrollment, such limitation should be put in a permanent form.

 (LR24.49) RESOLUTION authorizing the City of Stamford to approve the Assignment of Lease from Q Broadcasting, Inc. to Commodore Media of Norwalk, Inc., regarding the Radio Tower at Magee Ave. APPROVED ON CONSENT AGENDA

06/21/96 - Submitted by Mayor Dannel P. Malloy

07/02/96 - Approved by Planning Board

07/11/96 - Approved by Board of Finance

07/29/96 - Committee Approved 7-0-0

 (LR24.51) RESOLUTION authorizing transfer of properties between the State of Connecticut and the City of Stamford to complete the Long Ridge Road Widening Project. APPROVED ON CONSENT AGENDA

06/26/96 - Submitted by Mayor Dannel P. Malloy

07/02/96 - Approved by Planning Board

07/22/96 - Committee Approved 7-0-0

(LR24.52) SUPPLEMENTAL AGREEMENT (change order/no 5. additional moneys) for additional design services required by the State of Connecticut, Department of Transportation regarding the Grove Street AGENDA Widening Project.

APPROVED ON CONSENT

06/27/96 - Submitted by Mayor Dannel P. Malloy

07/11/96 - Board of Finance Approved

07/29/96 - Committee approved 7-0-0

Rep. Drucker abstained from voting on this item.

(LR24.53) FOR APPROVAL - Purchase of 43 Adams Avenue for 6. the Hart School Expansion Project in the amount of \$214,000. 07/17/96 - Requested by Mayor Dannel P. Malloy

APPROVED ON CONSENT AGENDA

07/23/96 - Approved by Board of Finance 07/23/96 - Approved by Planning Board 07/29/96 - Committee approved 7-0-0

7. (LR24.54) FOR APPROVAL - Purchase of 37-39 Adams Avenue for the Hart School Expansion Project in the amount of \$231,500. 07/17/96 - Requested by Mayor Dannel P. Malloy

APPROVED ON CONSENT **AGENDA**

07/23/96 - Approved by Board of Finance 07/23/96 - Approved by Planning Board

8.

07/29/96 - Committee approved 7-0-0 (LR24.50) FOR PUBLICATION - Proposed Ordinance concerning

HELD IN COMMITTEE

the establishment of a Water Pollution Control Authority. 07/15/96 - Requested by Mayor Dannel P. Malloy 07/29/96 - Held in Committee

Rep. Nakian reported that the Legislative and Rules Committee discussed this matter in detail with city officials at the July 29, 1996 meeting. This matter has great ramifications for the City of Stamford. This is a complex ordinance, it is something that has never been done before, and there are many questions regarding it. For these reasons, a committeeof-the-whole meeting will be held immediately following the Steering Committee. City officials will be available to answer questions. Further, a brief outline of the contents of the ordinance has been disseminated to board members.

PERSONNEL COMMITTEE - Randall Skigen, Chairman

Rep. Skigen reported that the Personnel Committee did not meet in July.

NO REPORT

1. (P24.102) REPORT - Policies and Practices Used by the Stamford Police Department in Determining the Criteria for the Physical Fitness Portion of the Police Exam. 06/05/96 - Submitted by Rep. Alice Fortunato (D-17) 07/01/96 - Held in Committee

PLANNING & ZONING/ENVIRONMENTAL/-Paul A. Esposito, and NO REPORT ECONOMIC DEVELOPMENT COMMITTEE Donald B. Sherer, Co-Chairs

PUBLIC WORKS COMMITTEE - Bobby E. Owens and Lucy F. Corelli, Co-Chairs NO REPORT

PUBLIC SAFETY & HEALTH COMMITTEE - Jeffrey T. Curtis, Chair

Rep. Gergle reported that the Public Safety & Health Committee met on July 24, 1996 at 7:00 p.m. in the Democratic Caucus Room. Present were Reps. Curtis, Drucker, Gergle, Pia and Romaniello. In addition, the Committee met on August 5, 1996 in Conference Room 1. Present were Reps. Corelli, Drucker, Gergle, Martin, Pia and Romaniello.

1. (PS24.03) FOR PUBLICATION - Proposed Ordinance for Uniform HELD IN House and Building Numbering System for Public Safety. All numbers COMMITTEE should be visible.

02/09/96 - Submitted by Reps. Jeffrey T. Curtis, Sr. (D-9),

Carmen Domonkos (D-18) and Ellen Mellis (D-13)

03/04/96 - Held in Committee

04/02/96 - Held in Committee

05/01/96 - Held in Committee

06/03/96 - Held in Committee

07/01/96 - Held in Committee

08/05/96 - Held in Committee

2. (PS24.08) FOR FINAL ADOPTION - Proposed Ordinances regarding APPROVED BY Health Department Microwave, Hearing Notification List Fees and any other remaining fee changes.

VOICE VOTE

02/07/96 - Requested by Mayor Dannel P. Malloy

03/04/96 - Held in Committee

04/02/96 - Held in Committee

05/01/96 - Held in Committee

06/03/96 - Held in Committee

07/01/96 - Held in Committee

07/24/96 - Committee approved 4-1-0

 (PS24.09) RESOLUTION regarding Health Department Microwave, Hearing Notification List Fees and any other remaining fee changes.

02/07/96 - Requested by Mayor Dannel P. Malloy

03/04/96 - Held in Committee

04/02/96 - Held in Committee

05/01/96 - Held in Committee

06/03/96 - Held in Committee

07/01/96 - Held in Committee

07/24/96 - Committee approved 5-0-0

APPROVED ON CONSENT AGENDA

PARKS & RECREATION COMMITTEE - Herman Alswanger and Mary L. Fedeli, Co-Chairs

NO REPORT

EDUCATION COMMITTEE - John F. Leydon, Jr., Chairman

Rep. Leydon reported that the Committee met on July 22, 1996 at 7:00 p.m. In attendance were Reps. Drucker, Giordano, Loglisci, Romaniello and Ventura. Reps. Alswanger, Johnson and Mitchell were excused. On behalf of the Board of Education, Linda Hautala, the Assistant Superintendent and Judith Singer, the Director of Research and Development, were in attendance and gave a presentation on Item No. 1.

 (E24.101) APPROVAL of Agreement between the City of Stamford and Perkins Eastman Architects, P.C. for professional services to prepare the Stamford Public Schools Facilities Master Plan 06/19/96 - Submitted by Mayor Dannel P. Malloy 07/22/96 - Committee voted 4-2-0 APPROVED BY MACHINE VOTE 24 YES 9 NO

Rep. Loglisci stated that he voted no on this item because he had previously been told this item was being held so that the Board of Education could include elementary schools in the study and that he believed planning for elementary schools had already been done. Further, because the Board of Education has one facilities person and is contemplating hiring a second, he believes that this function should be performed by these employees. Also, the Board of Education has previously advised the Board of Representatives of increased enrollment issues and planning for same. Thus, Rep. Loglisci questions the value of the study.

Rep. Leydon stated that the school system has been regularly criticized for not being prepared and that this study is an attempt to be prepared when increased enrollment occurs. Outside consultants have an expertise in this area. Regarding the elementary schools, planning for three schools has occurred, but this is only one aspect of the study. This study looks at unused facilities, the quality of existing facilities, will address the middle and high schools and is much more broad than any previous studies.

Rep. Boccuzzi stated that funds were not being appropriated at this time.

Rep. Martin stated that there was a letter from the consultant stating that the consultant would also look at the appropriate size of classrooms and facilities in order to provide educational excellence.

URBAN RENEWAL COMMITTEE - Alice Fortunato, Chairwoman

 UPDATE on the Progress of the Urban Renewal Commission 06/05/96 - Requested by Rep. Alice Fortunato (D-17) REPORT MADE

President Domonkos stated that she was expanding the Urban Renewal Committee for one item only, on a temporary basis -- that is, to review and offer comments on the Blocks 8 and 9 development contract. For that specific only, the Committee will include Reps. Boccuzzi, Corelli, Gaztambide, Gergle, Nanos, Owens and Romaniello. Further, there will be a presentation by Corcoran-Jennison to the full board some time in August, and Rep. Fortunato will inform the members of the date.

Rep. Fortunato indicated there was a project description provided to each representative and read the attached committee report, which is made a part hereof.

HOUSING/COMMUNITY DEVELOPMENT/
SOCIAL SERVICES COMMITTEE - Ellen Mellis, Chair

NO REPORT

TRANSPORTATION COMMITTEE - Robert DeLuca, Chairman

Rep. DeLuca reported that the Transportation Committee met on August 1, 1996 at 7:00 p.m. in the Democratic Caucus Room. Present were Reps. DeLuca, Gergle, Giordano and Nanos. Also present were Reps. MacInnis and Skigen.

T24.101 FOR FINAL ADOPTION - Proposed Ordinance
 Amending Ordinance No. 532 Supplemental Concerning Parking
 Permit Program. Change applies to Sec. 20-31-14 Penalty Provisions.
 05/06/96 - Submitted by Reps. Robert DeLuca (R-14) and Ralph Loglisci (R-14)

APPROVED ON CONSENT AGENDA

07/01/96 - Approved for Publication 08/01/96 - Committee voted 4-0-0

 FOR DISCUSSION - Feasibility of providing shuttle bus service between Bell Street Garage and Transportation Center for commuters. 07/12/96 - Requested by Randy Skigen (D-19) 08/01/96 - Held in Committee HELD IN COMMITTEE

HOUSE COMMITTEE - Annie M. Summerville, Chairwoman

NO REPORT

LABOR CONTRACT COMMITTEE - Randall Skigen, Chairman

REPORT MADE

Rep. Skigen reported that the Labor Contract Committee met on July 30, 1996 at 7:00 p.m. in the Democratic Caucus Room. Present were Reps. Curtis, DeLuca, Loglisci, MacInnis and Skigen. Excused were Reps. Fedeli and Mitchell. A report has been provided to all members. All board members are encouraged to attend the Committee's next meeting on August 20, 1996 at 7:00 p.m.

RESOLUTIONS

There were no resolutions.

MINUTES

June 3, 1996 Regular Board Meeting

APPROVED with corrections

2. July 1, 1996 Regular Board Meeting

APPROVED with corrections

COMMUNICATIONS

Rep. Domonkos reported that there will be a Connecticut Conference of Municipalities state convention on October 17, 1996.

Rep. Domonkos reported that there will be a Connecticut Conference of Municipalities state convention on October 17, 1996.

OLD BUSINESS

There was no old business.

Rep. Loglisci stated that he objected to the City's purchase of the last of the four homes, which will be dismantled, on Adams Avenue in that land was previously purchased for the expansion, the expansion would result in a limited increase in space and the existing homes were comprised of low-cost homes and provided low-cost rents. He further stated that he believed the neighborhood would be destroyed, that there were ten families who would have attended Hart School and that it was a "divide and conquer" tactic that scared these people into selling their homes.

Pres. Domonkos requested that in the future Rep. Loglisci refrain from bringing up agenda items at the end of the meeting and further stated that he should have removed this item from the consent agenda at the appropriate time if he wished to discuss it.

NEW BUSINESS

Rep. Pavia thanked everyone who attended his affair and expressed his satisfaction at having served the tenth district for eleven and a half years.

Rep. Pia stated the Female (age 13-05) Babe Ruth team won the regional championship.

ADJOURNMENT - A motion to adjourn was made, seconded and unanimously approved by voice vote at 9:48 p.m.

INVOCATION

"Let's bow our heads in prayer. ,

Before I begin, I would like you to, with me, keep in memory a young life that was, to this day twelve years ago today, August 5, 1984, Nate Young, Jr. was killed off the highway. He would have been a great leader for Stamford, and he was a good friend. So, I hope you keep him in mind.

Dear Lord, bless us one and all tonight. Bless this Board of Representatives and all who served in the past. Help us do what is right for all of the people we serve. God, your love is never changing. You are every day the same. You love us now and always will. O glory to your name. Guide our minds and hearts. Help us always to put you first in everything we say and do. We thank and praise you, O Lord. We ask that you send your spirit upon us and remind us in the words of the Psalm 27:

The Lord is our life's refuge. Of whom should we be afraid? He will hide us in his abode in the day of trouble. He will console us in the shelter of his tent. He will set us high upon a rock. God bless you all and thank you. Amen."