

# **MINUTES OF REGULAR BOARD MEETING**

**WEDNESDAY, NOVEMBER 6, 1996**

**24TH BOARD OF REPRESENTATIVES**

**STAMFORD, CONNECTICUT**

The regular meeting of the 24th Board of Representatives of the City of Stamford was held on Wednesday, November 6, 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 9:50 p.m. by President Carmen Domonkos after both parties met in caucus.

**INVOCATION** was given by Rep. Sherer.

**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-six (36) members present; with three (3) members, Reps. Gaztambide, Mitchell and Fortunato excused. Rep. Johnson was in attendance, but was excused prior to the start of the meeting.

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

Eugenia Baldassare, submitted by Rep. Sabia  
Louise Calderone, submitted by Rep. Boccuzzi

Peter Carlucci, submitted by Rep. Sabia  
Harry Faugno, submitted by Rep. Loglisci  
Phillip Freedblander, submitted by Rep. Ventura  
Michael J. Interlandi, submitted by Rep. Loglisci  
Lillian Kocot, submitted by Rep. Sabia  
Julia Konopka, submitted by Rep. Sabia  
Adelaide LaBella, submitted by the 24<sup>th</sup> Board of Representatives  
Thomas M. Liptar, submitted by Rep. Mellis  
Stephen J. Raiteri, submitted by Rep. Ventura  
Waymond Robinson, submitted by Rep. Summerville  
Philip Terrentino, submitted by Reps. Gergle and Zelinsky, and  
The Reverend Richard Toner, submitted by Rep. Gergle.

## **STANDING COMMITTEES**

### **STEERING COMMITTEE:** Chairwoman Carmen Domonkos

Rep. Boccuzzi requested a motion to waive the reading of the Steering Committee report.  
Said motion was seconded and approved by unanimous voice vote.

The Steering Committee met on Wednesday, October 16, 1996 at 7:00 P.M. in the Democratic Caucus Room of the Government Center. The meeting was called to order at 7:00 P.M. The following Representatives were in attendance:

John Boccuzzi  
Lucy Corelli  
Jeffrey Curtis  
Robert DeLuca  
Carmen Domonkos, Chair  
Mary Fedeli  
Alice Fortunato  
John Leydon

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

### **APPOINTMENTS COMMITTEE:** Annie M. Summerville, Chairwoman

Rep. Summerville stated that because there were no appointments submitted, no meeting was held.

**FISCAL COMMITTEE:** David Martin, Chairman

Rep. Martin reported that the Fiscal Committee met on Monday, October 21, 1996 at 7:00 p.m. Present were Committee Reps. Martin Abbazia, DeLuca, Drucker, Loglisci, Mellis, Nanos, Owens, Ponzini, and Sherer. A second meeting was held on Wednesday, November 6, 1996 at 6:16 p.m. to consider one item, the Stark School renovation. Present were Committee Reps. Abbazia, DeLuca, Drucker, Loglisci, Martin, Mellis, Nanos, Ponzini, Sherer and Weiner.

Rep. Martin noted that all capital projects agenda items are being funded with the authorization to issue bonds and not by capital close-outs as is reported on the agenda. This was confirmed by the Director of Administration, Mr. Hamilton. Exhibit A, a copy of which has been provided to everyone, should be attached to all of the capital appropriations approved this evening, with the exception of number 7. Thus, the Board is not just authorizing the project but is also authorizing the bonding for all of these projects.

- |            |  |   |
|------------|--|---|
| 1. F24.127 | RESOLUTION; authorizing an agreement with the State Health Department regarding a Childhood Immunization Program.<br>09/20/96 - Submitted by Mayor Dannel P. Malloy<br>10/21/96 - Committee voted 8-0-0  | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 2. F24.128 | RESOLUTION; authorizing the Mayor to enter into agreements with the State of CT for funding assistance regarding the operation of the Stamford Day Care Program.<br>09/25/96 - Submitted by Mayor Dannel P. Malloy<br>10/21/96 - Committee voted 8-0-0 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 3. F24.141 | RESOLUTION; authorizing a contract with the Connecticut Department of Environmental Protection for a Hazardous Materials Planning Grant.<br>10/09/96 - Submitted by Mayor Dannel P. Malloy<br>10/21/96 - Committee voted 10-0-0                        | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 4. F24.140 | RESOLUTION; authorizing the Mayor to file an application with the Federal Transit Transportation for an Urbanized Area Formula Grant (Dial-a-Ride).<br>10/08/96 - Submitted by Mayor Dannel P. Malloy<br>10/21/96 - Committee voted 8-0-0              | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |

5. F24.142

RESOLUTION; authorizing application under the Social Services Block Grant for a program of counseling services to the elderly.

10/11/96 - Submitted by Mayor Dannel P. Malloy

10/21/96 - Committee voted 8-0-0

**APPROVED  
ON CONSENT  
AGENDA**

6. F24.137

~~\$805,750.00~~

\$286,000.00

C-T-A-97-45

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 810, Project No. 169; Stark School Renovation;  
expansion and renovation project at Stark Elementary  
School with sprinkler installation for code compliance;  
funding source: bonding. Approval of Exhibit A.

10/04/96 - Submitted by Mayor Dannel P. Malloy

10/08/96 - Approved by Planning Board

10/15/96 - \$286,000.00 Approved by Board of Finance

11/06/96 - Committee voted 6-3-0

**APPROVED  
BY VOICE  
VOTE**  
(Rep. Drucker  
abstained)

*Secondary Committee: Education*

**Committee  
Concurred**

Rep. Martin reported that the Committee met on Item No. 6 (F24.137) on November 6, 1996. The requested amount of \$805,750.00, was reduced by the Board of Finance to \$286,000.00, the amount the Fiscal Committee approved. This item is a change order reflecting the need for cabling and electrical work to accommodate computers and other modern technology equipment that was not anticipated when the plans were drawn up. A motion to move this item was made and seconded.

Rep. Loglisci had requested this item be taken off the Consent Agenda, stating he was surprised he had attended the meeting and believed there was a lot of confusion and unacceptable answers from the Board of Education. Rep. Loglisci stated he asked whether there were bathrooms in the new section, and no one knew the answer to this question. Rep. Loglisci felt Rep. Martin asked a lot of questions -- from whether other methods were looked at, whether there were cheaper ways of doing this -- and no one from the Board of Education had the answers. Rep. Loglisci stated the Board of Education's response to the question of what the result would be if the Board of Representatives did not vote on this item was that the contractor could sue the City. Rep. Loglisci went on to state that these are pat answers the Board of Education always has. Rep. Loglisci believes the Board of Representatives should get out of the practice of giving the Board of Education the money and "expect them to do the right thing later," as was suggested by Rep. Martin. Thereafter, Rep. Loglisci moved to hold this item until answers are forthcoming; said motion was seconded.

Rep. Martin stated that the point was clearly made, in a bipartisan manner, that the Board of Representatives expects the Board of Education to look for the lowest cost alternatives.

Secondly, Rep. Martin pointed out that the Board of Education will be returning to his Committee with additional requests on other items for Stark School, and this would provide an opportunity to hold the Board of Education accountable. Rep. Martin stated that if this item were held, it potentially complicates the Board of Education's plans and may potentially increase costs. Rep. Martin stated he would like to extend a certain amount of trust in that Mr. Nast and other members of the Board of Education testified that they would be looking into the issues raised. Mr. Martin stated he feels the Board of Education is on the verge of getting cost savings, and he would rather have this proceed in a trustful manner rather than an accusatory or derogatory one -- particularly one where it may increase the total cost in the short run. Therefore, Rep. Martin stated he does not believe it is in the City's best interest to hold this item.

Finally, Rep. Martin commented that members of the Fiscal and Education Committees would meet with the Mr. Nast and the head of the Facilities Committee of the Board of Education to make certain that the types of questions posed would be answered prior to proceeding any further with this project.

Rep. Leydon stated that the Board of Representatives may be subjecting the City to liability if this item were not approved tonight by delaying the contractor, who has been waiting for the money so that he can proceed with the job.

Rep. Loglisci stated that Rep. Leydon was speaking directly to his point that the Board of Education always holds this sort of thing over this Board. Rep. Loglisci stated that the Board of Education's standard pat answers include "it will hurt the children," "we need the space," and that "we are opening ourselves up to some sort of liability."

Rep. Loglisci requested a machine vote. After being seconded, the motion to hold the item failed by a vote of 10 Yes, 24 No, 2 not voting and Rep. Drucker abstaining.

7. F24.139  
\$20,000.00  
C-G-A-97-30

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 610, Capital Project No. 528; build new  
and/or improve existing game court areas per  
the Master Plan; funding source: contribution from the  
Exchange Club of Stamford.  
10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

**APPROVED  
ON CONSENT  
AGENDA**

*Secondary Committee: Parks & Recreation*

**Committee  
Concurred**

Rep. Martin noted that Item, No. 7 (F24.139) is not funded by bonds but is a contribution from the Exchange Club.

8. F24.138	ADDITIONAL APPROPRIATION; Dept.	<b>MOTION</b>
<del>\$49,500.00</del>	No. 271.1110; Labor Relations, Salaries;	<b>DEFEATED</b>
<b>\$30,000.00</b>	hire labor relations specialist.	<b>BY MACHINE</b>
O-T-A-97-30	10/04/96 - Submitted by Mayor Dannel P. Malloy	<b>VOTE (17 Yes</b>
	10/15/96 - \$30,000.00 Approved by Board of Finance	<b>14 No, 4 Abs.)</b>
	10/21/96 - Committee voted 4-5-1	

*Secondary Committee: Personnel*

**Committee  
Voted 3-2-2**

Rep. Martin reported that the amount requested was originally \$49,500.00; the specific motion on the Fiscal Committee's agenda was for \$30,000.00, which was the amount approved by the Board of Finance. Rep. Martin made the motion to approve \$30,000.00 and noted that this item failed in Committee by a vote of 4-5-1; said motion was seconded.

Rep. Martin reported that the primary reasons this item was defeated were that (1) funds should/could be found in other accounts; (2) the hiring of additional sanitarians should be given a higher priority; (3) this item should have been in the original budget; and (4) more time should be spent assessing the capabilities of the new labor negotiator before we hire additional staff. On the other side, key arguments in favor of the item are (1) many contracts are currently under negotiation; (2) this department is very lean when compared to Bridgeport; and (4) the current department will be doing more internal legal work thus saving outside expenses.

Rep. DeLuca stated he was voting against this item because during Mr. Haselkamp's interview he was told that Stamford was getting two people for the price of one; (2) comparisons were only made to Bridgeport; and (3) we increased Health Department fees specifically to hire additional sanitarians and this has not occurred. Further, Rep. DeLuca stated that he recently received information from Tom Hamilton and Sim Bemstein regarding employee numbers, and based on this information, it appears many positions are still vacant or were filled after the start of the fiscal year. Thus, Rep. DeLuca believes there is approximately \$280,000 in surplus funds.

Rep. DeLuca stated he believes it is too early in the fiscal year to vote for additional appropriations, especially since it was agreed that additional appropriations would not be approved except for emergency situations. Rep. DeLuca also stated that Ray Grebey handled all the contracts in the past alone, and while the City probably does need another position, he feels the administration should look for the funds in the budget.

Rep. Loglisci stated he would vote against the additional appropriation but will vote for the position as he was convinced of the need for the position. He agreed with Rep. DeLuca that the current administration should find the money for this position in the existing budget. Rep. Loglisci stated that requesting additional appropriations was the easy way out, and he encouraged his colleagues to vote this item down.

Rep. Ponzini stated he was voting against the appropriation because the need for the appropriation has not been satisfactorily demonstrated. Rep. Ponzini stated that he would vote for the creation of the position.

Rep. Kuzlik stated he supports the position, but is not in favor of the additional appropriation as these funds should be found in other places in the budget. Rep. Kuzlik invited his colleagues to join him in opposition to this additional appropriation.

President Domonkos stated a two-thirds vote is needed to approve this item. Upon motion duly made and seconded, this item failed by a machine vote of 17 Yes, 14 No, 2 not voting, and Reps. Zelinsky, Lasko, Martin and Boccuzzi abstaining.

9. F24.134  
\$89,400.00  
C-T-A-97-38h

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 520, Project No. 141; Smith House  
Kitchen Renovation; modernize kitchen facilities and  
bring up to code compliance; funding source: ~~capital~~  
~~projects close out~~ **bonding. Approval of Exhibit A.**  
10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

**APPROVED  
ON CONSENT  
AGENDA**

*Secondary Committee: Housing/Community Development/  
Social Services*

**Committee  
concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 9 (F24.134) above.

10. F24.129  
\$500,000.00  
C-T-A-97-38a

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 330, Project No. 249; Office of Operations,  
Engineering; street patch/resurfacing; funding source:  
~~capital projects close out~~ **bonding. Approval of Exhibit A.**  
10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

**APPROVED  
ON CONSENT  
AGENDA**

*Secondary Committee: Public Works*

**Committee  
concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 10 (F24.129) above.

11. F24.130  
**\$350,000.00**  
C-T-A-97-38b

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 330, Project No. 159; sidewalk restoration,  
and/or replacement; Funding source: ~~capital projects~~  
~~close-out bonding~~. **Approval of Exhibit A.**

**APPROVED  
ON CONSENT  
AGENDA**

10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

*Secondary Committee: Public Works*

**Committee  
concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 11 (F24.130) above.

12. F24.131  
**\$90,000.00**  
C-T-A-97-38c

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 341, Project No. 110; purchase flushing  
machine for sewer cleaning; funding source:  
~~capital project close-out bonding~~. **Approval of Exhibit A.**

**APPROVED  
ON CONSENT  
AGENDA**

10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

*Secondary Committee: Public Works*

**Committee  
concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 12 (F24.131) above.

13. F24.132  
**\$350,000.00**  
C-T-A-97-38d

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 341, Office of Operations, WPC Bureau;  
set up customer billing for the Water Pollution  
Control Authority; funding source: ~~capital projects~~  
~~close-out bonding~~. **Approval of Exhibit A.**

**APPROVED  
BY VOICE  
VOTE**

10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

*Secondary Committee: Public Works*

**Committee  
concurred**

Rep. Loglisci moved to hold this item in that he felt there were a number of legitimate questions raised at the public hearing. Rep. Loglisci also stated that he feels the burden will be a lot heavier on homeowners than what has been anticipated. Rep. Loglisci does not feel the Board has enough information regarding the fees that will be charged and felt that the Board was setting themselves up to impose a terrible burden on the taxpayers.

Rep. Nakian stated she was opposed to holding this item because the Legislative & Rules committee had been very specific in conveying to the administration that billing should not start until the beginning of the next fiscal year because funds to run the sewage treatment plant and ancillary systems is in the current year's taxes. Rep. Nakian stated that if the billing system doesn't start with the new fiscal year, significant problems will occur if a portion of the costs associated with the sewage treatment plant has to be included in the next fiscal budget. This scenario would create significant confusion. Rep. Nakian also felt that the Board should move ahead on this item so as to have the entire system in place, set the rates, etc.

Rep. Loglisci requested a machine vote on his motion to return the item to committee. Said motion was seconded and defeated by machine vote, with ten (10) Yes, twenty-eight (28) No, one (1) not voting and two abstentions, Reps. Owens and White).

Rep. Martin moved the main motion; said motion was seconded and approved by voice vote. Rep. Martin also stated that Exhibit A should be attached to Item No. 13 (F24.132).

14. F24.133  
**\$150,000.00**  
C-T-A-97-38e

CAPITAL PROJECT APPROPRIATION REQUEST;  
Dept. No. 341, Project No. NEW; Water Pollution  
Control, Major Repairs; perform major, non-  
operating repairs to any of the 21 pump stations;  
funding source: ~~capital projects close-out~~ bonding.  
**Approval of Exhibit A.**

**APPROVED  
BY VOICE  
VOTE**

10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

*Secondary Committee: Public Works*

**Committee  
concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 14 (F24.133) above.

Rep. Loglisci requested this item be removed from the Consent Agenda.

Rep. Martin moved the item; said motion was seconded and approved by voice vote.

15. F24.136  
~~\$300,000.00~~  
C-T-A-97-38g  
~~\$100,000.00~~

CAPITAL PROJECT APPROPRIATION REQUEST;  
Office of Operations, Public Service Bureau, Facilities  
Management; assess existing structural conditions,  
and the feasibility of future utilization and design  
repairs for city facilities; funding source: ~~capital~~  
~~projects close-out bonding~~. **Approval of Exhibit A.**  
10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/22/96 - Committee voted 9-0-1 to fund \$100,000.00

**APPROVED  
BY VOICE  
VOTE**

*Secondary Committee: Public Works*

**Committee  
Concurred**

Rep. Martin stated that Exhibit A should be attached to Item No. 15 (F24.136) above.

The Committee approved \$100,000 for this study. Rep. Martin stated that this item was submitted by Director Patricia Broom, who identified a number of miscellaneous projects throughout the City that in her opinion were no longer necessary. Director Broom also advised the Committee that there was no overall facilities plan and that one should be developed. Rep. Martin reported that the Committee questioned the cost of the project, and Director Broom replied that this appropriation request was not just for the facilities plan but was also for subsequent design work. Rep. Martin reported that the Committee felt the design work was not necessary, and thus \$100,000 was approved for the study.

16. F24.135  
~~\$275,000.00~~  
C-T-A-97-38f

CAPITAL PROJECT APPROPRIATION REQUEST;  
Office of Operations, Public Services Bureau, Facilities  
Management; seal decks at Transportation Center  
parking garage to prevent damage to the structure;  
funding source: ~~capital projects close-out bonding~~.  
**Approval of Exhibit A.**  
10/04/96 - Submitted by Mayor Dannel P. Malloy

**APPROVED  
ON CONSENT  
AGENDA**

10/08/96 - Approved by Planning Board  
10/15/96 - Approved by Board of Finance  
10/21/96 - Committee voted 10-0-0

Rep. Martin stated that Exhibit A should be attached to Item No. 16 (F24.135) above.

*Secondary Committee: Transportation*

**Report  
Waived**

Rep. DeLuca moved to waive the Transportation Committee report. Said motion was seconded and approved by voice vote.

Rep. Martin moved the Consent Agenda consisting of Item Nos. 1, 2, 3, 4, 5, 7, 9, 10, 11, 12 and 16; said motion was seconded and approved by voice vote.

Rep. Martin stated that the quarterly capital projects close out report has been received; he was uncertain if all members had received it. This item will be placed on the agenda for the Fiscal Committee in the coming month, specifically, the administrative subcommittee of the Fiscal Committee.

**LEGISLATIVE & RULES COMMITTEE** - Maria Nakian, Chairwoman

Rep. Nakian reported that Legislative & Rules met on Monday, October 28, 1996 at 7:00 p.m. Present were Committee members Esposito, Fedeli, Fox, Lasko, Mitchell, Nakian, Sabia, Sherer, Skigen, Ventura and Zelinsky. Also present were Reps. Boccuzzi, Curtis Domonkos, Gergle and Loglisci. Also present on No. 1, were Patricia Broom and Thomas Cassone; on No. 5, Thomas Hamilton; on public hearing item No. 1, there were approximately twelve people, five of whom raised objections to the ordinance, and one who was in favor. At the public hearing on No. 3, the recycling ordinance, there were three people who spoke in favor of the ordinance.

1. LR24.50

PROPOSED ORDINANCE; for final adoption; concerning the establishment of a Water Pollution Control Authority.  
07/15/96 - Submitted by Mayor Dannel P. Malloy  
08/05/96 - Held in Committee  
09/04/96 - Held in Committee  
10/07/96 - Approved for Publication  
10/28/96 - Committee voted 8-2-1

**APPROVED  
BY MACHINE  
VOTE (24 Yes,  
11 No, Rep.  
DePina abst.)**

*Secondary Committee: Public Works*

**Committee Voted  
6-1-0 to Hold**

Rep. Nakian reported there were four small amendments to the ordinance and that everyone was provided a copy with the changes. These were (1) the holding tank waste definition should read, "any waste from holding tanks such as vessels, chemical toilets, campers, trailers and septage hauling trucks."; (2) Section 2.6 should read "or other legal debt" rather than "or their legal debt;" (3) Section 4.10 should read "within 25 feet" rather than "with 25 feet;" and (4) Section 5.4f should read "Unusual" rather than "Usual."

Upon motion duly made and seconded, said amendments were approved by voice vote with Rep. Summerville abstaining.

Rep. Nakian moved the main motion, as amended for final adoption.

Rep. Martin stated there were previous problems with authorities created by this Board and the subsequent ability of this Board to dissolve and/or change the authority. Rep. Martin asked Rep. Nakian if it was her understanding that the Board has the ability to amend this ordinance and change the responsibilities and/or duties and even to eliminate the Water Pollution Control Authority at a later time. Rep. Nakian said it was her understanding that we have the right to amend the ordinance and change the guidelines concerning the operation of the Water Pollution Control Authority as they are set out in the ordinance. We would also have the power to abolish the authority by repealing the ordinance. Rep. Nakian's only hesitation was that the State directs that Stamford have an authority, but that this is an entirely different issue.

Rep. Martin also stated that Director Cassone advised that it may be appropriate for some organizations to meter the water discharged. Rep. Martin was concerned whether this was reflected in the rate structure. Rep. Martin stated he was also concerned that the ordinance, as now written, does not provide for tipping fees from people disposing of sludge, primarily from septic system cleanouts. Rep. Martin requested the Legislative & Rules Committee to adequately provide for these provisions at a later date.

Rep. Nakian stated that these points were discussed in Committee, and she received assurances that there was no need to change the ordinance to accommodate different methods of billing. However, Rep. Nakian agreed that this was not as clear as it could be, and that there is a very real possibility that the ordinance will be amended to include these points. Rep. Nakian stated the committee will keep abreast of all issues relating to this ordinance and will amend the ordinance to make it work better, if necessary. Rep. Nakian stated additional questions will come up as the Authority begins its work, and changes will be made as necessary.

Rep. Martin thanked Rep. Nakian and stated that with the understanding of the Legislative & Rules Committee, Rep. Martin will support the approval of this item because it is mandated by the State.

Mr. Zelinsky stated he attended the public hearing and heard several speakers raise questions about the user fees in this ordinance. One constituent said the user fee would unfairly shift the costs on to water intense businesses and large families, and that it might even put some people in Stamford out of business. Another individual testified that he managed a little league, and the water bill for the fields are billed to him personally. Another citizen questioned the water company's billing system. A representative of a local hospital asked about putting in meters to monitor their usage.

Rep. Zelinsky stated he was advised that most residents will break even or even see some savings, and that the cost to a family of four will be about \$200 a year, or \$50 a person. Rep. Zelinsky noted that a tax district A resident, whose home is assessed at \$139,000, pays taxes of \$187 for the City's existing sewer system. Rep. Zelinsky questioned why, with more money coming in from the non-profits and other institutions that are not now paying, the one-family homeowner taxpayer isn't seeing more substantial savings. Finally, Rep. Zelinsky stated he was concerned whether individual homeowners can also install meters to monitor usage.

Rep. Zelinsky stated he was pleased that the rate structure needs Board approval, however, he still has some of the same concerns as Rep. Martin. Rep. Zelinsky reiterated that the Board has had problems with other authorities in the past -- such as the Transit and the Golf Authorities -- and he believes that the Board should make sure that the concerns raised at the public hearing be addressed before we vote for final adoption. Rep. Zelinsky asked his colleagues to hold this ordinance for one month.

Rep. Boccuzzi stated that he was not too happy with the ordinance in general but felt that holding it at this time will not accomplish anything because there is a lot of work that has to be done after it is approved to put it on the books such as approving appointments. Rep. Boccuzzi stated that holding the ordinance would hold up the entire process of establishing the authority, and it needs to be ready by February 1. Further, Rep. Boccuzzi stated that the penalties were severe and the City could be fined if the ordinance is delayed. Rep. Boccuzzi stated he believed there are enough safeguards in the ordinance to give the Board of Representatives enough power to control the charges that will be levied. Rep. Boccuzzi concluded by asking his colleagues not to hold and proceed with a vote to approve it.

Rep. Loglisci stated that the term "control" means the level of confidence the Board has that it in fact does have control over the authority. Rep. Loglisci asked Rep. Nakian to explain the role the Board will have in approving fees and inspecting the methodology used to arrive at the fees.

President Domonkos asked the relevance of Rep. Loglisci's comments to holding the item.

Rep. Loglisci replied that he doesn't feel that the Board truly understands what its role is [with regard to the Authority]. Rep. Loglisci also stated that he was dissatisfied with some of the answers Mr. Cassone provided at the meeting.

Rep. Zelinsky stated that it was his understanding that by February the Authority is supposed to submit a report to the state. He also believed that this did not mean that everything, including fees, must be in place -- it just means that a report has to be filed. Rep. Zelinsky felt a one-month delay would not cause Stamford to be fined by the State.

Rep. Nakian stated the Committee listened very carefully to the people at the public hearing and that the Committee has a lot of the same concerns that the citizens had. Rep. Nakian stated that these concerns were discussed at great length with Corporation Counsel and Patricia Broom, and the Committee is of the opinion that if an organization, a hospital, a little league or a laundry, believes its water consumption is not the same as its water discharge, that entity can request an evaluation from the Authority. Rep. Nakian reported that, per Jeanette Semon, meters would be acceptable. Whether the present ordinance would prohibit this can be easily corrected by amending the ordinance. Rep. Nakian stated these types of questions have been discussed for four months, and that every aspect of this ordinance has been discussed.

Rep. Nakian stated the Board's role over the budget is the same as any other city budget. She was advised by Mr. Cassone that the Board's only requirement is to set the rate structure at the amount the Authority needs to operate. Rep. Nakian was also advised by Mr. Cassone that according to our charter, the Board has the right to set fees, and based upon that, that right is extended to this ordinance.

Rep. Nakian stated that Stamford had received a major concession from the State, because theoretically, the Board has no control over the budget of an authority. She stated that the State is going against the whole reason for establishing an Authority: that is, to guarantee that there is enough money set aside for the sewage treatment plant that cannot be used by the City for any other purpose. Rep. Nakian's stated that the Board should take advantage of this and that by delaying the approval of this ordinance, the Board could lose this concession.

Rep. MacInnis raised a point of order by stating that this discussion is more appropriate to the main motion rather than the motion to hold, and he moved the question on the floor. Said motion was seconded and approved by voice vote.

President Domonkos stated that the motion to hold this item and return it to committee would be voted on. Said motion was seconded and defeated by voice vote. President Domonkos now turned to the main motion, as amended and requested any further discussion.

Rep. DeLuca stated, in response to the comment that the State is being nice to us by giving us some concessions, that he believes the State dictates mandates to us that create more hardships. Rep. DeLuca noted that Stamford recently received awards for having the best sewage treatment plant in the State, Stamford has not been polluting the Sound, but yet Stamford has to come up with this user fee. Rep. DeLuca's stated some of his constituents don't believe there will be a savings, that the user fee will be offset with the taxes, and he agrees that it is hard to believe savings will be created. Rep. DeLuca also stated that the user fee is not a tax-deductible item; that landlords will have to increase rents to cover this fee; and the same people that will incur this new fee are the same as those who received an \$80 tax increase with the shifting of the City firefighters.

Rep. DeLuca stated that he will vote no on this item. Rep. DeLuca commented that years ago the State mandated speech therapists and psychologists, with the promise of reimbursement, and when the State ran short of funds, it refused to reimburse Stamford.

Rep. Ponzini stated he is voting for the ordinance because of the State mandate, however, if there are adverse economic consequences to the citizens of this City, he expressed his hope that the lawyers of this City will challenge the directive on the basis of fairness. Rep. Ponzini stated that this mandate was enacted in order to force towns and cities around the State of Connecticut who were not being environmentally sensitive to start address this issue, but that Stamford is not one of these towns in that Stamford has a sterling sewage treatment plant. Rep. Ponzini stated that because Stamford is being forced to do this, that if there are no savings and no increased revenues, then the Board should be prepared to fight the State because Stamford shouldn't be penalized for the environmental sins of other towns and cities in the State of Connecticut.

Rep. White stated that it is a mistake to pass legislation, immediately admit there are flaws with it, and that it will be amended – he did not believe this was very good policy. Rep. White said he agreed with the majority of Rep. DeLuca's comments concerning the sewage treatment plant, and intend to vote no on this item.

President Domonkos stated that this would be a machine vote and that 21 votes were needed for approval. The main motion was seconded and approved by machine vote, 24 Yes, 11 No, and 1 Abstention.

2. LR24.60

PROPOSED ORDINANCE; for final adoption; amending Ordinance 786 Supplemental to provide for municipal penalties for zoning violations.  
09/05/96 - Submitted by Rep. Nakian (D-20)  
10/07/96 - Approved for Publication  
10/28/96 - Committee voted 8-0-0

**APPROVED  
ON CONSENT  
AGENDA**

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|------------|--|---|
| 3. LR24.63 | PROPOSED ORDINANCE; for <u>final adoption</u> ; requiring mandatory recycling of mixed household paper.<br>08/13/96 - Submitted by Mayor Dannel P. Malloy<br>10/07/96 - Approved for Publication<br>10/28/96 - Committee voted 9-0-0 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 4. LR24.73 | PROPOSED ORDINANCE; <u>For Publication</u> ; removing sections from the purchasing ordinance due to charter revision.<br>09/20/96 - Submitted by David Vecchia, Purchasing Agent<br>10/28/96 - Committee voted 6-0-0                 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |

Rep. Nakian mentioned that the Committee also voted to waive publication and for final adoption. However, those motions were not made because this item is not of an emergency nature.

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| 5. LR24.71<br>O-T-C-97-29 | APPROVAL; contract between City of Stamford and Schindler Elevator Corporation<br>09/16/96 - Submitted by Mayor Dannel P. Malloy<br>10/07/96 - Held in Committee<br>10/15/96 - Approved by Board of Finance<br>10/28/96 - Committee voted 8-0-0                | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |
| 6. LR24.77<br>O-T-C-97-41 | APPROVAL; <u>renewal</u> contract between City of Stamford and Ceridian Corporation for data processing services for payroll.<br>09/24/96 - Submitted by Mayor Dannel P. Malloy<br>10/15/96 - Approved by Board of Finance<br>10/28/96 - Committee voted 8-0-0 | <b>APPROVED<br/>ON CONSENT<br/>AGENDA</b> |

Rep. Nakian moved the Consent Agenda, consisting of Item Nos. 2, 3, 4, 5 and 6. Said motion was duly seconded and approved by voice vote.

**PERSONNEL COMMITTEE** - Randall Skigen, Chairman

Rep. Skigen reported that the Personnel Committee met on October 30, 1996 at 7:05 p.m. Present were Reps. Fortunato, MacInnis, Loglisci, Lasko, Zelinsky, Fedeli and Skigen. Also present on Item No. 1 were Sim Bernstein, Deputy Chief Young and Lt. DeCarlo of

the Stamford Police Department; present on Agenda Item No. 3 were James Haselkamp, Director of Labor Relations; Reps. DeLuca, Domonkos and Mitchell.

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| 1. P24.02 | REPORT; policies and practices used by the Stamford Police Dept. in determining the criteria for the physical fitness portion of the police exam.<br>06/05/96 - Submitted by Rep. Fortunato (D-17)<br>07/01/96 - Held in Committee<br>08/05/96 - Held in Committee<br>09/04/96 - Held in Committee<br>10/07/96 - Held in Committee | <b>REPORT<br/>MADE</b> |
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Rep. Skigen stated that a report was provided to everyone this evening and due to the late hour, he opted not to read it. President Domonkos asked whether this completed this agenda item, and Rep. Skigen replied that it was in fact a closed matter now.

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| 2. P24.03 | APPROVAL; Pay Plan for Non-Union, Appointed and Elected Officials.<br>09/17/96 - Submitted by Sim Bernstein, Personnel Director<br>10/15/96 - Held by Board of Finance<br>10/30/96 - Item held in Committee | <b>HELD IN<br/>COMMITTEE</b> |
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Rep. Skigen reported that this item was being held in that there will be a joint meeting with the Board of Finance on November 20, 1996 at 7:00 p.m. in the Board of Finance meeting room. At that time the pay plan will be presented by the outside consultants who developed the plan.

President Domonkos stated that the entire Board was invited and urged all members to attend.

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| 3. P24.04 | ORDINANCE; <u>For Publication</u> ; concerning the creation and designating the position of Labor Relations Specialist to the Director of Labor Relations. Said position to be unclassified.<br>10/16/96 - Requested by Mayor Dannel P. Malloy<br>10/30/96 - Committee voted 7-0-0 | <b>APPROVED<br/>BY VOICE<br/>VOTE</b> |
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Rep. Skigen reported that an amendment to the ordinance was approved in Committee. In Section 2A, the first sentence now reads "shall be renewed" rather than "may be renewed." Said amendment was moved, duly seconded and approved by voice vote.

Rep. Skigen moved the main motion – the ordinance, as amended, for publication – said motion was seconded and approved by voice vote.

**PLANNING & ZONING/ENVIRONMENTAL/ - Paul Esposito &  
ECONOMIC DEVELOPMENT COMMITTEE - Donald Sherer, Co-Chairmen**

**NO  
REPORT**

**PUBLIC WORKS COMMITTEE - Bobby Owens & Lucy Corelli, Co-Chairs**

Rep. Owens reported that the Public Works Committee met on Tuesday, October 29, 1996 at 7:00 p.m. in the Democratic Caucus Room. Present were Committee Reps. Corelli, Owens, Nanos, Zelinsky, White, Fox and Martin. Also present were Reps. Drucker and DeLuca. Present for Item No. 1 was Norman Liu, City Engineer; for Item No. 2, Robin Stein, Director of Planning & Zoning.

1. PW24.01  
O-T-C-97-42

APPROVAL; contract between City of Stamford and Hayden/Wegman, Inc. for design and engineering services for the rehabilitation of the West Main Street Bridge.  
09/20/96 - Submitted by Mayor Dannel P. Malloy  
10/15/96 - Approved by Board of Finance  
10/29/96 - Committee voted to place on Consent Agenda

**APPROVED  
ON CONSENT  
AGENDA**

2. PW24.02  
O-T-C-97-43

APPROVAL; contract between City of Stamford and Sasaki Associates, Inc. for a planning study of the Mill River Corridor.  
10/04/96 - Submitted by Mayor Dannel P. Malloy  
10/15/96 - Approved by Board of Finance  
10/29/96 - Committee voted to place on Consent Agenda

**APPROVED  
ON CONSENT  
AGENDA**

3. PW24.03

REVIEW; Administration's policy regarding reimbursements for refuse pickup.  
10/15/96 - Submitted by Reps. Loglisci (R-14) and DeLuca (R-14)  
10/29/96 - Item Held in Committee

**HELD IN  
COMMITTEE**

Rep. Owens reported that he had received information from Director Patricia Broom, and she explained that presently we pick up all condominium developments with twelve or less units. Director Broom advised that those units that do not receive pick up are paid \$20 per quarter, or \$80 per year, per unit. Rep. Owens stated that a number of legal

questions concerning past cases were posed, and thus, the item was held for additional information. Director Broom will be invited to the next meeting and corporation counsel will be requested to provide an opinion.

Rep. Owens moved the Consent Agenda, consisting of Item Nos. 1 and 2; said motion was duly seconded and approved by voice vote.

**PUBLIC SAFETY & HEALTH COMMITTEE** - Jeffrey T. Curtis, Sr., Chairman

Rep. Curtis reported that the Committee met on October 30, 1996 at 7:00 p.m. in the Republican Caucus Room. A report was provided to all members regarding Item No. 1, the proposed ordinance regarding uniform house and building numbering system. The latest draft was provided tonight.

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| 1. PS24.03 | <p><b>PROPOSED ORDINANCE; <u>For Publication</u>; regarding uniform house and building numbering system for public safety.</b></p> <p>02/09/96 - Submitted by Reps. Curtis (D-9),<br/>Domonkos (D-18) and Mellis (D-13)</p> <p>03/04/96 - Held in Committee</p> <p>04/02/96 - Held in Committee</p> <p>05/01/96 - Held in Committee</p> <p>06/03/96 - Held in Committee</p> <p>07/01/96 - Held in Committee</p> <p>08/05/96 - Held in Committee</p> <p>09/04/96 - Held in Committee</p> <p>10/07/96 - Held in Committee</p> <p>10/30/96 - Committee voted 7-0-0</p> | <p><b>APPROVED<br/>BY VOICE<br/>VOTE</b></p> |
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Rep. Martin thanked Rep. Gergle for meeting with him, the Director of Health and Safety, and Mr. Robinson in straightening out the previous draft -- which contained unclear and unconsidered details -- and that the draft provided tonight is a workable ordinance. President Domonkos thanked Rep. Martin for assisting the Committee in helping redraft the ordinance, thus greatly improving it.

Rep. Curtis reported that two amendments were made to the last mailed draft. In 3B, where it says, "building signs listing commercial tenants by unit or apartment number shall be displayed in the primary entry area of the building" is the first change. In 6A, after the initial fine, the ordinance originally stated that it was going to be \$10 per week; due to the complexity of the paperwork involved in fining on a weekly basis, it was changed to \$50 per thirty-day period. Finally, the collection of the penalties is under the

responsibility of the Alarms Appeals Board . Rep. Curtis moved the motion regarding the amendments; said motion was seconded and approved by voice vote.

Rep. Zelinsky thanked Rep. Martin for redrafting this ordinance from a ten-page ordinance down to two or three pages. He also thanked the Committee for incorporating some of his suggestions, such as eliminating strict requirements regarding height and inches.

President Domonkos requested a letter be sent to Rick Robinson, Assistant Corporation Counsel, who, while very busy with tax appeals, got this ordinance out in a matter of four days. Rep. Curtis stated he was more than happy to send the letter. President Domonkos thanked Reps. Curtis, Gergle and the Committee for their hard work noting that this is an ordinance that could save lives.

Upon motion duly made and seconded, the main motion was approved by voice vote.

**PARKS & RECREATION COMMITTEE** - Herman Alswanger & **REPORT  
MADE**

Rep. Alswanger reported that the Parks & Recreation Committee met, with Mary Fedeli co-chairing it, on Monday, October 21, 1996. All Committee members were in attendance. Item No. 7 on the Fiscal Committee's agenda, the \$20,000 contribution from the Exchange Club. This was unanimously accepted and the Committee appreciates what the Exchange Club has done for the City.

**EDUCATION COMMITTEE** - John F. Leydon, Jr., Chairman **REPORT  
MADE**

Rep. Leydon reported that the Education Committee met on Monday, October 21, 1996 and November 6, 1996 in conjunction with the Fiscal Committee. In attendance at both meetings were Rep. Leydon, Giordano, Drucker, Ventura, Loglisci, Alswanger and Vice Chair Romaniello. The Committee concurred with the Fiscal Committee's vote on the Stark School agenda item, No. 6. A report will be forthcoming.

**URBAN RENEWAL COMMITTEE** - Alice Fortunato, Chairwoman **REPORT  
MADE**

President Domonkos stated that a report was provided to each member this evening. Further, President Domonkos stated the Committee is waiting for the traffic study, which is due this month, and the Committee will be meeting this month.

1. UR24.02      UPDATE; Blocks 8 and 9 Project and presentation by  
Corcoran-Jennison Group.  
09/10/96 - Submitted by Rep. Fortunato (D-17)  
10/07/96 - No report

**HOUSING/COMMUNITY DEVELOPMENT/  
SOCIAL SERVICES COMMITTEE - Ellen Mellis, Chairwoman**

Rep. Mellis reported that the Housing/Community Development/Social Services Committee met on Tuesday, October 22, 1996 at 6:30 p.m. and on November 6, 1996 at 6:30 p.m. A report is provided from the October 22, 1996, and at the November 6 meeting related to Item No. HCD24.05, the approval for the contract between the City and Halcyon Day for Smith House. Present were John Byrne, Rep. Mellis, Kuzlik, Deborah Schmidt, the new Executive Director, Gwynn Lamont from Halcyon Day, Rep. Davis, Tom Cassone, and President Domonkos.

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| 1. HCD24.01                | PROPOSED ORDINANCE; regarding the role of the<br>Social Services Commission<br>09/05/96 - Submitted by Reps. Domonkos (D-18) and<br>Mellis (D-13)<br>10/07/96 - Held in Committee<br>10/22/96 - Held in Committee             | <b>HELD IN<br/>COMMITTEE</b>          |
| 2. HCD24.05<br>O-T-C-97-42 | APPROVAL; contract between City of Stamford and<br>Halcyon Day Properties, Inc. for the Smith House<br>Skilled Nursing Facility.<br>10/04/96 - Submitted by Mayor Dannel P. Malloy<br>10/15/96 - Approved by Board of Finance | <b>APPROVED<br/>BY VOICE<br/>VOTE</b> |

Rep. Mellis stated that due to an oversight, the contract was sent down this month, although it was effective in July. Rep. Mellis moved to take the item out of committee, which had held it because there were some questions regarding liability coverage that were answered tonight.

President Domonkos noted that twenty-one votes were required to take the item out of committee. Said motion was seconded and approved by voice vote. Rep. Mellis moved the Item; said motion was seconded.

Rep. Pia asked Rep. Mellis what differences were in this contract compared to the previous contract. Rep. Mellis stated that the fees to the City increased in increments of

\$10,000; \$240,000 the first year and that they have been going up in increments of \$10,000 over the last four years; otherwise the contract is the same. Rep. Pia asked whether personnel hiring provisions were changed in any way. Rep. Mellis stated that the Committee went over the contract section by section. Some changes were regulatory in nature, but basically, there were no changes. The motion was approved by voice vote.

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| 3. HCD24.06 | REPORT; status with sub-grantees of Stamford Community Development - Pacific House.<br>10/10/96 - Submitted by Ellen Mellis (D-13) | <b>REPORT<br/>MADE</b> |
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**TRANSPORTATION COMMITTEE** - Robert DeLuca, Chairman

Rep. DeLuca reported that no meeting was held, however, a self-explanatory report was prepared and provided to all representatives. Rep. DeLuca stated that the program is working successfully.

President Domonkos thanked Rep. DeLuca for checking on this matter.

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| 1. T24.02 | REPORT; status of the Dial-a-ride reimbursement subsidy.<br>10/16/96 - Submitted by Rep. Domonkos (D-18) | <b>REPORT<br/>MADE</b> |
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**HOUSE COMMITTEE** - Annie M. Summerville, Chairwoman **NO  
REPORT**

**LABOR CONTRACT COMMITTEE** - Randall Skigen, Chairman **REPORT  
MADE**

Rep. Skigen reported the Labor Contract Committee met on October 30. All members were present. A list of the items suggested by representatives was presented to each committee member, and he received ratings on these items. A matrix will be made and this will be transmitted to Mr. Haselkamp. At that point, the work of the Labor Contract Committee will be completed.

President Domonkos noted that thirty-five (35) items were submitted and she appreciated the cooperation and interest on the part of the representatives.

## **RESOLUTIONS**

There were no resolutions this month.

## **MINUTES**

1. October 7, 1996 Regular Board Meeting

**APPROVED  
BY VOICE  
VOTE**

Upon motion duly made and seconded, the October 7, 1996 minutes were approved.

## **COMMUNICATIONS**

Rep. DeLuca reminded all that the Holiday Party will be held on December 8, 1996 was reported. All representatives should respond by November 18, 1996.

President Domonkos stated the Legislative Breakfast has been rescheduled for Wednesday, January 22, 1996 at the Sheraton Hotel from 7:30 a.m. to 9:00 a.m.

President Domonkos reminded all committee chairs to provide the Board Office with all amendments to any ordinances for publication.

## **OLD BUSINESS**

There was no old business to report.

## **NEW BUSINESS**

Rep. Loglisci requested that funding amounts be included in resolutions authorizing the City to make application for grants.

## **ADJOURNMENT**

Upon motion duly made and seconded, the meeting was adjourned at 11:50 p.m.

NO	NAME
1	N/P GAZTAMBIDE, CISCO
2	PRS NAKIAN, MARIA
3	PRS PIA, THOMAS
4	PRS OWENS, BOBBY
5	PRS LOGLISCI, RALPH
6	PRS CORELLI, LUCY
7	PRS FEDELI, MARY
8	PRS ABBAZIA, TIMOTHY
9	PRS CURTIS, JEFFREY
10	PRS SABIA, RONALD
11	PRS SKIGEN, RANDALL
12	PRS GIORDANO, PHILIP
13	PRS DE LUCA, ROBERT
14	PRS GERGLE, JOSEPH
15	PRS PONZINI, JOHN
16	PRS KUZLIK, RONALD
17	PRS MAC INNIS, WILLIAM
18	PRS MELLIS, ELLEN
19	PRS WHITE, PATRICK
20	PRS SUMMERVILLE, ANNIE

NOT PRESENT 3

NO	NAME
21	PRS DE PINA, GLORIA
22	PRS DAVIS, RUSSELL
23	PRS JOHNSON, GEORGE
24	PRS NANOS, PETER
25	PRS ROMANIELLO, RICHARD
26	PRS VENTURA, PAUL
27	N/P MITCHELL, ELAINE
28	PRS SHERER, DONALD
29	PRS ESPOSITO, PAUL
30	PRS DRUCKER, RACHEL
31	PRS ZELINSKY, JOHN
32	PRS WEINER, DANIEL
33	PRS ALSWANGER, HERMAN
34	PRS LASKO, WILLIAM
35	PRS LEYDON, JOHN F.
36	N/P FORTUNATO, ALICE
37	PRS FOX, GERALD M. III
38	PRS MARTIN, DAVID
39	PRS BOCCUZZI, JOHN
40	PRS DOMONKOS, CARMEN

PRESENT 37